

# **The Kind Treatment**

**By**

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## Preface

Praise belongs to Allah, the Lord of all the worlds. peace and blessings be upon his prophet Muhammad, his family and companions.

It is Allah's mercy upon His servants that He created spouses from themselves through which they get peace and tranquillity as Allah the Almighty said: "And it is among His signs that He has created for you wives from among yourselves, so that you may find tranquillity in them, and He has created love and kindness between you. Surely in this, there are signs for a people who reflect."

This verse has great meanings in it. One of them is that the woman with whom a man has married, is not of another sex rather she is in close proximity to him. moreover, she is created from himself as Hawwa (Eve) was created from Adam, (peace be upon him,)

and another thing is that love, mercy, kindness, compassion and peace that Allah has put between married couples, no one can apprehend and realise its reality except for those who are in marital relationship. As for the people who are in illegal and forbidden relationships, can never feel what the legally married couples can feel.

Allah's sharia has prescribed the most upright and most guided way. For this, there is no way to a prosperous life, in this world and the hereafter, except the lifestyle of Prophet Muhammad ( peace be upon him). Because the Islamic Sharia is full of verbal and actual peace and tranquillity, which brings happiness and calmness to the spouses; but people are rarely aware of it .

In this book - with the help and guidance of Allah- we will describe the behaviour and lifestyle of Prophet Muhammad( peace be up on him) with his wives. Keeping in the mind the verses:

(Live with them honourably) and

)And women have rights similar to their obligations, according to what is fair.(

And through the examining texts, facts, and events regarding marital life, I have become almost certain that there is hardly a problem or disagreement between the spouses in which both of them are not involved. and this is not the case that all the responsibility of every mistake is shouldered upon one of them. Of course, it happens but in rare cases.

We will elaborate something from it, inshallah, in upcoming pages.

May Allah the Almighty bless this book and benefit us on the day of judgement and make it beneficial for my Muslim brothers.

Only Allah the Almighty guides us to do good and He is Most Generous. Peace and blessings be upon our prophet Muhammad and his companions ,

All praises are due to Allah.

## **Everyone has right and everyone has virtue.**

Each of the spouses has a right over the other, as well as each of them has matters of virtue with regard to the other, which is evident in the verses of Quran and Hadith that talked about the rights of the husband and wife, one of (these verses) is: His Almighty's saying: {ولهن مثل الذي عليهن بالمعروف} "And due to them [i.e., the wives] is similar to what is expected of them, according to what is reasonable". It means: They (husbands) should fear Allah towards them (wives) just as it is obligatory for them (wives) to fear Allah towards them (husbands). Ibn 'Abbas said: I adorn myself for my wife as she adorns herself for me, because Allah says: {ولهن مثل الذي عليهن بالمعروف} "And due to them [i.e., the wives] is similar to what is expected of them, according to what is reasonable".<sup>1</sup> Each spouse has rights over the other, so each of them should fulfil other's right.

The wife should fulfil the rights of her husband by obeying him and protecting his home and money. Describing the greatness of the husband's right, the prophet -Peace and blessings of Allah be upon him- said: لو كنت أمراً أحداً أن يسجد لأحد : لأمرت المرأة أن تسجد لزوجها "If I were to order anyone to prostrate himself before another, I would have ordered a woman to prostrate herself before her husband".<sup>2</sup>

And the Prophet (peace and blessings of Allah be upon him) said to a woman: أذات زوج أنت؟ قالت نعم قال : كيف أنت له؟ قالت ما (ألوه (أي لا أقصر في حقه) إلا ما عجزت عنه . قال : فانظري أين أنت منه فإنما "Do you have a husband?" She said, "Yes." He said: "How are you with him?" She said, "I do not neglect any

<sup>1</sup> Al-Mughni (10/220), Edited by Dr. Al-Turki, a,d Al-Hulw. Published by Dar Alamil Kutub.

<sup>2</sup> Transmitted by Al-Tirmidhi (1159) and others.

of his rights except those I am unable to fulfil.” He said: “Look at how you are with him, for he is your paradise and your hell”.<sup>1</sup> And he ordered the husband to act kindly toward women, as he said: (اسْتَوْصُوا بِالنِّسَاءِ خَيْرًا) “act kindly towards women”.<sup>2</sup> And the Prophet (peace and blessings of Allah be upon him) said in his last sermon: (فَاتَّقُوا اللَّهَ فِي النِّسَاءِ فَإِنَّكُمْ (أَخَذْتُمُوهُنَّ بِأَمَانِ اللَّهِ وَاسْتَحْلَلْتُمْ فُرُوجَهُنَّ بِكَلِمَةِ اللَّهِ) “Show fear towards Allah regarding women, for you have got them under Allah’s security, and have the right to intercourse with them by Allah's word.”<sup>3</sup>

The husband is required to cajole his wife and win her heart, and to be patient on errors made by her - as long as it’s not detrimental to the right of Allah or his right - and the wife is required to be kind and obedient so long as that does not entail disobedience towards Allah. With this and that the marital life is straightened and family gets happy.

### **The first seed of a successful marriage:**

Many young people who are about to get married overlook a very important matter; that is the choice of a good, kind, prolific (in bearing children) wife. This can be known by asking the women, knowing the condition of the mother, and the house in which that woman lives. Most of the young people covet to marry a beautiful woman, or a rich woman, or a woman of descent lineage, and few of them seek the religious one who is the best of them. There is no blame on the one who seeks the beauty or the lineage, but whoever is able to bring together the religious and beautiful, or religious and lineage, it is good over good. It is the grace of God that

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<sup>1</sup> Transmitted by Ahmad (18524).

<sup>2</sup> A part form a Hadith transmitted by Muslim (1468).

<sup>3</sup> A part form a Hadith transmitted by Muslim (1468).

He gives to whomever He wills. The Prophet (peace and blessings of Allah be upon him) urged to marry with the religiously committed woman as it's good and stable. The prophet (peace and blessings of Allah be upon him) said: (تُنكحُ) (النِّسَاءُ لِأَرْبَعَةٍ لِمَالِهَا وَلِحَسَبِهَا وَلِجَمَالِهَا وَلِدِينِهَا فَاظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ) “Women are married for four things: their wealth, their nobility, their beauty and their religious commitment. Choose the one who is religiously committed, may your hands be rubbed with dust”.<sup>1</sup>

The Prophet (peace and blessings of Allah be upon him) urged that the religious woman should be preferred over the other mentioned women. If there is a choice between religious beautiful woman and non-religious beautiful woman, then the religious beautiful woman should be preferred for marriage, because the happiness of marriage gets long and extends to the end of life unless there is a divorce, for the religious woman mostly fears Allah towards her husband; she knows that Allah's pleasure comes with the pleasure of her husband, she knows that obedience to her husband is something that brings her closer to Allah, she knows that if she withholds her husband's right from her, then the One in the heavens will be angry with her, and the angels will curse her until morning, on the other hand, the non-religious woman, though her husband enjoys with her for a time, the aforementioned meanings do not have good impact on her, and if they have, she would not care about them due to her lack of religious motive.

It was said to the Messenger of Allah: (الَّتِي) "أَيُّ النِّسَاءِ خَيْرٌ قَالَ" "Which woman is best?" He said: "The one who makes him happy

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<sup>1</sup> Transmitted by Al-Bukhari (5090), and Muslim (1466).

when he looks at her, obeys him when he commands her, and she does not go against his wishes with regard to herself nor her wealth”.<sup>1</sup>

He (blessings and peace of Allah be upon him) said: (أربع من السعادة: المرأة الصالحة، والمسكن الواسع، والجار الصالح، والمركب الهنيء، وأربع من الشقاوة: الجار السوء، والمرأة السوء، والمسكن الضيق، والمركب السوء) “Four things are part of happiness: a righteous wife, a spacious abode, a good neighbour and a comfortable mount. And four things are part of misery: a bad neighbour, a bad wife, a small abode and a bad mount”.<sup>2</sup>

### **Looking at the fiancée is the means of maintaining a good relationship:**

To look at the fiancée is a correct prophetic approach, and a unique way, for which a prohibited thing gets permitted; the fiancée is a stranger to the fiancé, and there is no connection between her and the fiancé. Nevertheless, the pure Shariah permitted the fiancé to look at his fiancée, body parts that often appear so that he gets satisfied and intends (to marry her) or refrains (from it). The fiancée also gives her decision whether she agrees or not, so it causes the closeness between them, drives away the strangeness, and maintains the marital life. Al-Mughira bin Shu'ba said: (حَطَبْتُ امْرَأَةً فَقَالَ لِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «هَلْ نَظَرْتَ إِلَيْهَا؟» قُلْتُ: لَا قَالَ: «فَانْظُرْ إِلَيْهَا فَإِنَّهُ أَحْرَى (أَنْ يُؤَدَمَ بَيْنَكُمَا)» I asked a woman in marriage and God's Messenger asked me whether I had looked at her. When I replied that I had not, he said, “Then look at her, for it is

<sup>1</sup> Transmitted by Al-Nas'ai (3231) graded “Hasan Sahih” by Al-Albani in Sahih Nas'ai (3030).

<sup>2</sup> Al-Albani said: this has been reported by Ibn Hibban in Sahih (1232) and Al-Khatib in Al-Tareekh (12/99). Al-Albani said: this is authentic Hadith as per the conditions of Bukhari & Muslim.

better that there should be love between you.”<sup>1</sup> After transmitting this Hadith, Al-Tirmidhi said: Some of the people of knowledge dealt with this hadith and said that there is nothing wrong with looking at her unless he looks at the forbidden (part of her body). It’s the opinion of Ahmad and Is’haq. The meaning of: ((أحرى أن يؤدم بينكما)) is “for it is better that there should be love between you”. Jabir reported God’s Messenger as saying: « إِذَا خَطَبَ أَحَدُكُمْ الْمَرْأَةَ فَإِنْ اسْتَطَاعَ أَنْ يَنْظُرَ إِلَى مَا » «يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ» “When one of you asks a woman in marriage, if he is able to look at what will induce him to marry her, he should do so.”<sup>2</sup>

Shaikh Muhammad Bin Ibrahim said: “It is permissible to look at those parts of a woman that appear often. As for what does not appear, it is not permissible for him to look at it; because it (looking at fiancée) was prohibited but later has been permitted due to its need, so it should be confined to its limits, finally the face is enough (to look at it), for it is the most important part as the beauty is all in the face; and some of them are in the hands, feet, and in the neck, and the whole body covered by the clothes will be known in whole. As for looking at her other parts, so its evils are more than its benefits. And looking at the inside of the private parts is not permissible”.<sup>3</sup>

**Caution:** What some fiancés do, i.e., sitting with the fiancée - after agreeing to the engagement - or unnecessarily telephonic conversations, or going out together with the intention of preparing the marital home, and so on; it is against the Sharia

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<sup>1</sup> Transmitted by Al-Nasa’i (3235), Ahmad (17671), Ibn Majah (1866), the words are of Al-Tirmidhi, and he said: this is the Hasan Hadith. And Al-Albani said in Al-Sisilah Al-Sahihah: Hasan Hadith (96).

<sup>2</sup> Transmitted by Ahmad (14176), Abu Dawud (2082), the word is of Ahmad. Ibn Hajr said about the Hadith narrated by Abu Dawud: its chain of narrator is Hasan authentic (Fat’hul Bari 9/87).

<sup>3</sup> Fatawa wa Rasa’il of Shaikh Muhammad bin Ibrahim (11/10).

(Islamic law). The fiancée is still a stranger to the fiancé, and the engagement is nothing more than a promise of marriage, which is fulfilled through the marriage contract and with that the prohibition ends.

### **The obedience of wife to her husband:**

One of the greatest causes of intimacy between spouses and the continuation of love between them is the wife's harmony with her husband and her obedience to him so long as that does not entail disobedience towards Allah. And one of the greatest causes of misery between spouses is the wife's disagreement with her husband, her disobedience to him and giving up his commands; Rather, if her parents order her to separate from her husband for a reason that does not harm his religion, then she should not obey them in that, rather obedience to her husband is more deserving and obligatory. The married woman should know that the obedience to her husband is worship of Allah, for Allah is the One Who created the male and the female, and He - Glory be to Him - is the One Who made the guardianship of the man, with what He gave him of the sensible and ethical components, and the physical structure. If the wife considers the act of the husband's obedience as worshiping Allah and His obedience, her heart will be tranquil, and she will enjoy that obedience, and if she looks from the point of view that there is no difference between male and female in the matter of stewardship and obedience, the ship of married life would not settle and it will be about sink. We have mentioned a part of the Hadiths that imply the greatness of husband's right, and that the good and blessed wife is the one who sticks to obeying her husband.

There is an important thing in this aspect; that is when Allah has given the husband the guardianship and the right to be obeyed, so he has no right to exploit this guardianship and the right of obedience in a way that will harm the wife, so there is no injury nor return of injury. Likewise, he has no right to prevent his wife from visiting her parents, or their visit to her in his home unless he fears that they will cause the corruption of his wife, as well as he has no right to order his wife to disobey Allah, and if he commands, she should not hear or obey, if he orders her to disobey (Allah) and she refuses to do so, then he punishes her for that, he will be a sinner before Allah. The prophet (peace and blessing of Allah be upon him) said: **إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ** "obedience is to be given only regarding what is allowed".<sup>1</sup> Narrated `Aisha (may he be pleased with her): **أَنَّ امْرَأَةً، مِنَ الْأَنْصَارِ زَوَّجَتْ ابْنَتَهَا فَتَمَعَطَتْ شَعْرُ رَأْسِهَا، فَجَاءَتْ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَتْ ذَلِكَ لَهُ، فَقَالَتْ إِنَّ زَوْجَهَا** "An Ansari woman gave her daughter in marriage and the hair of the latter started falling out. The Ansari woman came to the Prophet (ﷺ) and mentioned that to him and said, "Her (my daughter's) husband suggested that I should let her wear false hair." The Prophet (ﷺ) said, "No, (don't do that) for Allah sends His curses upon such ladies who lengthen their hair artificially".<sup>2</sup>

The wife has been forbidden to fast without the permission of her husband. The Messenger of Allah (ﷺ) said: **لَا يَحِلُّ لِلْمَرْأَةِ أَنْ (تَصُومَ وَزَوْجَهَا شَاهِدَ إِلَّا بِإِذْنِهِ، وَلَا تَأْذَنَ فِي بَيْتِهِ إِلَّا بِإِذْنِهِ** "It is not lawful for a woman to observe an optional Saum (fast) without the

<sup>1</sup> Transmitted by Al-Bukhari (7145), and Muslim (1840).

<sup>2</sup> Transmitted by Al-Bukhari (5205), and Muslim (2123). In our time, many women hastened to lengthen their hair, depilate it, and tattoo by themselves, this is due to incitement of the Satan and his evil steps. Otherwise, how can a Muslim woman dare to disobeying Allah when she knows the explicit prohibition of that? It is even more surprising that men issue fatwas – while they are away of the position of fatwa - for women's issues, permitting what Allah has forbidden; God is the One Who warns.

permission of her husband when he is at home. Nor should she allow anyone to enter his house without his permission.”<sup>1</sup>

So, she has been forbidden from voluntary fasting when the husband is present, because he might want to enjoy her, and her fasting would prevent him from what he wants, so the wife has been forbidden from fasting except with the husband’s permission. If the husband prevents his wife from voluntary fasting, then obedience to him is obligatory. So, think about the keenness of the Sharia to achieve intimacy between the spouses and to close the door of resentment between them! Then consider, O women, the manners of the wives of the Prophet (ﷺ). ‘A’isha (may He be pleased with her) said: ( كَانَ يَكُونُ عَلَى الصَّوْمِ مِنْ رَمَضَانَ فَمَا أَسْتَطِيعُ أَنْ أَفْضِيَهُ إِلَّا فِي شَعْبَانَ الشُّغْلُ مِنْ ) (رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) I had to complete some of the fasts of Ramadan, but I could not do it but during the month of Sha’ban due to my duties to the Messenger of Allah (ﷺ).<sup>2</sup> Al-Nawawi - may Allah have mercy on him - said: her saying “الشُّغْلُ مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ” and her other saying that has been reported in the second hadith (فَمَا تَقْدِرُ عَلَى أَنْ تَقْضِيَهُ) “she could not find it possible to complete them” means that each one prepared herself for the Messenger of Allah (ﷺ) waiting for his enjoyment at all times if he wants, for she did not know when he wants it, and she did not ask him for permission to fast due to the fear that he may allow her in spite of his need to her, so he will miss (his wishes). This is from the etiquette.<sup>3</sup> The husband must give permission to his wife if she asks him to fast - except for a need -; Rather, he should arouse her interest in voluntary fasting and seeking

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<sup>1</sup> Transmitted by Al-Bukhari (5195), and Muslim (1026).

<sup>2</sup> Transmitted by Al-Bukhari (1950), and Muslim (1146). The words are of Muslim.

<sup>3</sup> Muslim with Shar’h Al-Nawawi (7/20).

more goodness, for the abundance of obedience brings happiness to the family.

### **Patience on errors and faults**

Mistakes and errors can occur from both husband and wife, many men do not admit their mistakes and errors, but they magnify their wife's errors, even if they are small. It is not suitable to insult or reprimand (her); Rather, it is a way of forgiveness and politeness, as long as the matter does not involve negligence in the right of Allah or the right of the husband. The Prophet (ﷺ) has explained the condition of the wife and her position with the man and said: (ألا واستوصوا بالنساء) "خيرًا فإنما هن عوانٍ عندكم" "Treat women kindly, they are like captives in your hands"<sup>1</sup>, the word *عوان* means captives.

I remember the saying of that companion (of the prophet ﷺ) to his wife: If you see me angry, make me happy, and if I see you angry, I will make you happy, otherwise we will not be reconciled.

So, contemplate these meanings, here the condition of the married life appears, which does not remain at one case, some days with pleasure, some days with anger, some days with happiness, and some days with harshness. As long as this is the case, the times of anger and rudeness should not be prolonged, and the spouses should try to shorten these things as and when they find a way to do so. Come with me to see a part of the reality of life in the house of the prophet. This is Aisha, may Allah be pleased with her, during the Farewell Pilgrimage, she had entered in her menstrual period and was unable to perform Umrah, and when the Prophet (ﷺ)

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<sup>1</sup> Trasmitted by Al-Tirmidhi (1163) and he said: this is Hasan Sahih Hadith, and by Ibn Majah (1851).

completed the rituals of Hajj, she asked the Prophet (ﷺ), to perform Umrah, he said: ( "فَأَبَتْ فَبَعَثَ" ) "Your circumambulation would suffice both Hajj and Umra. She, however, felt reluctant. Thereupon the Prophet (ﷺ) sent her with 'Abd al-Rahman to Tan'im and she performed Umra (with separate rituals) after Hajj". Jabir, He be pleased with him, said -reported by Muslim-: (بِهَامَعَ عَبْدَ الرَّحْمَنِ إِلَى التَّنْعِيمِ فَاغْتَمَرَتْ بَعْدَ الْحَجِّ. "The Messenger of Allah (ﷺ) was a person of gentle disposition, so when she (A'isha) wished for a thing, he accepted it (provided it did not contravene the teachings of Islam", here the evidence is the saying of Jabir: Jabir, He be pleased with him, said -reported by Muslim-: (وَكَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ رَجُلًا سَهْلًا إِذَا هَوَيْتِ الشَّيْءَ تَابَعَهَا عَلَيْهِ "The Messenger of Allah (ﷺ) was a person of gentle disposition, so when she (A'isha) wished for a thing, he accepted it (provided it did not contravene the teachings of Islam".<sup>1</sup> It indicate that the companions of the prophet (ﷺ) believed that he (ﷺ) was kind, person of a gentle disposition having always polite and tender nature with his family. And look at another situation that is greater than the first:

Narrated An-Nu'man ibn Bashir: (اسْتَأْذَنَ أَبُو بَكْرٍ رَحْمَةَ اللَّهِ عَلَيْهِ عَلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَمِعَ صَوْتَ عَائِشَةَ عَالِيًا فَلَمَّا دَخَلَ تَنَاوَلَهَا لِيَطْمَئِنَّا وَقَالَ لَا أَرَاكَ تَرْفَعِينَ صَوْتَكَ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَجَعَلَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَخْجُرُهُ وَخَرَجَ أَبُو بَكْرٍ مُغْضَبًا فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جِئْتَ خَرَجَ أَبُو بَكْرٍ " كَيْفَ رَأَيْتَنِي أَنْقَذْتُكَ مِنَ الرَّجُلِ " . قَالَ فَمَكَثَ أَبُو بَكْرٍ أَيَّامًا ثُمَّ اسْتَأْذَنَ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَوَجَدَهُمَا قَدْ اصْطَلَحَا فَقَالَ لَهُمَا أَدْخِلَانِي فِي سِلْمِكُمَا كَمَا أَدْخَلْتُمَانِي فِي حَرْبِكُمَا . فَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " (قَدْ فَعَلْنَا قَدْ فَعَلْنَا

<sup>1</sup> Muslim (1213).

Prophet (ﷺ) to come in, he heard Aisha speaking in a loud voice. So, when he entered, he caught hold of her in order to slap her, and said: Do I see you raising your voice to the Messenger of Allah? The Prophet (ﷺ) began to prevent him and Abu Bakr went out angry. The Prophet (ﷺ) said when Abu Bakr went out: You see I rescued you from the man. Abu Bakr waited for some days, then asked permission of the Messenger of Allah (ﷺ) to enter, and found that they had made peace with each other. He said to them: Bring me into your peace as you brought me into your war. The Prophet (ﷺ) said: We have done so: we have done so.”<sup>1</sup>

Reflect on how the Prophet (ﷺ) dealt with the matter. He neither got violent nor reprimanded, rather tolerated and was patient. So, the husband has to be patient with his wife and overlook some of her mistakes and lapses, and the wife, if she sees her husband’s reluctance and silence during the quarrel, should not go too far in the quarrel, for his silence may be due to his patience and forgiveness, not weakness and inability.

### **From the rights of husband:**

Allah has given husband a right which the wife must fulfil, and these are rights that have been given to the man due to guardianship, it is a way to the continuation of good relationship between them. The wife’s obedience to her husband in the matters that do not entail disobedience of Allah, is obligatory on her, because she is responsible for her husband’s house and his children, the prophet (ﷺ) said: (وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ بَعْلِهَا وَوَلَدِهِ وَهِيَ مَسْئُولَةٌ عَنْهُمْ) “a woman is a shepherdess in charge of her husband's house and children and

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<sup>1</sup> Transmitted by Ahmad (17927), and Abu Dawud (4999). Al-Albani has said in Al-Silsilah Al-Sahihah (2901) about this Hadith: its narrators are reliable and have been mentioned in the Bukhari and Muslim except Al-Aizar, he has been mentioned only in Mulsim.

she is responsible for them;”<sup>1</sup> And she should not fast while he is present except with his permission, nor she should spend from his money without his permission, and if she spent without his permission, he will have half the reward, the prophet (ﷺ) said: ( لَا تَصُومِ الْمَرْأَةُ وَبَعْلُهَا شَاهِدٌ إِلَّا بِإِذْنِهِ وَلَا تَأْدَنْ فِي بَيْتِهِ ) “( وَهُوَ شَاهِدٌ إِلَّا بِإِذْنِهِ وَمَا أَنْفَقَتْ مِنْ كَسْبِهِ مِنْ غَيْرِ أَمْرِهِ فَإِنَّ نِصْفَ أَجْرِهِ لَهُ ” “No woman should observe fast when her spouse is present (in the house) but with his permission. And she should not admit any (mahram) in his house, while he (her husband) is present, but with his permission. And whatever she spends from his earnings without his sanction, for him is half the reward.”<sup>2</sup>

Rather, if the wife asks her husband for permission to go out to the mosque to pray, then the husband must not stop her if there is no fitnah (temptation) in her going out. The Prophet (ﷺ) said: إِذَا اسْتَأْذَنْكُمْ نِسَاؤُكُمْ بِاللَّيْلِ إِلَى الْمَسْجِدِ فَأَذْنُوا لَهُنَّ “If your women ask permission to go to the mosque at night, allow them.”<sup>3</sup> And narrated Ibn `Umar: ( كَانَتْ امْرَأَةٌ لِعُمَرَ تَشْهَدُ صَلَاةَ الصُّبْحِ ) وَالْعِشَاءِ فِي الْجَمَاعَةِ فِي الْمَسْجِدِ، فَقِيلَ لَهَا لِمَ تَخْرُجِينَ وَقَدْ تَعْلَمِينَ أَنَّ عُمَرَ يَكْرَهُ ذَلِكَ وَيَغَارُ قَالَتْ وَمَا يَمْنَعُهُ أَنْ يَنْهَانِي قَالَ يَمْنَعُهُ قَوْلُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " لَا تَمْنَعُوا إِمَاءَ اللَّهِ مَسَاجِدَ اللَّهِ One of the wives of `Umar (bin Al-Khattab) used to offer the Fajr and the `Isha' prayers in congregation in the Mosque. She was asked why she had come out for the prayer as she knew that `Umar disliked it, and he has great ghaira (self-respect). She replied, "What prevents him from stopping me from this act?" The other person replied, "The statement of Allah's Messenger (ﷺ) : 'Do

<sup>1</sup> Transmitted by Al-Bukhari (2554) and Muslim (1892), the words are of Al-Bukhari.

<sup>2</sup> Transmitted by Al-Bukhari (5195) and Muslim (1026), the words are of Muslim.

<sup>3</sup> Transmitted by Al-Bukhari (865) and Muslim (442), the words are of Al-Bukhari.

not stop Allah's women-slaves from going to Allah's Mosques' prevents him.”<sup>1</sup>

**A beneficial point:** This Omar’s wife is Atika bint Zaid bin Amr bin Nufail, whom Abdullah bin Abi Bakr married, and when he died, Omar bin Al-Khattab married her, and he was saying to her: By Allah, you know that I do not like this, and she used to say to him: By Allah, I will not refrain until you forbid me. When Omar Ibn Al-Khattab died, and her Iddah (waiting period) finished, Zubair Ibn Al-Awwam – who was of a possessive temperament – asked for her in marriage, but she stipulated that he should not prevent her from praying in the mosque, so he agreed and married her.

Whenever she wanted to go out to Isha prayer, it was hard upon al-Zubayr, and when she felt that, she said to him: What do you want, do you want to prevent me? When his patience was exhausted and she went out one night to Isha prayer, al-Zubayr preceded her and sat for her on the road from where she could not see. When she passed, he sat behind her and hit with his hand on her back, she felt disgusted and went away; When the next night came, she heard the call to prayer, but she did not move. Al-Zubayr said to her: What is wrong with you? This call to prayer has come? She said: People have become corrupt and then she did not come out.

### **From the rights of wife:**

Just as the husband has rights, the wife has rights. She has the right to food, maintenance, clothing, and fulfilling her desire. Violating these or other rights is a breach of what Allah has enjoined on the husband.

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<sup>1</sup> Transmitted by Al-Bukhari (900).

Mu'awiyah bin Haidah Al-Qushairi (May Allah be pleased with him) reported: ( قلت يا رسول الله صلى الله عليه وسلم ما حق زوجة ) أحدنا عليه؟ قال: " أن تطعمها إذا طعمت ، وتكسوها إذا اكتسيت ولا تضرب (الوجه، ولا تقبح، ولا تهجر إلا في البيت (ﷺ): "What right can any wife demand of her husband?" He replied, "You should give her food when you eat, clothe her when you clothe yourself, not strike her on the face, and do not revile her or separate from her except in the house."<sup>1</sup>

Now I am going to describe the story of Abud-Darda' then the Hadith of The Prophet (ﷺ), which have a lesson:

Abu Juhaifah (May Allah be pleased with him) reported: ( آخى ) النبي صلى الله عليه وسلم بين سلمان وأبى الدرداء ، فزار سلمان أبا الدرداء، فرأى أم الدرداء متبذلة<sup>2</sup> فقال: ما شأنك قالت: أخوك أبو الدرداء ليس له حاجة في الدنيا، فجاء أبو الدرداء فصنع له طعاماً، فقال له: كل فإني صائم، قال: ما أنا بأكل حتى تأكل، فأكل، فلما كان الليل ذهب أبو الدرداء يقوم فقال له: نم، فنام، ثم ذهب يقوم فقال له : نم، فلما كان من آخر الليل قال سلمان: قم الآن: فصليا جميعاً، فقال له سلمان: إن لربك عليك حقاً، وإن لنفسك عليك حقاً، ولأهلك عليك حقاً، فأعط كل ذي حق حقه، فأتى النبي صلى الله عليه وسلم فذكر ذلك له، فقال النبي (ﷺ) The Prophet (ﷺ) made a bond of brotherhood between Salman and Abud-Darda'. Salman paid a visit to Abud-Darda' and found Umm Darda' (his wife) dressed in shabby clothes and asked her why she was in that state. She replied: "Your brother Abud-Darda' is not interested in (the luxuries of) this world. In the meantime, Abud-Darda' came in and prepared a meal for Salman. Salman requested Abud-Darda' to eat (with him) but Abud-Darda' said: "I am fasting." Salman said: "I am not going to eat unless you eat." So, Abud-Darda' ate (with Salman). When it was night and (a

<sup>1</sup> Transmitted by Abu Dawud (2142) and garaged by Al-Albani "Hasan Sahih".

<sup>2</sup> The word متبذلة means "dressed in shabby clothes", it happened before the obligation of Hijab (veil).

part of the night passed), Abud-Darda' got up (to offer the night prayer) but Salman asked him to sleep and Abud-Darda' slept. After some time Abud-Darda' again got up but Salman asked him to sleep. When it was the last hours of the night, Salman asked him to get up and both of them offered (Tahajjud) prayer. Then Salman told Abud-Darda': "You owe a duty to your Rubb, you owe a duty to your body; you owe a duty to your family; so you should give to everyone his due. Abud-Darda' came to the Prophet (ﷺ) and reported the whole story. The Prophet (ﷺ) said, "Salman is right".

Abud-Darda' did not avoid his wife for trivial matters, rather, for the acts of worship to Allah, the Exalted, the Majestic, for he was always fasting, and he used to pray most of the night, and whoever has such kind of behaviour, will must fall short of his family's rights, so Abud-Darda' has been forbidden from that because he was unfair to the wife's right. The case of Abdullah bin Amr bin Al-Aas is like the case of Abud-Darda'; He used to fast during the day and pray all the night, so, the Prophet (ﷺ) forbade him from that, because it debilitates the right of the wife, paves the way to boredom and then abandonment.

Narrated 'Abdullah bin 'Amr: Allah's Messenger (ﷺ) said: ( يَا عَبْدَ اللَّهِ أَلَمْ أُخْبِرْ أَنَّكَ تَصُومُ النَّهَارَ وَتَقُومُ اللَّيْلَ " قُلْتُ بَلَى يَا رَسُولَ اللَّهِ. قَالَ " فَلَا تَفْعَلْ، صُمْ وَأَفْطِرْ، وَقُمْ وَنَمْ، فَإِنَّ لِحَسَدِكَ عَلَيْكَ حَقًّا، وَإِنَّ لِعَيْنِكَ عَلَيْكَ حَقًّا، وَإِنَّ لِرَوْحِكَ عَلَيْكَ حَقًّا " ) "O `Abdullah! Have I not been formed that you fast all the day and stand in prayer all night?" I said, "Yes, O Allah's Messenger (ﷺ)!" He said, "Do not do that! Observe the fast sometimes and also leave them (the fast) at other times; stand up for the prayer at night and also sleep at night. Your body has a right over you, your eyes have a right over you and your wife has a right over you."<sup>1</sup>

<sup>1</sup> Transmitted by Al-Bukhari (5199) and Muslim (1159), the words are of Al-Bukhari.

I say: what about those husbands who are unfair to their wives' right about maintenance, feeding, clothing, and fulfilling her desire, without an excuse? This one withholds money from his wife and refuses to give her, this one neglects his wife and does not satisfy her need and fulfil her desire either by being diverted from her by other wives, or by running after the world, or doing other things. Their situation is different from that of Abu al-Darda' and Amr ibn al-Aas in some stages. Nevertheless, it was forbidden to neglect the right of wives, even if it is in order to worship.

### **Is the wife obligated to serve her husband?**

The wife's service to her husband is from the act of kindness, it was well-known and customary practice at the time of the Prophet (ﷺ), even after him.

The female companions, may Allah be pleased with them, used to serve their husbands by cooking, kneading, and washing utensils and clothes, like Fatima, daughter of Muhammad (ﷺ) and Asma bint Abi Bakr, the wife of al-Zubayr ibn al-Awwam, and others. But the service should be with kindness, and the wife should not be required more than what she can afford.

Sheikh Al-Islam Ibn Taymiyyah said: It was said – it is correct view- that the service is obligatory; The husband is her master<sup>1</sup> in the Book of Allah, and she is subordinate<sup>2</sup> to him according to the Sunnah of the Messenger of Allah (ﷺ), so, the captive and the slave must serve; because it is act of

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<sup>1</sup> The word سيد has been taken from the verse of Quran (وَأَلْفَا سَيِّدَهَا لَدَى الْبَابِ) "and they found her husband at the door" Surah Yusuf Verse: 25) in the story of Yusuf (Joseph)-may the peace of Allah be upon him- with the wife of Aziz of Egypt.

<sup>2</sup> The word "عانية" has been taken from the Hadith: "استوصوا بالنساء خيرا فإنهن عوان عندكم". it has already been mentioned.

kindness. Then some of them said: Simple service is obligatory, and others said: Service with kindness is obligatory, and this opinion is right, so she must extend her services to him with kindness, and this varies according to the diversity of circumstances, so the service of the Bedouin is not like the service of the villager, and service of the strong is not like the service of the weak.<sup>1</sup>

### **Cursing wives and beating them is not from the morals of the good Muslims.**

From the bad morals and reprehensible traits, is that the husband turns into a lasher of women, frequently cursing them. As for the husband's beating of his wife, it is permissible with the conditions set by the Shariah, ( *فعظوهن واهجروهن في المضاجع واضربوهن فإن أطعنكم فلا تبغوا عليهن سبيلا إن الله كان عليا كبيرا* ) “But those [wives] from whom you fear arrogance - [first] advise them; [then if they persist], forsake them in bed; and [finally], strike them [lightly]. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand.” (*Surah Al-Nisa 34*) so, the advice should be first, then forsaking in the bed, then beating lightly.

The beating of his wife by his wife should be only after completing the stages mentioned in the Qur'an, if it is needed, the beating should be lightly,<sup>2</sup> i.e., not painful, in order to discipline, not to get rid of (her).

The prophet (ﷺ) has forbidden from beating the women: ( « لَا تَضْرِبُوا إِمَاءَ اللَّهِ » فَجَاءَ عُمَرُ إِلَى رَسُولِ اللَّهِ فَقَالَ: ذَيْرَنَ النِّسَاءَ عَلَى أَرْوَاجِهِنَّ فَرَخَّصَ فِي ضَرْبِهِنَّ فَأَطَافَ بِالرَّسُولِ اللَّهُ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نِسَاءً كَثِيرًا

<sup>1</sup> Fatawa Sheikh Al-Islam Ibn Taymiyyah (90/34).

<sup>2</sup> See Sahih Muslim (1218).

يَتَشَكُّونَ أَرْوَاجَهُنَّ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «لَقَدْ طَافَ بِآلِ مُحَمَّدٍ نِسَاءٌ يَتَشَكُّونَ أَرْوَاجَهُنَّ لَيْسَ أَوْلَاكَ بِخِيَارِكُمْ» (Do not beat God’s handmaidens;” but when ‘Umar came to God’s Messenger and said, “The women have become emboldened towards their husbands,” he gave licence to beat them. Then many women went round God’s Messenger’s family complaining of their husbands, and he said, “Many women have gone round Muhammad’s family complaining of their husbands. Those are not the “best among you.”<sup>1</sup>

In the context there is another saying of the prophet (ﷺ): ( لَا يَجْلِدُ أَحَدُكُمْ امْرَأَتَهُ جَلْدَ الْعَبْدِ ثُمَّ يُجَامِعُهَا فِي آخِرِ الْيَوْمِ ) “None of you must whip his wife as a slave is whipped and then have intercourse with her at the end of the day.”<sup>2</sup>

So, the Prophet (ﷺ) differentiated between flogging the slave and the whipping of the wife. Moreover, it is impossible from the wise person to strike his wife badly, then have intercourse with her at the end of the day; because the painful beating results in complete disgust from the wife, and the enjoyment cannot be gained unless there is a tendency and desire for kind treatment.

As for cursing: it is the expulsion and keeping away from Allah’s grace, in this context there are many hadiths from the Messenger of Allah (ﷺ) that condemn it and warn against falling into it. One of them is: ( ...مَنْ لَعَنَ شَيْئًا لَيْسَ لَهُ بِأَهْلٍ رَجَعَتْ ) “...if anyone curses a thing which does not deserve it, the curse will return on himself.”<sup>3</sup> There is another saying of the prophet (ﷺ): ( لَا يَكُونُ اللَّعَانُونَ شَفَعَاءَ، وَلَا شُهَدَاءَ يَوْمَ الْقِيَامَةِ ) “Those who frequently resort to cursing (people) would

<sup>1</sup> Transmitted by Abu Dawud (2046), Al-Albani said in Sahih Abu Dawud: Sahih (1879).

<sup>2</sup> Transmitted by Al-Bukhari (5204).

<sup>3</sup> A part from a hadith transmitted by Abu Dawud (4908), Al-Albani said in Sahih Abu Dawud: it is Sahih (4102).

neither be accepted as witnesses nor as intercessors on the Day of Resurrection.”<sup>1</sup>

It should be known that cursing is more common in women than in men. Its evidence is the saying of the prophet (ﷺ) when he preached women on the day of Eid, he said to them: يَا مَعْشَرَ النِّسَاءِ تَصَدَّقْنَ فَإِنِّي أُرِيْتُكُمْ أَكْثَرَ أَهْلِ النَّارِ فَقُلْنَ وَبِمَ يَا رَسُولَ اللَّهِ قَالَ ( تَكْتَبِرْنَ اللَّعْنَ وَتَكْفُرْنَ الْعَشِيرَ ) “Give alms, you women folk, for I have been shown that you will be the majority of the inhabitants of hell.” They asked, “For what reason, messenger of God?” He replied, “You are greatly given to abuse, and you are ungrateful to your husbands...”<sup>2</sup>

Sheikh Muhammad bin Ibrahim was asked about a husband who curses his wife, he said: With regard to his marital relationship with his wife, it has no effect on him, except that the one who curses his wife, will be considered a transgressor of her dignity and perpetrator of a major sin, it has been mentioned in the authentic hadith of the Prophet (ﷺ): ( لعن ) ( المؤمن كقتله ) “Cursing a believer is like killing him.” So, he must ask for forgiveness, repent, and treat his wife kindly, as Allah has commanded that.<sup>3</sup>

### **Disclosing the secretes of marital relationship has been forbidden:**

From the kind treatment is that the husband and wife should not disclose the secretes of intercourse and enjoyments, it has been strictly forbidden for them both, it is dishonesty and bad behaviour, the prophet (ﷺ) said: ( إِنَّ مِنْ أَشْرِّ النَّاسِ عِنْدَ اللَّهِ مَنْزِلَةً يَوْمَ ) ( الْقِيَامَةِ الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ وَتُفْضِي إِلَيْهِ ثُمَّ يَنْشُرُ سِرَّهَا ) “Abu Sa'id al-

<sup>1</sup> Transmitted by Muslim (2598).

<sup>2</sup> Transmitted by Al-Bukhari (304) and Muslim (80), the words are of Al-Bukhari.

<sup>3</sup> Fatawa wa Rasa'il Shaikh Muhammad bin Ibrahim (10/266).

Khudri reported God's Messenger as saying, "The most serious breach of trust in God's sight on the day of resurrection ..." A version has, "Among those who will have the worst position in God's sight on the day of resurrection is the man who has intercourse with his wife, and she with him, and then spreads her secret."<sup>1</sup> Abu sa'id al-khudri reported the Messenger of Allah (May peace be upon him) as saying: ( إِنَّ مِنْ أَعْظَمِ الْأَمَانَةِ<sup>2</sup> عِنْدَ اللَّهِ يَوْمَ الْقِيَامَةِ الرَّجُلَ يُفْضِي إِلَى امْرَأَتِهِ وَتُفْضِي إِلَيْهِ ثُمَّ يَنْشُرُ سِرَّهَا ) "The most serious breach of trust in Allah's sight is that a man who has intercourse with his wife, and she with him, spreads her secret."<sup>3</sup> These two hadiths clearly prohibit a man from disclosing what happens between him and his wife in matters of sexual intercourse and enjoyment.

Shaikh Muhammad bin Ibrahim said: There's a confidentiality in marital relations and intercourse between both of them. He does a few things and she does a few similarly. It's a trust, which can be violated and disclosed only by the people who are mean and mentally retarded. It constitutes bad behaviour. (3)

I say: at present, this act is common among women, and the woman who involves in it, is also included in the prohibition.

### **Ruling on living with someone who does not pray**

It has been common in many houses that husbands do not perform the obligatory prayer. Likewise, the wives also do not pray. Here we are not talking about the obligation of the prayer, and ruling on the one who abandons it, because it is well known among the muslims; but we are going to talk about

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<sup>1</sup> Transmitted by Muslim (1437).

<sup>2</sup> أعظم الأمانة خيانة most serious breach of trust

<sup>3</sup> Transmitted by Muslim (1437).

the ruling that whether a husband can live with his wife if she does not pray and vice versa.

There is no doubt that the husband has to order his family to pray, if he finds that some of them have fallen short of that, he has to endure, preserve, and seek reward for that. If his wife refuses to perform the prayer or misses it, then he should advise her and remind about Allah. If she is not deterred, then he should forsake her in bed, if she does not reform herself then he should beat her lightly in order to discipline, if she still insists on abandoning the prayer, then there is no good in her and he should leave her, there is no good in the mother of the children who does not establish prayer.

And the wife, if her husband does not pray, then she should advise him and remind him of Allah, and try again and again, and if he insists on not praying, then she should not let him reach her (on bed). If he persists, then she separates from him, for there is no good in a husband who does not perform prayer, and it is not permissible for her to stay with a husband who does not perform prayer, for he is an infidel. Buraida reported God's Messenger as saying: ( الْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمُ الصَّلَاةُ ) (فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ) "The covenant between us and them is prayer, so if anyone abandons it, he has become an infidel."<sup>1</sup>

Sheikh Abdul Aziz Ibn Baz - may Allah have mercy on him - said in answer to a question from a woman who complains about her husband who does not pray - he said: If the husband does not pray at home or with the congregation, then he is an infidel and his marriage to you is nullified unless Allah guides him and he prays. And your family, father, and brothers must

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<sup>1</sup> Transmitted by Ahmad (22428), and Al-Nasa'i (4463), and Al-tirmidhi (2621), and he said: this Hadith is Hasan Sahih Gharib.

take care of this matter, and demand your husband either to return to Islam or to annul the marriage, and your abstention from him should be in his home, neither with intercourse nor anything less, because you are forbidden for him until he returns to Islam.<sup>1</sup>

I said: And whoever contemplates the state of most of the homes whose people neglected prayer, you will find them leading a hard life - even if money is lavished on them - you will find them in a whirlpool of problems, because they are away from Allah and the way of His Messenger (ﷺ).

Allah Almighty and Sublime has spoken true: (ومن أعرض عن ) “And whoever turns away from My remembrance - indeed, he will have a depressed [i.e., difficult] life.” (*Surah Taha: 124*).

### **To take good care of the family**

Allah almighty said: (يا أيها الذين آمنوا قوا أنفسكم وأهليكم ناراً) “O you who have believed, protect yourselves and your families from a Fire” (*Surah At-Tahrim: 6*). The Prophet (ﷺ) said: (كُلُّكُمْ رَاعٍ ) (وَكُلُّكُمْ مَسْنُوءٌ، فَالْإِمَامُ رَاعٍ وَهُوَ مَسْنُوءٌ وَالرَّجُلُ رَاعٍ عَلَى أَهْلِهِ وَهُوَ مَسْنُوءٌ) “Every one of you is a guardian and every one of you is responsible (for his wards). A ruler is a guardian and is responsible (for his subjects); a man is a guardian of his family and responsible (for them) ...”<sup>2</sup>

This is a divine, prophetic approach in taking care of family, from good care of family is: to command them to pray and perform all other obligatory acts of obedience, and urge them

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<sup>1</sup> Fatawa Manarul Islam (3/64).

<sup>2</sup> Transmitted by Al-Bukhari (5188).

to earn the goodness and increase the good deeds, by doing voluntary acts of worship.

It's from the care of the family: protecting them from what harms them in their religion and their worldly affairs, and preserving the religion should take precedence over preserving the world. So, he should not expose them to the temptations, protect them from the causes of evil, and warn them against falling into disobedience that angers the Lord.

From the good care of the family is: teaching them what they need from their religion, and if he is not able to do so he should bring for them the thing<sup>1</sup> which can enable them to learn. He should begin with important things, such as teaching the rulings of purity, prayer, taking bath from impurity, and other matters of religion.

From the good care of the family is that the husband should not stay away from his family for a period of time that can trouble them, and he should not travel for a long period of time for provisions and leave his family while his absence for a long period of time is difficult for them. Omar Ibn Al-Khattab ordered the workers in the provinces that a soldier should not stay away from his family for more than six months, all of it in order to turn away the harm from the woman whose husband has been away.

Sheikh Salih al-Fawzan - may God preserve him - said: If the husband has been in journey for more than half a year, and the wife asked him to come, he must do so, except for an obligatory pilgrimage or an obligatory military expedition, or if he was unable to come, if he refused to come without an

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<sup>1</sup> The various means of acquiring knowledge, praise be to Allah, are available in these days.

excuse that prevents him, and the wife asked for separation between them; the ruler should effect a separation between them after a correspondence to him; because he has abandoned her right on him that harmed her. Sheikh Taqi Al-Din said: The harm occurring to the wife by leaving intercourse requires annulment in any case, whether it is with the intention of the husband or not, even with his ability or inability; it's like forsaking the maintenance rights (of women), rather greater than that.<sup>1</sup>

**Benefit:** If a man gets away from his family for a period, he should not enter them at night while they are not aware. It has been narrated on the authority of Jabir that the Messenger of Allah (ﷺ) said: ( إِذَا قَدِمَ أَحَدُكُمْ لَيْلًا فَلَا يَأْتِيَنَّ أَهْلَهُ طُرُوقًا حَتَّى تَسْتَحِدَّ الْمُغِيبَةَ ) ( وَتَمْتَشِطَ الشَّعِثَةَ ) “If one of you comes (back from a journey) at night. he should not enter his house as a night visitor (but should wait) until a woman whose husband has been away from house has removed the hair from her private parts and a woman with dishevelled hair has combed her hair.” It has been narrated (through a different chain of transmitter) on the authority of Jabir who said: ( نَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ ) ( يَطْرُقَ الرَّجُلُ أَهْلَهُ لَيْلًا يَتَخَوَّنُهُمْ أَوْ يَلْتَمِسُ عَنَرَاتِهِمْ ) “The Messenger of Allah (ﷺ) forbade that a man should come to his family like (an unexpected) night visitor doubting their fidelity and spying into their lapses.”<sup>2</sup>

The Prophet (ﷺ) explained the reason for not entering the family at night for those who returned from travelling, so that the wife should prepare to meet her husband, and so that he should not see anything from her that would cause repulsion

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<sup>1</sup> Al-Mulakhkhas Al-fiqhee (2/290-295).

<sup>2</sup> Transmitted by Al-Bukhari (1801), and Muslim (715), Kitabul Ijarah (The Book on Government).

between them because she was not ready for him, and this prohibition also cuts off the ways that lead the husband to doubting his wife. And when the wife knows the time of arrival, the reason of forbidden order has gone and it became permissible to enter them at any time.

### **The etiquette of intercourse and what is related to it.**

Among the beauties of Sharia is that it did not neglect the matter of intercourse; rather, it set up its etiquette, which enables the follower to become familiar with his wife, and in its compliance lies the following of the guidance of the Prophet (ﷺ) and protecting the offspring from the domination of demons over them. Rather, Sharia directed the sexual instinct in the state of its flux to its correct course. The Prophet (ﷺ) said: (مرت بي فلانة , فوقع في قلبي شهوة النساء , فأتيت ) (بعض أزواجي , فأصبتها , فكذلك فافعلوا , فإنه من أمائل أعمالكم إتيان الحلال “A woman passed though me, so the desire of women fell in my heart, so I went to some of my wives, and fulfilled my desire from her, so you do the same. Because from your best deeds is to come to the lawful (to have lawful intercourse with your wife).”<sup>1</sup>

### **From the etiquette of intercourse and what is related to it:**

It has been prohibited for wife to refuse desire of her husband to come to the bed.

There is a severe threat to the woman who refuses to obey her husband if he invites her to his bed. The Prophet (ﷺ) said: (وَالَّذِي نَفْسِي بِيَدِهِ مَا مِنْ رَجُلٍ يَدْعُو امْرَأَتَهُ إِلَى فِرَاشِهِ فَتَأْبَى عَلَيْهِ إِلَّا كَانَ الَّذِي (في السَّمَاءِ سَاخِطًا عَلَيْهَا حَتَّى يَرْضَى عَنْهَا “By Him in whose hand my

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<sup>1</sup> Transmitted by Ahmad (17567), and Al-Albani said in the book Al-Sisilah Al-Sahihah: the chain of transmitters is Hasn -if Allah will- (235) (1/417). The meaning of (أمائل أعمالكم) is Your best deeds.

soul is, if any woman who has been called to come to her husband's bed refuses, He who is in heaven is displeased with her till her husband is pleased with her.” Al-Bukhari transmitted that the messenger of Allah (ﷺ) said: ( إِذَا دَعَا الرَّجُلُ ) “When a woman who has been called to come to her husband's bed refuses and he spends the night angry, the angels curse her till the morning.”<sup>1</sup>

The hadith shows that if the wife refuses to come to her husband's bed without a valid excuse, then Allah gets angry with her, and the angels curse her, and this discontent and this curse continue, either till her repentance and her return to obeying her husband, or he gets pleased with her, or till the dawn. Many women have been lenient in this matter, but there are wives who abandon their husband's bed for a long period that lasts for months, more or less, and refuse to go to his bed. By Allah, how can she live comfortably for such a life, and how can she be patient with the wrath of the Almighty and the curse of the angels for her.

And if the wife is sick, or pregnant and intercourse is difficult for her or harms her, or she is menstruating or having bleeding after delivery, then she has an excuse for giving up intercourse, because there is no injury nor return of injury in Shariah; unless the husband enjoys her with pleasure without having intercourse and it does not harm her, so it is better for the wife to obey and not mind.

The husband should ease for his wife and not make things difficult for her, and turn away if he sees signs of illness or hardship on his wife, and should not stress her or embarrass,

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<sup>1</sup> Transmitted by Al-Bukhari (3237) and Muslim (1736).

or burden with what is difficult for her, for it is the good treatment.

On the other hand, the husband should not ignore his wife and make things difficult for her, and should not leave her for a long time without intercourse - despite their need for it - and women are usually shy by nature, especially in these matters. So, satisfying wife's sexual need is obligatory. The intelligent husband is the one who knows his wife's need by signs that indicate her desire for that, and it is from kind treatment. Sheikh Al-Islam bin Taymiyyah said: A man must have intercourse with his wife with goodness; for it is her important right over him: greater than feeding her. It has been said about the obligatory intercourse that it should be once every four months, some others said that it should be according to her need and his ability; as he feeds her as much as she needs according to his capacity, and this is the most correct of these two sayings. And Allah knows better.<sup>1</sup>

**Beneficial point:** Ibn Hajar has mentioned many benefits of the Hadith of the Prophet (ﷺ): (إِذَا بَاتَتِ الْمَرْأَةُ مُهَاجِرَةً فِرَاشَ زَوْجِهَا) (لَعْنَتُهَا الْمَلَائِكَةُ حَتَّى تَرْجِعَ) “If a woman spends the night deserting her husband's bed (does not sleep with him), then the angels send their curses on her till she comes back (to her husband)”<sup>2</sup>

He said: in (this hadith): there is a guidance (for wife) to help the husband and seek his pleasure, it describes that the patience of a man to abandon intercourse is weaker than the patience of a woman. It also explains that the strongest

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<sup>1</sup> Majmu'a Fatawa Shaikul Islma Ibn taymihah (32/271).

<sup>2</sup> Transmitted by Al-Bukhari (5194).

disturbance for a man is the lure of intercourse, therefore the Shariah urged women to help men in that.<sup>1</sup>

### **To recite supplication before intercourse:**

There are many Hadiths in this context, one of them is the saying of the Prophet (ﷺ): ( بِسْمِ ) : اللَّهُ اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا فَإِنَّهُ إِنْ يُقَدَّرُ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ “if anyone who means to have intercourse with his wife says, “In the name of God. O God, keep us away from the devil and keep the devil away from what Thou hast provided us,” should it be ordained that a child be born to them thereby, no devil will ever harm it.”<sup>2</sup>

The devil accompanies the children of Adam in all their circumstances, even in the case of intercourse, so if he mentions Allah when he wants to have intercourse, he expels Satan and he (Satan) has no share in that.

### **C- Rulings on the limits of a man’s enjoyment with his wife:**

**Firstly:** It is forbidden for the husband to have intercourse with his wife when she is menstruating or having beleeing after delivery. Allah said: ( ويسألونك عن المحيض قل هو أذى فاعتزلوا ) النساء في المحيض، ولا تقربوهن حتى يطهرن، فإذا تطهرن فأتوهن من حيث (أمركم الله “And they ask you about menstruation. Say, "It is harm, so keep away from wives<sup>1</sup> during menstruation. And do not approach them until they are pure. And when they have purified themselves, then come to them from where Allah has ordained for you.” (Surah Al-Baqarah: 222). Thabit narrated it from Anas: ( أَنَّ الْيَهُودَ، كَانُوا إِذَا حَاضَتِ الْمَرْأَةُ فِيهِمْ لَمْ يُؤَاكِلُوهَا وَلَمْ ) يُجَامِعُوهُنَّ فِي الْبُيُوتِ فَسَأَلَ أَصْحَابُ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ النَّبِيَّ صَلَّى اللهُ

<sup>1</sup> Fathul Bari (10/206).

<sup>2</sup> Transmitted by Al-Bukhari (6388) and Muslim (1434).

عليه وسلم فَأَنْزَلَ اللَّهُ تَعَالَى { وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَدْنَىٰ فَاغْتَزَلُوا النَّسَاءَ فِي الْمَحِيضِ } إِلَىٰ آخِرِ الْآيَةِ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " اصْنَعُوا كُلَّ شَيْءٍ إِلَّا النِّكَاحَ " "Among the Jews, when a woman menstruated, they did not dine with her, nor did they live with them in their houses; so the Companions of the Apostle (ﷺ) asked The Apostle (ﷺ), and Allah, the Exalted revealed:" And they ask you about menstruation; say it is a pollution, so keep away from woman during menstruation" to the end (Qur'an, ii. 222). The Messenger of Allah (ﷺ) said: Do everything except intercourse."<sup>1</sup>

Some husbands, if their wife menstruates, desert her in the bed and abandon her. This act is contrary to the guidance of the Prophet (ﷺ) and is harmful to the wife's condition, for the wife during menstruation suffers from the psychological disturbances that disturb her mood and weaken her psyche. In this state if the husband distances himself from her bed- while some of them even desert her in eating like the Jews- her bad condition will double up.

And here for you, O husband, is a glimpse into the house of the prophet, and how he (ﷺ) lived with his wives when they were menstruating. Umm Salamah narrated: (بَيْنَمَا أَنَا مُضْطَجِعَةٌ، ) مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي الْخَمِيلَةِ إِذْ حِضْتُ فَأَنْسَلْتُ فَأَخَذْتُ ثِيَابَ حَيْضَتِي فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ " أَنْفَسْتِ " . قُلْتُ نَعَمْ فَدَعَانِي . (فَاضْطَجَعْتُ مَعَهُ فِي الْخَمِيلَةِ . "While I was lying down with the Messenger of Allah (ﷺ) under a blanket, my period came, so I slipped away and put on the clothes I used to wear when I was menstruating. The Messenger of Allah (ﷺ) said: 'Are you menstruating?' I said: 'Yes.' Then he called me and I lied down with him under the blanket." Narrated Maimuna, the

<sup>1</sup> Transmitted by Muslim (302).

wife of the Messenger of Allah (way peace be upon him): ( ان رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَضْطَجِعُ مَعِي وَأَنَا حَائِضٌ وَبَيْنِي وَبَيْنَهُ ثَوْبٌ )  
“The Messenger of Allah (ﷺ) used to lie with me when I menstruated, and there was a cloth between me and him.”<sup>1</sup>

'A'isha reported: ( ان رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَتَّكِي فِي جِرِّي وَأَنَا )  
“The Messenger of Allah (ﷺ) would recline in my lap when I was menstruating, and recite the Qur'an.”  
She also said: ( كُنْتُ أَشْرَبُ وَأَنَا حَائِضٌ ثُمَّ أُنَاوِلُهُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ )  
“I would drink when I was menstruating, then hand it to the Prophet, and he would put his mouth where mine had been and drink; and I would eat flesh from a bone when I was menstruating, then hand it to the Prophet, and he would put his mouth where mine had been.”<sup>2</sup>

**Secondly:** It is forbidden to have intercourse with the wife in her anus.

As for intercourse with women in their anus, it was stated that it is minor homosexuality, and the one who did that was cursed, Abu Huraira reported God's Messenger as saying: ( مَلْعُونٌ مَنْ أَتَى امْرَأَتَهُ فِي دُبْرِهِ )  
“He who has intercourse with his wife through her anus is accursed.”<sup>3</sup> It was narrated from Abu Hurairah: ( لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ جَامَعَ امْرَأَتَهُ فِي دُبْرِهَا )  
“that the Prophet said: “Allah will not look at a man who has intercourse with his wife in her buttocks.”<sup>4</sup>

Sheikh Abdul Aziz Ibn Baz - may Allah have mercy on him - said: Intercourse with a woman in her anus is a major sin and one of the worst sins, as the prophet (ﷺ) said: ( مَلْعُونٌ مَنْ أَتَى )

<sup>1</sup> Transmitted by Muslim (295-296).

<sup>2</sup> Transmitted by Muslim (300-301).

<sup>3</sup> Transmitted by Ahmad (9440) and Abu Dawud (2062), Al-Albani Said in Sahih Abu Dawud: Hasan (1894).

<sup>4</sup> Transmitted by ibn Majah (1950) Al-Albani Said in Sahih ibn Majah: Sahih (1573).

(أَمْرَاتُهُ فِي دُبْرَةٍ) “He who has intercourse with his wife through her anus is accursed. And he (ﷺ) also said: (لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ) (جَامِعَ أَمْرَاتِهِ فِي دُبْرِهَا) “that the Prophet said: “Allah will not look at a man who has intercourse with his wife in her buttocks.

It is obligatory for the one who did that to rush with sincere repentance and relinquish the sin and leave it out of veneration for God, getting away of His punishment and regretting for what he has committed, he should have a sincere determination not to return to that with diligence in righteous deeds... And he said: there is no expiation upon the one who has intercourse in the anus according to the more correct of the two scholarly opinions, and his wife is not forbidden for him, rather she remains in his supervision, and she does not have the right to obey him in this great evil, rather, she must refrain from that and demand an annulment of her marriage from him if he does not repent, we ask Allah for protection from that.”<sup>1</sup>

### **Thirdly: The limits of looking at the private parts of the husband and wife:**

It is permissible for a woman to look at the whole body of her husband, and it is also permissible for a husband to look at the body of his wife, as Allah said in Surah Al-Mu'minun: 5-6: (والذين هم لفروجهم حافظون إلا على أزواجهم أو ما ملكت أيمانهم فإنهم غير ملومين) “And they who guard their private parts Except from their wives or those their right hands possess, for indeed, they will not be blamed”. Mu'adha reported 'A'isha as saying: (كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ بَيْنِي وَبَيْنَهُ وَاحِدٍ فَيَبَادِرُنِي حَتَّى أَقُولَ دَعْ لِي دَعْ لِي) “God’s messenger and I used to wash from one vessel which stood between us, and he would get

<sup>1</sup> Fatwa Islamiyyah (1/114).

ahead of me, so that I would say, ‘Give me a chance, give me a chance.’<sup>1</sup> The hadith indicates that it is permissible for a man to take a bath with his wife, and that it is permissible for the husband to look at his wife’s private parts and the wife as well.

### **To have offspring is the right of both husband and wife?**

**Firstly:** Above all, the Shariah desires to multiply offspring. Ma'qil b. Yasar reported God’s Messenger as saying: ( تَزَوَّجُوا ) (الْوُدُودَ الْوَلُودَ فَإِنِّي مُكَاتِّرٌ بِكُمْ الْأُمَمَ) “Marry women who are loving and very prolific, for I shall outnumber the peoples by you.”<sup>2</sup> So increasing the offspring is required by Sharia.

**Secondly:** to have children is a right of the husband as well as the right of the wife, and a man may not practice Azl (*to withdraw the penis, i.e., before emission of semen, to avoid conception*) with his wife, or force her to use contraceptives while she desires to have a child, and the wife is also not permitted to use contraceptives if the husband wants a child.

Sheikh Muhammad bin Uthaymeen - may God have mercy on him - said in one of his answers to someone who asked about the “Azl” with his wife - he said: It is not permissible for you to practice Azl, nor to force her to take pills if she wants children, because she has a right over them, that is why the scholars said: Azl is forbidden for a man with his wife without her consent. You must also respect her feelings, because if you want to have children and she does not want to, then you will not accept that as she prevents you from your desire, so, you have to respect her desire as well. If she wants to have children, it is not permissible to prevent her from that, and it is

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<sup>1</sup> Transmitted by Al-Bukhari (261) and Muslim (321). The words are of Muslim.

<sup>2</sup> Transmitted by Abu Dawud (2050), and Al-Nasa’i (3227) Al-Albani Said in Sahih Al-Nasa’i: Hasan Sahih (3026).

not permissible to force her to take birth control pills or other things.<sup>1</sup>

**Benefit:** using contraceptives for birth control for fear of poverty is forbidden and should not be done, for Allah has ensured the provision of the servants, the Almighty said – condemning the people of pre-Islamic times who killed their children out of fear of poverty-: (ولا تقتلوا أولادكم خشية إملاق نحن ) (نرزقهم وإياكم “And do not kill your children for fear of poverty. We provide for them and for you.” (Al-Isra:31)

But if the use of contraceptives is for a health condition, or the wife cannot bear the pregnancy every year, then it is permissible for her to use contraceptives, and it is a matter of treatment and prevention, not of birth control.

### **III- Transgression (نشوز) of husband and wife**

The meaning of نشوز Nushuz is: to disobey the husband in what Allah has obligated her to obey, this word has been derived from the النشز Al-Nashz, which means to go up, it is as if she gets away and transcends what Allah has imposed on her of obedience, so when the signs of disobedience are seen from her, such as she feels irritated and denies when he calls her and does not go to him except with reluctance and growl, then he should advise her, make her fear Allah Almighty, and remind her about rights and obedience that Allah has enjoined upon her, and tell her about the sin that afflicts her due to disobedience and sin, as well as he should remind her that she will forfeit her rights, such as maintenance and clothing, and she may be beaten and deserted, as He Almighty said in Surah Al-Nisa Verse 34: (واللاتي تخافون )

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<sup>1</sup> Kitabud Dawa (1/1118). The word “Azl” means emission of semen out of the vagina.

(نشوزهن فعظوهن) “But those [wives] from whom you fear arrogance - [first] advise them”<sup>1</sup>

From the signs of ill-conduct of a woman is to go out of her home without his permission, to quarrel with her husband, to raise her voice above his voice, and to hurt him with tongue and action.

Similarly, a woman may fear her husband’s neglect due to her old age, illness, etc., in this case it is allowed for her to forfeit some of her rights to appease her husband if she wants to remain in his protection, as the Mother of the Believers Sawdah, may Allah be pleased with her, did, when she grew up and feared that the Messenger of God (ﷺ) may leave her, she asked the Messenger of God (ﷺ), to hold her and not to leave her, and offered willingly her day and night to Aisha, may Allah be pleased with her, in order to remain as his wife in the Hereafter; so the Prophet (ﷺ) agreed. When ill-conduct comes from the wife, there are many ways and means to treat it.

**Benefit:** Mu'adh bin Jabal (May Allah be pleased with him) reported that the Prophet (ﷺ) said: ( لا تؤذي امرأة زوجها في الدنيا إلا ) قالت زوجة من الحور العين لا تؤذيه قاتلك الله! فإنما هو عندك دخيل يوشك أن يفارقك إلينا “Whenever a woman harms her husband in this world (that is without any due right), his wife among the (Houris in Jannah) says: 'You must not harm him. May Allah destroy you! He is only a passing guest with you and is about to leave you to come to us.’”<sup>2</sup> In this hadith there is a warning to the wives who hurt their husbands.

## When and how a husband can Abandon his wife?

<sup>1</sup> Al-Mughni li ibne Qudamah (10/259).

<sup>2</sup> Transmitted by Ahmad (21596), Ibn Majah (2014), and Al-tirmidhi (1174).

One of the means to treat the ill-conduct of the woman is to abandon her, it is the second stage after advising and reminding her. Abandonment may be due to a sin or without a sinful reason, it is termed as limited abandonment; that can be for maximum three days. This abandonment is not caused by sin, such as the grudge that falls between brothers; so, it should be only for three nights as Allah's Messenger (ﷺ) said: لَا يَجِلُّ لِرَجُلٍ أَنْ يَهْجُرَ أَخَاهُ فَوْقَ ثَلَاثِ لَيَالٍ، يَلْتَقِيَانِ فَيُعْرِضُ هَذَا وَيُعْرِضُ هَذَا، ( وَخَيْرُهُمَا الَّذِي يَبْدَأُ بِالسَّلَامِ ) “It is not lawful for a man to desert his brother Muslim for more than three nights. (It is unlawful for them that) when they meet, one of them turns his face away from the other, and the other turns his face from the former, and the better of the two will be the one who greets the other first.”<sup>1</sup>

And when dispute and bitterness occur between the spouses and one or each of them deserts the other, it is not permissible for them to stay in that state for more than three nights, and persistence in it is not good, and it is not from good treatment. The Messenger of Allah (ﷺ) said: نُفْتُحُ أَبْوَابَ الْجَنَّةِ يَوْمَ الْاِثْنَيْنِ وَيَوْمَ الْخَمِيسِ، فَيَغْفِرُ لِكُلِّ عَبْدٍ لَا يَشْرِكُ بِاللَّهِ شَيْئًا، إِلَّا رَجُلًا كَانَتْ بَيْنَهُ وَبَيْنَ أَخِيهِ شَحْنَاءٌ (!فيقال: أنظروا هذين حتى يصطلحا! أنظروا هذين حتى يصطلحا) “The gates of Jannah are opened on Mondays and Thursdays, and then every slave (of Allah) is granted forgiveness if he does not associate anything with Allah in worship. But the person in whose heart there is rancour against his (Muslim) brother, they will not be pardoned and with regard to them it will be said twice: 'Hold both of them until they are reconciled with each other.’”<sup>2</sup>

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<sup>1</sup> Transmitted by Al-Bukhari (6077) and Muslim (2560).

<sup>2</sup> Transmitted Muslim (2565).

The second type: Abandonment because of disobedience, this may continue until the sinner quits his disobedience, the Prophet (ﷺ)'s abandonment of his wives was from this type, so he (ﷺ) did not enter them for a whole month.<sup>1</sup> the desertion because of sin is that the husband forsakes intercourse with his wife, so he sleeps on her bed and turns his back on her and does not have intercourse with her until she repents of her disobedience and abandons her ill-conduct, this type is more painful for many women.

**To appoint two arbitrators is the Islamic solution if the means of reconciliation got exhausted.**

وإن خفتم شقاق بينهما فابعثوا حكما من أهله وحكما من أهلها إن يريدان إصلاحا (يوفق الله بينهما إن الله كان عليما خبيرا) “And if you fear dissension between the two, send an arbitrator from his people and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Aware.” (*Surah Al-Nisa: 35*)

Ibn Katheer said: The jurists said that if discord occurs between the spouses, the ruler will appoint for them a trustworthy person who will look into their matter and prevent the oppressor from doing injustice. If their situation worsened and their quarrel lasted, the ruler will send a trustworthy person from the wife's family and a trustworthy person from the husband's family to look into their matter and do whatever is in their interest, either separation or conciliation, while the Sharia prefers reconciliation, that's why Almighty said: (إن يريدان إصلاحا يوفق الله بينهما) “If they both desire reconciliation”.<sup>2</sup>

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<sup>1</sup> Transmitted by Al-Bukhari (5201).

<sup>2</sup> Tafseerul Quranil Azeem (1/482).

The spouses should not bring the matter to this state. The stage of appointing the two arbitrators is a stage which indicates that both spouses have lost the meanings of good treatment, i.e., mercy, affection, overlooking lapses, dismissing missteps, and pardoning errors.

### **The protective jealousy of spouses between excess and neglect:**

Narrated Abu Huraira: The Prophet (ﷺ) said: ( إِنَّ اللَّهَ يَغَارُ وَغَيْرَهُ ) ( اللَّهُ أَنْ يَأْتِيَ الْمُؤْمِنُ مَا حَرَّمَ اللَّهُ "Allah has a sense of Ghira, and Allah's sense of Ghira is provoked when a believer does something which Allah has prohibited." Narrated `Abdullah bin Masud that The Prophet (ﷺ) said: ( مَا مِنْ أَحَدٍ أَغْيَرُ مِنَ اللَّهِ، مِنْ ) (أَجَلِ ذَلِكَ حَرَّمَ الْفَوَاحِشَ "There is none having a greater sense of Ghira than Allah. And for that He has forbidden the doing of evil actions (illegal sexual intercourse etc.)" The Prophet (ﷺ) said: ( يَا أُمَّةَ مُحَمَّدٍ وَاللَّهِ مَا مِنْ أَحَدٍ أَغْيَرُ مِنَ اللَّهِ أَنْ يَزْنِيَ عَبْدُهُ أَوْ تَزْنِيَ أَمَتُهُ ) "O people of Muhammad, I swear by God that no one is more indignant than God when His servant or handmaiden commits fornication."<sup>1</sup>

A man's protective jealousy for his family is a commendable characteristic of men, if it is regulated by the rules of the Shari'a, and he does not cross its limits. It was narrated from Ibn Jabir, from his father, that the Messenger of Allah (ﷺ) said: ( إِنَّ مِنَ الْغَيْرَةِ مَا يُحِبُّ اللَّهُ عَزَّ وَجَلَّ وَمِنْهَا مَا يُبْغِضُ اللَّهُ عَزَّ وَجَلَّ وَمِنْ ) ( الخِيَلَاءِ مَا يُحِبُّ اللَّهُ عَزَّ وَجَلَّ وَمِنْهَا مَا يُبْغِضُ اللَّهُ عَزَّ وَجَلَّ فَأَمَّا الْغَيْرَةُ الَّتِي يُحِبُّ اللَّهُ عَزَّ وَجَلَّ فَالْغَيْرَةُ فِي الرَّيْبَةِ وَأَمَّا الْغَيْرَةُ الَّتِي يُبْغِضُ اللَّهُ عَزَّ وَجَلَّ فَالْغَيْرَةُ فِي ) ( غَيْرِ رَيْبَةٍ "There is a kind of protective Jealousy that Allah, the Mighty and Sublime, loves and a kind that Allah, the Mighty and Sublime, hates, and a kind of pride that Allah, the Mighty

<sup>1</sup> Transmitted by Al-Bukhari (5220, 5221, 5223).

and Sublime, loves and a kind that Allah, the Mighty and Sublime, hates, As for the protective jealousy that Allah, the Mighty and Sublime, loves, it is protective jealousy when there are grounds for suspicion. As for the protective jealousy that Allah, the Mighty and Sublime, hates, it is protective jealousy when there are no grounds for suspicion...”<sup>1</sup>

The praiseworthy jealousy in the children of Adam is the jealousy regarding the places of accusations, suspicion, and hesitation, and the reprehensible jealousy is the jealousy without accusation and suspicion, and its practice by spouses is a reason that opens the door of enmity and hatred between them. Example of the first (praiseworthy jealousy) is what Aisha, may God be pleased with her, narrated

'A'isha (Allah be pleased with her) reported: ( دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ) صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَعِنْدِي رَجُلٌ قَاعِدٌ فَاشْتَدَّ ذَلِكَ عَلَيَّ وَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ قَالَتْ فَقُلْتُ يَا رَسُولَ اللَّهِ إِنَّهُ أَخِي مِنَ الرِّضَاعَةِ. قَالَتْ فَقَالَ " انْظُرْنَ إِخْوَتَكُنَّ مِنْ الرِّضَاعَةِ فَإِنَّمَا الرِّضَاعَةُ مِنَ الْمَجَاعَةِ " Allah's Messenger (ﷺ) visited me when a man was sitting near me, and he seemed to disapprove of that. And I saw signs of anger on his face and I said: Messenger of Allah, he is my brother by fosterage, whereupon he said: Consider who your brothers are because of fosterage since fosterage is through hunger (i.e., in infancy).”<sup>2</sup> The commendable jealousy of women is to be jealous if her husband commits a forbidden act, such as fornication and other sins, or her husband oppresses her and prefers his fellow-wife to her.

There is a jealousy that is neither condemned nor praised, it is common particularly among the women. Sometimes a

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<sup>1</sup> Transmitted by Abu Dawud (2659), and Al-Nasa'i (2558) Al-Albani Said in Sahih Al-Nasa'i: Hasan (2398).

<sup>2</sup> Transmitted by Al-Bukhari (5102) and Muslim (1455). The words are of Muslim.

reaction may come from the wife due to her weak nature and lack of patience, so she will be neither blamed nor praised for it. Narrated Anas: ( قَالَ كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ بَعْضِ نِسَائِهِ ) فَأَرْسَلَتْ إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ بِصَحْفَةٍ فِيهَا طَعَامٌ، فَضَرَبَتْ أَلْتِي النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي بَيْتِهَا يَدَ الْخَادِمِ فَسَقَطَتِ الصَّحْفَةُ فَأَنْفَلَقَتْ، فَجَمَعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَقَّ الصَّحْفَةَ، ثُمَّ جَعَلَ يَجْمَعُ فِيهَا الطَّعَامَ الَّذِي كَانَ فِي الصَّحْفَةِ وَيَقُولُ " غَارَتْ أُمَّكُمْ "، ثُمَّ حَبَسَ الْخَادِمَ حَتَّى أَتَى بِصَحْفَةٍ مِنْ عِنْدِ أَلْتِي هُوَ فِي بَيْتِهَا، فَدَفَعَ الصَّحْفَةَ الصَّحِيحَةَ إِلَى أَلْتِي كُسِرَتْ صَحْفَتُهَا، وَأَمْسَكَ الْمَكْسُورَةَ فِي بَيْتِ أَلْتِي فِيهِ (كَسَرَتْ فِيهِ "While the Prophet (ﷺ) was in the house of one of his wives, one of the mothers of the believers sent a meal in a dish. The wife at whose house the Prophet (ﷺ) was, struck the hand of the servant, causing the dish to fall and break. The Prophet (ﷺ) gathered the broken pieces of the dish and then started collecting on them the food which had been in the dish and said, "Your mother (my wife) felt jealous." Then he detained the servant till a (sound) dish was brought from the wife at whose house he was. He gave the sound dish to the wife whose dish had been broken and kept the broken one at the house where it had been broken."<sup>1</sup> His (ﷺ) saying: ( غَارَتْ أُمَّكُمْ ) "Your mother (my wife) felt jealous" indicates that her jealousy should not be blamed, because in that case her mind gets blocked by the intensity of the anger provoked by the jealousy.<sup>2</sup>

And the blameworthy jealousy is that which occurs without suspicion, and without a reason, or if the woman does excess, goes beyond the usual practice and crosses the limits.

Ibn Hajar said: After the aforementioned hadith: (إِنَّ مِنَ الْغَيْرَةِ مَا يُحِبُّ اللَّهُ عَزَّ وَجَلَّ وَمِنْهَا مَا يُبْغِضُ اللَّهُ عَزَّ وَجَلَّ "There is a kind of

<sup>1</sup> Transmitted by Al-Bukhari (5225).

<sup>2</sup> Fat'hul Bari Sharah Sahih Al-Bukhari (52525).

protective Jealousy that Allah, the Mighty and Sublime, loves and a kind that Allah, the Mighty and Sublime, hates”.

This detail clarifies that it is not allowed for a woman to have two husbands at the same time, and as for the woman, when she felt jealous about her husband in committing a forbidden act either doing fornication for example, or by depriving her of her right, or oppressing her due to her fellow wife and favouring her (fellow wife) over her. If this happens or the symptoms appear, then this jealousy is valid, and if this jealousy comes due to assumption only without any evidence, then this jealousy will come under the category of jealousy without any grounds of suspicion.

But if the husband is just and fair, and gives both wives their rights, then their jealousy, if any, is due to human nature which is common among the women, and will be overlooked so long as they do not go beyond the Sharia limits with words or actions. This is the summary of what has been described by the Al-Salaf al-Saalih (the righteous predecessors) about the women.

### **Benefit:**

Asma' told of a woman who said: ( يَا رَسُولَ اللَّهِ إِنَّ لِي ضَرَّةً فَهَلْ عَلَيَّ ) جُنَاحٌ إِنْ تَشَبَّعْتُ مِنْ زَوْجِي غَيْرَ الَّذِي يُعْطِينِي؟ فَقَالَ: «الْمُتَشَبِّعُ بِمَا لَمْ يُعْطِ كَالْبَاسِ (تَوْبِي زُورٍ) “Messenger of God, I have a fellow-wife; will it be wrong for me to boast of receiving from my husband what he does not give me?” He replied, “The one who boasts of receiving what he has not been given is like him who has put on the two garments of falsehood.”<sup>1</sup>

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<sup>1</sup> Transmitted by Al-Bukhari (5291) and Muslim (2130).

Ibn Hajar said: this is a woman who has a fellow-wife, and claims that her husband favours her more than the fellow-wife, in order to enrage her.”<sup>1</sup> And his (ﷺ) saying (كَلاِبِسِ تَوْبِي) (زُورٍ) “like him who has put on the two garments of falsehood” deters women from adopting this reprehensible manner, it is considered lie because this wife did not enjoy the favour that she claimed, and her husband did not give her anything from him, and it is injustice and oppression that may cause corruption between the fellow wife and her husband as well as may bring enmity and hatred between them. This practice is common among the fellow wives except those who are under the mercy of Allah.

### **Aisha and her stance with the protective jealousy!**

Aisha, may He have mercy upon her, narrated: (أَفْتَقَدْتُ النَّبِيَّ) صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ذَاتَ لَيْلَةٍ فَظَنَنْتُ أَنَّهُ ذَهَبَ إِلَى بَعْضِ نِسَائِهِ فَتَحَسَّسْتُ ثُمَّ رَجَعْتُ فَإِذَا هُوَ رَاكِعٌ أَوْ سَاجِدٌ يَقُولُ " سُبْحَانَكَ وَبِحَمْدِكَ لَا إِلَهَ إِلَّا أَنْتَ " فَقُلْتُ (بِأَبِي أَنْتَ وَأُمِّي إِنِّي لَفِي شَأْنٍ وَإِنَّكَ لَفِي آخَرَ) I missed one night the Messenger of Allah (ﷺ) (from his bed). I thought that he might have gone to one of his other wives. I searched for him and then came back and (found him) in a state of bowing, or prostration, saying: Hallowed be Thou and with Thy praise; there is no god but Thou. I said: With my father mayest thou be ransomed and with my mother. I was thinking of (another) affair, whereas you are (occupied) in another one.”<sup>2</sup>

### **Justice among wives:**

Allah has allowed His slaves to marry those that please them of [other] women, two or three or four. He almighty said: (فانكحوا ما طاب لكم من النساء مثنى وثلاث وربع) “then marry those that

<sup>1</sup> Fat’hul Bari (9/228).

<sup>2</sup> Transmitted by Muslim (485).

please you of [other] women, two or three or four.” (Surah Al-Nisa: 3) they are not allowed to marry more than four women. Then He said: (فإن خفتم ألا تعدلوا فواحدة أو ما ملكت أيمانكم) “But if you fear that you will not be just, then [marry only] one or those your right hands possess [i.e., slaves].” Which means if you fear that you will not be just among them, then marry only one or those your right hands possess [i.e., slaves], because dividing time is not obligatory for them. He (ﷺ) stressed the one who favours some of his wives over others, in words or actions, it was narrated from Abu Hurairah that the Prophet (ﷺ) said: (مَنْ كَانَ لَهُ امْرَأَتَانِ يَمِيلُ لِاحْدَاهُمَا عَلَى الْآخَرَى جَاءَ يَوْمَ الْقِيَامَةِ أَحَدٌ) (ﷺ) said: “Whoever has two wives and is inclined to favour one of them over the other, he will come on the Day of Resurrection with half of his body leaning.”<sup>1</sup> The word الميل “to incline” denotes the inclination in words and actions, as for the inclination of the heart so he has no control over it, Narrated 'Aishah (may He have mercy upon her) (- كَانَ رَسُولُ اللَّهِ -) صلى الله عليه وسلم -يَقْسِمُ , فَيَعْدِلُ , وَيَقُولُ : "اللَّهُمَّ هَذَا قَسَمِي فِيمَا أَمْلِكُ , فَلَا تَلْمَنِي فِيمَا تَمْلِكُ وَلَا أَمْلِكُ“ Allah's Messenger (ﷺ) used to divide visits to his wives equally and say, "O Allah, this is my division concerning what I possess, so do not blame me concerning what You possess and I do not.”<sup>2</sup>

The husband should not be blamed for loving some of his wives more than others, or for having intercourse with her more than others, provided that he would not harm others, like the Prophet (ﷺ) he loved Aisha, may Allah be pleased with her, more than his other wives, and his love for her did not prevent him from being fair to his other wives. Allah has said:

<sup>1</sup> Transmitted by Al-Nasa'i (3942) Al-Albani Said in Sahih Al-Nasa'i: Sahih (3682).

<sup>2</sup> Transmitted by Abu Dawud (2123), and Al-Nasa'i (1140).

(ولن تستطيعوا أن تعدلوا بين النساء ولو حرصتم) “And you will never be able to be equal [in feeling] between wives, even if you should strive [to do so].” (*Surah Al-Nisa: 129*) i.e., in love and intercourse.<sup>1</sup>

The husband must be fair to his wives in spending, providing home, clothing, and dividing the night, all of this must be fair among wives, and there is no difference between rich or poor, because it is obligatory upon him to be fair and just for all wives, and Allah knows best.<sup>2</sup>

**Benefit:** is it required to take consent of the first wife to marry another woman?

It is not obligatory for the husband if he wants to remarry another woman to please his first wife, but it is from the noble manners and kindness to please her with smile, good manner and nice talking that will relieve her sadness which is common among the women in such matters. He may offer her some money if needed to satisfy her.<sup>3</sup>

**To divide time among wives:**

The husband, if he has more than one wife, must equalize them in division, i.e., in distributing time among them. So, he should divide time among his wives without exception, whether she is sick, or menstruating, or having bleeding after delivery, etc. The division means to get intimacy of the husband, even if there is no sexual intercourse.

The beginning of the time division among the wives should be by casting lots, not by the husband’s desire, because selecting

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<sup>1</sup> Said Ibn Hajar: it has been reported by Al-Baihaqi on the authority of Talha who narrated by Ibn Abbas in the explanation of the word (ولن تستطيعوا ) he said love and intercourse. *Fat’hul Bari* (9/224).

<sup>2</sup> *Al-muntaqa Min Fatawa Al-Fawzan* (5/265).

<sup>3</sup> From the *Fatawa of اللجنة الدائمة للبحوث العلمية والإفتاء بمجلة البحوث الإسلامية* (25/67).

anyone of them randomly is not fair, so the lot is a good way to achieve justice and obtain their satisfaction. Likewise, if the husband wants to travel and is not able to accompany all of his wives, he may cast lots among them, either for one or for two of them. Narrated al-Qasim: “Aisha said: ( كَانَ إِذَا خَرَجَ أَقْرَعَ ) (بَيْنَ نِسَائِهِ، فَطَارَتِ الْقُرْعَةُ لِعَائِشَةَ وَحَفْصَةَ،) whenever the Prophet (ﷺ) intended to go on a journey, he drew lots among his wives (so as to take one of them along with him). During one of his journeys the lot fell on `Aisha and Hafsa.”<sup>1</sup> It was during one of his journeys.

The time division should be from night, because a person takes shelter at his home in night, sleeps with his wife on his bed, and so on, and the day follows the night. And whoever works at night, he should begin to divide his time from day.

The time division does not mean that sexual intercourse is required by the husband. If he has intercourse with some of his wives and ignores some of them, then he is not a sinner, unless he intends to harm them.

It is forbidden for the husband to enter the home of any wife during the nights of another wife’s turn, except in need. Sheikh Muhammad bin Ibrahim said: if the specific night is for her fellow wife so it is forbidden for him to do that, for it is unjust with the fellow wife, he can do that if he is in need such as occurrence of fire, her sudden illness, or illness of her relatives etc., because the needs have their rulings.<sup>2</sup>

As for entering the wife during the day which does not belong to the night of her turn, it is permissible for necessity, to fulfil needs, or to ask about a sick person, or to know the conditions

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<sup>1</sup> Transmitted by Al-bukhari (5211).

<sup>2</sup> Fatawa wa Rasa’il Muhammad bin Ibrahim (10/281-282).

of the family, and so on. Aisha, may God be pleased with her, said: Narrated 'Aishah (RA): ( ان رَسُولُ اللَّهِ - صلى الله عليه وسلم - لَا ) يُفْضِلُ بَعْضَنَا عَلَى بَعْضٍ فِي الْقَسْمِ مِنْ مَكْنِهِ عِنْدَنَا , وَكَانَ قَلَّ يَوْمٌ إِلَّا وَهُوَ يَطُوفُ عَلَيْنَا جَمِيعًا , فَيَدْنُو مِنْ كُلِّ امْرَأَةٍ مِنْ غَيْرِ مَسِيَسٍ , حَتَّى يَبْلُغَ الَّتِي هُوَ يَوْمُهَا , "Allah's Messenger (ﷺ) would not prefer some of us over others regarding the division of the time he would spend with us. It was very rare that he would not visit us all, and come near each of his wives without having intercourse with her, till he reached the one whose day it was, and spent the night with her.”<sup>1</sup> The hadith clearly states that it is permissible for the husband to take a round among his wives during the day and to kiss and do everything except sexual intercourse.

when a man marries another woman, if she is a virgin, he will stay with her for seven nights, then the division of the time will take place, and if he marries a previously married woman, he will stay with her for three nights, then the division of the time will take place. Narrated Anas: ( السُّنَّةُ إِذَا تَزَوَّجَ الْبِكْرَ أَقَامَ عِنْدَهَا ) (سَبْعًا، وَإِذَا تَزَوَّجَ النَّثِيبَ أَقَامَ عِنْدَهَا ثَلَاثًا) The tradition, (of the Prophet) is that if someone marries a virgin, then he should stay with her for seven days; and if someone marries a previously married woman, then he should stay with her for three days.”<sup>2</sup>

Narrated Umm Salamah (RA): ( لَمَّا تَزَوَّجَهَا أَقَامَ عِنْدَهَا ثَلَاثًا , وَقَالَ : " إِنَّهُ لَيْسَ بِكَ عَلَى أَهْلِكَ هَوَانٌ , إِنْ شِئْتِ سَبَعْتُ لَكَ , وَإِنْ سَبَعْتُ لَكَ سَبَعْتُ (لِنِسَائِ) ) When the Prophet (ﷺ) married her he stayed with her for three nights and said, "You are not being humbled in my estimation. If you wish I shall stay with you seven nights, and

<sup>1</sup> Transmitted by Abu Dawud (2659), and Al-Nasa'i (2558) Al-Albani Said in Sahih Al-Nasa'i: Hasan (2398).

<sup>2</sup> Transmitted by Al-Bukhari (5213) and Muslim (1461). When the companion of the prophet (ﷺ) says: "The tradition, (of the Prophet) is that" it means that it is the saying of the prophet (ﷺ).

if I stay with you for seven nights, I shall do the same with my other wives.”

Abu Bakr b. ‘Abd ar-Rahman: ( أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حِينَ ) تَزَوَّجَ أُمَّ سَلَمَةَ وَأَصْبَحَتْ عِنْدَهُ قَالَ لَهَا: «لَيْسَ بِكَ عَلَيَّ أَهْلِكَ هَوَانٌ إِنْ شِئْتِ سَبَعْتُ عِنْدَكَ وَسَبَعْتُ عِنْدَهُنَّ وَإِنْ شِئْتِ ثَلَاثُ عِنْدَكَ وَدُرْتُ when God’s Messenger married Umm Salama he said to her in the morning, “You are not being humbled in my estimation. If you wish I shall stay with you seven nights as I did with my other wives, but if you wish I shall stay three and then visit my wives in turn.”<sup>1</sup>

And his (ﷺ) saying: ( لَيْسَ بِكَ عَلَيَّ أَهْلِكَ هَوَانٌ ) “You are not being humbled in my estimation”, i.e., nothing will be detracted from your right, for your right is complete and undiminished. And the Sunnah, as it came in the hadith, is that a man should stay with the previously married woman for three consecutive nights, and this is her right, then he should turn to his other wives night by night or he should stay with her for seven consecutive nights, then go to the other wives for seven nights, then divide her time with them. So, the right for the previously married woman - if she wants- is seven nights, - and if she wants- three nights, according to the previous detail. And if she is a virgin, then the man should stay with her for seven consecutive nights without making up for it, then divide the time, it is the right of the virgin.

It is permissible in the chapter of the time division among wives for one of the wives to offer her day and night to her fellow wife, as Saudah R.A. did: ‘A’isha told: ( أَنَّ سَوْدَةَ لَمَّا كَبِرَتْ ) قَالَتْ: يَا رَسُولَ اللَّهِ قَدْ جَعَلْتُ يَوْمِي مِنْكَ لِعَائِشَةَ فَكَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ قَالَتْ: ( وَسَلَّمَ يُقَسِّمُ لِعَائِشَةَ يَوْمَيْنِ يَوْمَهَا وَيَوْمَ سَوْدَةَ ) when Sauda became old she

<sup>1</sup> Transmitted by Muslim (1460).

said, “Messenger of God, I appoint to ‘A’isha the day you visit me”. So, God’s Messenger allotted two days to ‘A’isha, hers and Sauda’s.<sup>1</sup>

This gift depends on the husband's acceptance, as the right is his. It is not for the wife who is offered, to forbid the husband if he wants to accept the offer. It is permissible for the wife to take back her offer, and demand her husband to divide the time, but she does not have the right to ask her husband to spend with her extra time in compensation of the time that she has already offered.

When a wife offers her time to fellow wives, then the husband has right to divide it with whomever he wants from his wives, the decision is up to him, if he wants, he can make it with one wife, and if he wants, he can divide it among all of them. If he has four wives and one of them donated her day, he can divide the time among the three instead of four, and he may also stay with one of them two nights; her night, and the night of the wife who has gifted. The justice in this regard is that he should stay with her on the night that has been offered, not two consecutive nights, unless all his wives agree with that, or it can be consecutive nights if the night of the wife who has offered comes after the night of the wife who has accepted it.”<sup>2</sup>

If the husband becomes ill, his illness does not forfeit the division of time, so he would revolve around his wives, and he would not stay with one of them unless he is given permission. Narrated `Aisha: ( أَنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ ) يَسْأَلُ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ " أَيْنَ أَنَا غَدًا أَيْنَ أَنَا غَدًا " . يُرِيدُ يَوْمَ عَائِشَةَ، فَأَذِنَ

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<sup>1</sup> Transmitted by Al-Bukhari (5212) and Muslim (1463), the words are of Muslim.

<sup>2</sup> See Al-Mughni (10/250-251), and Fat’hul Bari (9/223) , and Muslim (1463).

(لَهُ أَزْوَاجُهُ يَكُونُ حَيْثُ شَاءَ، فَكَانَ فِي بَيْتِ عَائِشَةَ حَتَّى مَاتَ عِنْدَهَا) that during his fatal ailment, Allah's Messenger (ﷺ) used to ask his wives, "Where shall I stay tomorrow? Where shall I stay tomorrow?" He was looking forward to Aisha's turn. So, all his wives allowed him to stay where he wished, and he stayed at Aisha's house till he died there.<sup>1</sup>

So, may God take care of you, look at his justice, peace and blessings of God be upon him, with his wives, even at the time of his illness, which indicates that the husband is required to make the effort to achieve justice between his wives. And when the wife travels without her husband's permission, her right of time is forfeited, and she has no right to claim what she missed while she was traveling, for she is disobedient, and her right to time is forfeited because of her ill conduct and disobedience.<sup>2</sup>

### **To spend on wives**

The husband has been ordered to spend on his wives as the prophet (ﷺ) said: (وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ) "They (women) have rights over you (the men) to provide them with their sustenance and clothing in a reasonable manner."<sup>3</sup>

And he (ﷺ) urged to spend on family saying that such person will be rewarded as he (ﷺ) said: (إِذَا أَنْفَقَ الرَّجُلُ عَلَى أَهْلِهِ يَحْتَسِبُهَا فَهُوَ) (لَهُ صَدَقَةٌ) "If a man spends on his family (with the intention of having a reward from Allah) sincerely for Allah's sake then it is a (kind of) alms-giving in reward for him"<sup>4</sup>

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<sup>1</sup> Transmitted by Al-Bukkhari (4450).

<sup>2</sup> See Al-Mughni (10/251).

<sup>3</sup> A part of a gadith narrated by Muslim (1218).

<sup>4</sup> Transmitted by Al-Bukkhari (55) and Muslim (1002).

And he (ﷺ) addressed Sa'd bin Abi Waqqas- it is for every Muslim- and said: ( إِنَّكَ لَنْ تُنْفِقَ نَفَقَةً تَبْتَغِي بِهَا وَجْهَ اللَّهِ إِلَّا أُجِرْتَ عَلَيْهَا ) Allah's Messenger (ﷺ) said, "You will be rewarded for whatever you spend for Allah's sake even if it were a morsel which you put in your wife's mouth."<sup>1</sup>

**Firstly:** The maintenance of the wives, even if it is obligatory for the husband; however, the law of Allah made for the one who spends on his family a reward, and this is a grace from Allah.

**Secondly:** The reward of the maintenance can be achieved only with the sincere intention of having a reward from Allah and getting His pleasure, and whoever spends on his family without the intention of having a reward from Allah, then he will lose the Allah's responsibility for him as well as His reward.<sup>2</sup>

The maintenance right of a wife over the husband is estimated as per the condition of the spouses in terms of richness and poverty or one's richness and the other's poverty if they've different conditions. The rich woman under a rich husband will be given maintenance sufficient for her food as per the standard. She'll be given maintenance for clothes like the ones worn by the rich in that country and also the beds and furniture which are suitable for her in that country. The poor woman under a poor husband will be provided food, cloth, bed and furniture as are suitable for her in her country. The average woman under an average husband, the rich woman under a poor husband and the poor woman under a rich husband will be provided the

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<sup>1</sup> Transmitted by Al-Bukhari (56) and Muslim (1628), the words are of Al-Bukhari.

<sup>2</sup> See: Fat'hul Bari in the explanation of the previous hadith (55).

maintenance between the maximum limit – the maintenance of the rich- and the minimum limit – the maintenance of the poor- as per the customs and convention, because it's suitable for their condition.<sup>1</sup>

The maintenance for the wife is obligatory, even if she is an employee; for spending on her is in return of enjoyment, it is her right, and in these issues, the poor financial condition of the husband will not be entertained. If the wife is happy and gives up her right in terms of spending on her, then there is no problem because she has given it up by her own wish.

If a person has more than one wife; he is required to be fair with them in terms of maintenance, and he should not say this is rich and this is poor, for all are his wives. Ibn Saadi - may God have mercy on him - said: The correct is the narration chosen by the Sheikh of Islam, which is that it is obligatory upon the husband to be equal in that, because lack of fairness is injustice and oppression due to the failure to perform the obligatory, and because every justice that a husband can do among his wives is obligatory for him, unlike what he has no power over, such as intercourse, etc.<sup>2</sup>

The wife's maintenance will be forfeited from her husband for several reasons, such as if the wife refuses to submit herself to her husband, she is not entitled to maintenance. If she travels for her needs, then she is not entitled to maintenance, because she has withheld her husband's right to her, except with his pleasure. And if the wife shows ill-conduct against her husband, she is not entitled to maintenance as well. As for the revocable divorcee, she is entitled to maintenance from her

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<sup>1</sup> Al-Mulakhkhas Al-Fiqhi by Salih Bin Fauzan Al-Fauzan (2/356)

<sup>2</sup> Al-Fatawa As-Sa'diyyah page no 117.

husband as long as she is in the waiting period, for she is still his wife, and the pregnant divorced woman is also entitled to the maintenance. The Almighty said: ( وَإِنْ كُنْ أَوْلَاتٍ حَمَلْنَ فَانْفِقُوا ) (عليهن حتى يضعن حملهن) “And if they should be pregnant, then spend on them until they give birth.”

And when Fatimah bint Qais was divorced, Al-Harith bin Hisham and Ayyash bin Abi Rabi'ah said to her: ( وَاللَّهِ مَا لَكَ نَفَقَةٌ ) إِلَّا أَنْ تَكُونِي حَامِلًا فَأَتَتْ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَتْ لَهُ قَوْلَهُمَا . فَقَالَ " لَا نَفَقَةَ لَكَ ) By Allah, there is no maintenance allowance for you, except in case you are pregnant. She came to Allah's Apostle (may peace be upon him) and mentioned their opinion to him, whereupon he said: There is no maintenance allowance for you.”<sup>1</sup> The divorce here was the irrevocable divorce, not revocable one.

And if the husband is negligence in his maintenance to his wife, then she can take from the husband's money what suffices her and her children on the reasonable basis - even if he does not know that - because spending on wife is obligatory upon the husband. Narrated `Aisha: ( قَالَتْ هِنْدُ أُمُّ ) مُعَاوِيَةَ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، فَهَلْ عَلَيَّ جُنَاحٌ “Hind, the mother of Mu'awiya said to Allah's Messenger (ﷺ), "Abu Sufyan (her husband) is a miser. Am I allowed to take from his money secretly?" The Prophet (ﷺ) said to her, "You and your sons may take what is sufficient reasonably and fairly.”<sup>2</sup> The wives - whose husbands are negligent in their maintenance on them – should reflect on his saying, peace and blessings of Allah be upon him: ( خُذِي أَنْتِ وَبَنُوكِ مَا يَكْفِيكِ )

<sup>1</sup> Transmitted by Muslim (1480).

<sup>2</sup> Transmitted by Al-Bukhari (2211) and Muslim (1714).

(بِالْمَعْرُوفِ) “You and your sons may take what is sufficient reasonably and fairly”, so she and her children may take what is sufficient reasonably and fairly, and should not cross the limit, otherwise she will be the sinner.

### **Accommodation for wives:**

It is better to provide the wives with separate accommodation to live with the husband, as the Prophet, peace and blessings of Allah be upon him, did with his wives, because it is safe and more protective for them and will eliminate the conflict that takes place often among the fellow wives. The husband has the right to summon each wife on her shift to his private residence, and whoever of them refuses to respond, she will be considered disobedient and will forfeit her right of time division and maintenance, except that if the accommodation is not suitable for them, then they do not have to respond to the husband, because it may cause harm to them.<sup>1</sup>

### **Divorce is the last solution**

Allah Almighty has encouraged His servants to keep their wives and not to divorce them, even if they dislike, He Almighty said: (فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى أَنْ تَكْرَهُوا شَيْئاً وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا) (كثيراً) “For if you dislike them - perhaps you dislike a thing and Allah makes therein much good.” (*Surah Al-Nisa: 19*)

Ibn Katheer said: you may be given a lot of good in this world and the Hereafter due to your patience, while keeping them despite you dislike them, as Ibn Abbas said about this verse: If he has sympathy with her while he dislikes her, Allah may give him a righteous son that will be fruitful for him. It has been described in the authentic hadith that Abu Hurairah

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<sup>1</sup> See Al-Mughni (10/245).

(May Allah be pleased with him) reported: Messenger of Allah (ﷺ) said: (لا يفرك مؤمن مؤمنة إن كره منها خلقا رضي منها آخر) “A believer must not hate (his wife) believing woman; if he dislikes one of her characteristics, he will be pleased with another.”<sup>1</sup>

The husband should not divorce his wife if he finds in her some bad manners, because if he looks at her from other aspects, he would find in her good morals, and beautiful and ethical characteristics.

The husband who keeps his wife while he dislikes her and is patient with her should know that he has been promised much good by Allah in the Qur’an. (فإن كرهتموهن فعسى أن تكرهوا شيئاً) (ويجعل الله فيه خيراً كثيراً) “For if you dislike them - perhaps you dislike a thing and Allah makes therein much good.”

If patience is not possible, and the relationship worsens, then divorce is the Islamic way to another life for both the husband and wife (وإن يتفرقا يغن الله كلا من سعته وكان الله واسعاً حكيماً) “But if they separate [by divorce], Allah will enrich each [of them] Wise.” (*Surah Al-Nisa: 130*).

Allah will compensate the husband with someone better than her, and He will also compensate her with someone better than him, so either keep [her] in an acceptable manner or release [her] with good treatment. How beautiful are the qualities of a man who separated from his family, and they did not find from him a bad word or an ugly reaction?! And may Allah have mercy on a man who left his family, and they mention him with goodness and pray for him in his absence.

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<sup>1</sup> Tsfseerul Qur’anil Azeem (1/456).

There are two types of divorce; Sunnah Divorce (according to Islamic ruling), and Bid'ah Divorce (innovated divorce against Islamic ruling)

The Sunnah divorce is that the husband divorces his wife once in a state of purity without having intercourse with her, and leaves her until her waiting period ends. This is a Sunnah divorce in terms of number, as he divorced her once, and Sunnah divorce in terms of time, as he divorced her in purity and did not have intercourse with her.

The innovated divorce is that the husband divorces her wife three times with one word, or divorces her while she is menstruating, or divorces her during the period of purity in which he had intercourse with her, as her pregnancy has not been clear yet.

Ibn 'Umar (Allah be pleased with them) reported that: ( أَنَّهُ طَلَّقَ ) امرأته وهي حائضٌ في عهد رسول الله صلى الله عليه وسلم فسأل عمر بن الخطاب رسول الله صلى الله عليه وسلم عن ذلك فقال له رسول الله صلى الله عليه وسلم " مُرّه فليُرَاجِعَهَا ثُمَّ لِيَتْرُكْهَا حَتَّى تَطْهَرَ ثُمَّ تَحِيضَ ثُمَّ تَطْهَرَ ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ وَإِنْ شَاءَ طَلَّقَ قَبْلَ أَنْ يَمَسَّ فِتِلْكَ الْعِدَّةِ الَّتِي أَمَرَ اللَّهُ عَزَّ وَجَلَّ أَنْ يُطَلَّقَ (لَهَا النِّسَاءُ) he divorced his wife while she was menstruating during the lifetime of Allah's Messenger (ﷺ). 'Umar b. Khattib (Allah be pleased with him) asked Allah's Messenger (ﷺ) about it, whereupon Allah's Messenger (ﷺ) said: Command him ('Abdullah b. 'Umar) to take her back (and keep her) and pronounce divorce when she is purified and she again enters the period of menstruation and she is again purified (after passing the period of menses), and then if he so desires he may keep her and if he desires divorce her (finally) before touching her (without having an intercourse with her), for that

is the period of waiting ('Idda) which God, the Exalted and Glorious, has commanded for the divorce of women.”<sup>1</sup>

Whoever divorces his wife while she is menstruating it is Mustahab (desired) for him to take her back then keep her until she menstruates and becomes pure, then divorce her once in a state of purity during which he did not have intercourse with her until her waiting period expires, this is the divorce of the Sunnah in terms of time and number.

Divorce of a pregnant woman will be counted without any doubt. The Prophet, may Allah bless him and grant him peace, said to Umar when Ibn Umar divorced his family while she was menstruating: (مره فليراجعها ثم ليطلقها طاهراً أو حاملاً) “Command him ('Abdullah b. 'Umar) to take her back (and keep her) and pronounce divorce when she is purified or pregnant”.<sup>2</sup>

Divorce is disliked when there is no need for it. If the woman is religious and steadfast, and the couple's condition is stable, so it is not allowed, rather, some scholars said that divorce in this case is forbidden.

Divorce is obligatory on the husband if the wife is not religious and steadfast; for example, she neglects the prayer, misses it, or always delays it from its time. If he advises her, and repeats it many times, even then she does not reform herself, the husband must divorce her and replace her with the better one. Likewise, the husband must divorce his wife if she is not upright in matters of her honour. Sheikh al-Islam Ibn

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<sup>1</sup> Transmitted by Al-Bukhari (4908) and Muslim (1471). The words are of Muslim.

<sup>2</sup> Transmitted by Muslim (1471).

Taymiyyah said: If she is fornicating, he cannot keep her in that condition, otherwise he is a cuckold.

It is forbidden for the wife to ask for divorce without a valid reason, as he (ﷺ) said: It was narrated from Thawban that the Messenger of Allah (ﷺ) said: ( أَيَّمَا امْرَأَةٍ سَأَلَتْ زَوْجَهَا الطَّلَاقَ فِي غَيْرِ ) “Any woman who asks her husband for a divorce when it is not absolutely necessary, the fragrance of Paradise will be forbidden to her.”<sup>1</sup>

**If the parents, or one of them, order the son to divorce his wife, there may be two situations:**

**The first:** If the father explains a valid reason that requires to divorce her and separate from her, such as if he says: Divorce your wife, because she is suspicious of her morals, i.e., she is flirting with men or going out to dishonest societies and so on. So, in this case he should respond to his father and divorce her, because his father did not command him to divorce her with his own desires and benefit, but rather to protect his son’s bed from being defiled by this uncleanness.

**The second:** If the father commands his son to divorce his wife because the son loves her more, and the father feels provocative jealousy of his son’s love for her, in this matter the mother is more provocative jealous. Many mothers, if they see their son’s love for his wife, feel very jealous, and consider his wife as her fellow wife - we ask Allah for protection- in this case the son is not obliged to divorce his wife if his father or his mother orders him to divorce her, he should keep his wife and manage his parents, sympathize with

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<sup>1</sup> Transmitted by Abu Dawud (2226), and Al-tirmidhi (1187), and Imam Tirmidhi said: it is Hasan Hadith, and Al-Albani said in Sahih Al-Tirmidhi: Sahih.

them, and convinces them with soft words until they are convinced, he should keep doing it especially if the wife is religious and steadfast.<sup>1</sup>

### **Benefit:**

### **The reasons of divorce:**

Sheikh Abdul Aziz bin Baz -may Allah have mercy on him- said: Divorce has many causes, which are: lack of harmony between the spouses so that there is no love from one of them to the other or from both of them, the bad character of the wife or the lack of response and obedience to her husband with goodness, the ill-conduct of the husband, his oppression on the wife and his injustice with her, their inability to fulfil rights of each other, occurrence of sins from one or both of them that make their situation worst until it results in divorce, husband's addiction to intoxicants or smoking or the wife's addiction to that, the bad relation between the wife and the husband's parents or one of them, not to use the wise policy in dealing with them or one of them, and the woman's lack of attention to cleanliness and not to face her husband with good dress, pleasing fragrance, good words, and cheerfulness.<sup>2</sup>

### **Khula' is a way for woman's salvation:**

Khula' is an Islamic solution when divorce is not possible. Sometimes a woman dislikes her husband and gets angry upon him either because of the lack of his religious commitment or because of his bad treatment; for the love and hate are found in the hearts, and no one can ward it off – so

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<sup>1</sup> Durus Wa Fatawa Al-Haram Al-Makki of Muhammad bi Al-Uthaimen (3/223).

<sup>2</sup> Fatawa Kitabud Dawaa (2/237)

for these reasons the wife asks her husband for divorce, but he refuses to divorce her, then here the virtue of Islamic law and the grace of Allah upon His servants appear, as He has given the wife a legal way to separate from the husband, even if he refused to separate; It is called Khula'.

Khula' is the separation of the wife in return for a payment with specific words. It is called khula', because a woman takes off herself from her husband, just as she takes off clothes. As Allah said: (هن لباس لكم وأنتم لباس لهن) “They are a clothing for you and you are a clothing for them” (*Surah Al-Baqarah: 187*)

It has been prescribed by the Quran, Sunnah and Ijmaa' (scholarly consensus), as Allah said: (فلا جناح عليهما فيما افتدت به) “then there is no blame upon either of them concerning that by which she ransoms herself”<sup>1</sup> (*Surah Al-Baqarah: 229*).

Ibn 'Abbas said: (أَنَّ امْرَأَةً ثَابِتِ بْنِ قَيْسِ أَنْتِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) فَقَالَتْ: يَا رَسُولَ اللَّهِ ثَابِتُ بْنُ قَيْسٍ مَا أَعْتَبُ عَلَيْهِ فِي خُلُقٍ وَلَا دِينٍ وَلَكِنِّي أَكْرَهُ الْكُفْرَ فِي الْإِسْلَامِ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «أَتُرِيدِينَ عَلَيْهِ حَدِيثَهُ؟» («قَالَتْ: نَعَمْ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «اقْبَلِ الْحَدِيثَةَ وَطَلِّقْهَا تَطْلِيقَةً» the wife of Thabit b. Qais came to the Prophet and said, “Messenger of God, I do not reproach Thabit b. Qais in respect of character or religion, but I do not want to be guilty of infidelity regarding Islam.” God’s Messenger asked her if she would give him back his garden, and when she replied that she would, he told him to accept the garden and make one declaration of divorce”<sup>2</sup> and Islamic scholars agreed by consensus that Khula' has been prescribed in Islam.

<sup>1</sup> (6/459) حاشية الروض المربع على زاد المستنقع

<sup>2</sup> Transmitted by Al-Bukhari (5273).

The wisdom in Khula' is that sometimes the wife dislikes the character of her husband, or hates his physical formation, or does not like the lack of his religious commitment, or fears a sin by abandoning his right, then it is permissible for the wife to take off herself from him, and redeem herself in return for a payment, and there is nothing wrong with the husband if he takes that payment and releases her.

Imam Ahmad said: If she hates him while he loves her, I do not recommend her to ask for Khula' and she should be patient... the Sheikh of Islam said: If she hates him, but he is good to her, then she asks him for separation without a valid reason that I would not recommend her to do that, I will say to her to be patient if there is nothing wrong that may cause annulment of marriage.<sup>1</sup>

Khul' is an irreversible annulment of the marriage, except with the wife's consent, and with a new marriage contract, the number of divorces would not be counted in that (Khula').

### **Son or brother or father in-law and their role in making married life happy**

The Arabic word **الصهر** Al-Sihr means the husband of the daughter or the husband of the sister, it is also used for father of the wife or the brother of the wife.<sup>2</sup>

Al-Ashaar (relatives in-law) have a great role in the continuation of the relationship between the spouses, so the father of the wife should ask for the condition of his daughter with her husband time to time, as well as the wife's brother.

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<sup>1</sup> (3) حاشية. (6/461) حاشية الروض المربع على زاد المستنقع

<sup>2</sup> Lisanul Arab, rout letter (صهر) (4/417).

As it has been previously mentioned that the marital life does not remain at one case, some days with fairness, some days with distress, some days with pleasure, and some days with anger. If they are in the hated situation, then the father of the wife or her brother must work hard to eliminate the causes of quarrels, and should be gentle with the husband, especially in the usual issues that frequently occur between spouses. We are going to bring examples that are showing the role of the brother and father-in-law in solving some marital problems and disputes.

Narrated Sahl bin Sa`d: (جَاءَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَيْتَ فَاطِمَةَ، فَلَمْ يَجِدْ عَلِيًّا فِي الْبَيْتِ فَقَالَ " أَيْنَ ابْنُ عَمِّكَ " . قَالَتْ كَانَ بَيْنِي وَبَيْنَهُ شَيْءٌ، فَغَاضَبَنِي فَخَرَجَ فَلَمْ يَقُلْ عِنْدِي. فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِإِنْسَانٍ " انظُرْ أَيْنَ هُوَ " . فَجَاءَ فَقَالَ يَا رَسُولَ اللَّهِ، هُوَ فِي الْمَسْجِدِ رَاقِدٌ، فَجَاءَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَهُوَ مُضْطَجِعٌ، قَدْ سَقَطَ رِدَاؤُهُ عَنْ شِقِّهِ، وَأَصَابَهُ تُرَابٌ، فَجَعَلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَمْسَحُهُ عَنْهُ وَيَقُولُ " قُمْ أَبَا تُرَابٍ، قُمْ أَبَا تُرَابٍ (تُرَابٍ) Allah's Messenger (ﷺ) went to Fatima's house but did not find `Ali there. So, he asked, "Where is your cousin?" She replied, "There was something between us and he got angry with me and went out. He did not sleep (midday nap) in the house." Allah's Messenger (ﷺ) asked a person to look for him. That person came and said, "O Allah's Messenger (ﷺ)! He (Ali) is sleeping in the mosque." Allah's Messenger (ﷺ) went there and `Ali was lying. His upper body cover had fallen down to one side of his body and he was covered with dust. Allah's Messenger (ﷺ) started cleaning the dust from him saying: "Get up! O Aba Turab. Get up! O Aba Turab (literally means: O father of dust).<sup>1</sup>

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<sup>1</sup> Transmitted by Al-Bukhari (441) and Muslim (2409).

This hadith has some beneficial points, some of them are: the father should ask about his daughter's condition with her husband, and he should calm down the husband's anger and remain kind with him. This hadith also teaches that the usual disputes between husbands should not be exacerbated and enflamed, so Fatima's saying- may God be pleased with her, (كَانَ بَيْنِي وَبَيْنَهُ شَيْءٌ فَغَاضَبَنِي) "There was something between us and he got angry with me" is clear evidence that the reason for her husband's anger was because of something which is usual between spouses, and if it was because of something that violates religion or chivalry, she would have made it clear.

**I say:** If there is a dispute between the wife and her husband, many wives' fathers, or their brothers support their daughters or sisters, whether the truth is with them (wives) or against them. The right approach in this matter is to reform and treat the husband gently, this is the strongest way to a happy married life.

**The second approach:** It is the approach of Omar Ibn Al-Khattab, may Allah be pleased with him, when he heard that some of the wives of the Prophet (ﷺ) are retorting him, he went out and entered upon his daughter Hafsa and said to her: أَيْ حَفْصَةُ أَنْغَاضِبُ إِحْدَاكُنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْيَوْمَ حَتَّى اللَّيْلِ قَالَتْ نَعَمْ. ( فَقُلْتُ قَدْ خَبِتِ وَخَسِرْتِ، أَفْتَأْمَنِينَ أَنْ يَغْضَبَ اللَّهُ لِعْضَبِ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَتَهْلِكِي لَا تَسْتَكْثِرِي النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَلَا تُرَاجِعِيهِ فِي شَيْءٍ، وَلَا (تَهْجُرِيهِ، وَسَلِّينِي مَا بَدَا لَكَ 'Does anyone of you keep the Prophet (ﷺ) angry till night?' She said, 'Yes.' I said, 'You are a ruined losing person! Don't you fear that Allah may get angry for the anger of Allah's Messenger (ﷺ) and thus you will be ruined? So do not ask more from the Prophet (ﷺ) and do not answer

him back and do not give up talking to him. Ask me whatever you need”<sup>1</sup>

So, look at Omar’s keenness on his daughter, and his desire for his daughter to remain under the Messenger of God, may God’s blessing and peace be upon him, likewise the wife’s father and brother, should always try to strengthen the relationship between his daughter/sister and her husband, even by paying some money to her to fulfil some needs. This strategy should be adopted when the husband is religious, honest and chivalrous, because such a husband should not be neglected.

**The third approach:** It is from the part of the husband; The husband has to be polite with his wife’s family, respect them, and take into account their feelings, for they have given him their honour and piece of their hearts. So, goodness should not be exchanged with insult, defamation and bad manners. We are going to mention a part of the manner of Ali bin Abi Talib, the son-in-law of the Messenger of God, may God bless him and grant him peace, and how Ali bin Abi Talib maintained this relationship. It was narrated that `Ali (رضي الله عنه) said: (كُنْتُ رَجُلًا مَذَّاءً فَكُنْتُ أَسْتَجِي أَنْ أَسْأَلَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ ) (عنه) (وَسَلَّمَ لِمَكَانِ ابْنَتِهِ فَأَمَرْتُ الْمِقْدَادَ فَسَأَلَهُ فَقَالَ يَغْسِلُ ذَكَرَهُ وَيَتَوَضَّأُ) I was a man who emitted a great deal of madhi, but I felt too shy to ask the Prophet (ﷺ) about that because of the position of his daughter, so I told al-Miqdad bin al-Aswad to ask him, and he said: `Let him wash his private part and do wudoo”<sup>2</sup>

Ali bin Abi Talib needed to ask the Messenger of God, may God’s blessing and peace be upon him, about a matter that he

<sup>1</sup> Transmitted by Al-bukhaari (5191).

<sup>2</sup> Transmitted by Al-Bukhari (178) and Muslim (303). The words are of Muslim.

was always confused about, but he hesitated because of the daughter of the Messenger of God, may God bless him and grant him peace, as she was his wife. So, he felt too shy to ask the Prophet (ﷺ) and did not ask him directly, but rather made it through an intermediary.

I say: Some husbands deliberately mention some secrets that should be only between them and their wives, in the presence of the wife's father or brother. This is a blameworthy act due to the following points:

Firstly: He commits the sin by revealing the secrets of marital relations (especially secrets of bed) which has been strictly prohibited by the Prophet (ﷺ)- It has been already explained.

Secondly: He is hurting the feelings of the wife's father or brother by mentioning such matters in front of them.

### **Examples of the Prophet's House:**

Undoubtedly, the behaviour of the Prophet (ﷺ) with his family is the most perfect position in which a man can be with his family, and we have good examples with regard to his relationship with his family.

We will bring - with Allah's help - some facts and events from the house of the prophet showing how the Messenger of God, (ﷺ) used to treat his family, so that we may follow him (ﷺ).

- 1- Aisha narrated that God's Messenger said to her: (إِنِّي « لَأَعْلَمُ إِذَا كُنْتَ عَنِّي رَاضِيَةً وَإِذَا كُنْتَ عَنِّي غَضَبِي » فَقُلْتُ: مِنْ أَيْنَ تَعْرِفُ ذَلِكَ؟ فَقَالَ: " إِذَا كُنْتَ عَنِّي رَاضِيَةً فَإِنَّكَ تَقُولِينَ: لَا وَرَبِّ مُحَمَّدٍ وَإِذَا كُنْتَ عَلَيَّ غَضَبِي قُلْتَ: لَا وَرَبِّ إِبْرَاهِيمَ ". قَالَتْ: قُلْتُ: أَجَلٌ وَاللَّهِ يَا رَسُولَ اللَّهِ مَا (أَهْجُرُ إِلَّا اسْمَكَ

when you are angry with me.” She asked how he knew that and he replied that when she was pleased with him, she said, “No, by Muhammad’s Lord,” but when she was angry with him she said, “No, by Abraham's Lord.” She then said, “I swear by God, Messenger of God, that that is so; it is only your name that I omit.”<sup>1</sup>

The hadith explains that the Prophet, peace and blessings of Allah be upon him, used to check the condition of his family, and know them in the state of contentment and in the state of anger.

2- It was narrated that 'Aishah, the mother of the Believers, said: ( دَخَلَ عَلَيَّ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ذَاتَ يَوْمٍ فَقَالَ " هَلْ ( هَلْ ) " عِنْدَكُمْ شَيْءٌ " . قُلْنَا لَا . قَالَ " فَإِنِّي صَائِمٌ ) “The Messenger of Allah came to me one day and said: 'Do you have anything (to eat) we said: 'No.' he said: 'Then I am fasting.’”<sup>2</sup>

This hadith describes the severity of the situation of the wives of the Prophet, peace and blessings of Allah be upon him, and their patience on that, seeking pleasure of Allah, as it has been also mentioned in the other hadith that one month or two months passed away and no fire was lit in the house of the wives of the Prophet, peace and blessings of Allah be upon him.

And this hadith also explains the good behaviour of the Prophet, peace and blessings of Allah be upon him, because when he did not find food, he changed the situation to obedience and worship. He did not abuse his family or blame them for that. In this matter the situation

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<sup>1</sup> Transmitted by Al-Bukhari (5228) and Muslim (2439).

<sup>2</sup> Transmitted by Muslim (1154).

of many husbands today is different, if he comes to his house, and does not find the food, he moves heaven and earth!

- 3- Mu'adha reported 'A'isha as saying: ( كُنْتُ أَعْتَسِلُ أَنَا وَرَسُولُ ) اللهُ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مِنْ إِنَاءٍ بَيْنِي وَبَيْنَهُ وَاحِدٍ فَيَبَادِرُنِي حَتَّى أَقُولَ دَعْ (لي دَعْ لي قَالَتْ وَهُمَا جَنْبَانِ) “God’s messenger and I used to wash from one vessel which stood between us, and he would get ahead of me, so that I would say, ‘Give me a chance, give me a chance, she said that they had had sexual intercourse.<sup>1</sup>

It has been explained in this narration that the Messenger, peace and blessings of Allah be upon him, was good to his family, as he took bath with his family from one vessel, and in our time today some husbands refuse to sleep with their wives in one linen, or even do not eat with them, because of the habits they inherited.

- 4- 'A'isha told that: ( أَنَّهَا كَانَتْ مَعَ رَسُولِ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي ) سَفَرٍ قَالَتْ: فَسَابَقْتُهُ فَسَبَقْتُهُ عَلَى رَجُلِي فَلَمَّا حَمَلْتُ اللَّحْمَ سَابَقْتُهُ فَسَبَقْتَنِي قَالَ: «هَذِهِ بِتِلْكَ السَّبَقَةِ» “when she was with God's Messenger on a journey, she raced him on foot and beat him, but when she grew, she raced him and he beat her. He said, “This makes up for that beating.”<sup>2</sup>

This hadith indicates that it is good for the husband to treat his wife with goodness and have fun with her, for this behaviour would not detract anything from dignity.

- 5- Maimuna (the wife of the Holy Prophet) reported ( كَانَ ) (رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يُبَاشِرُ نِسَاءَهُ فَوْقَ الْإِزَارِ وَهُنَّ حِيضٌ) The Messenger of Allah (ﷺ) contacted and embraced his wives over the waist-wrapper when they were

<sup>1</sup> Transmitted by Al-Bukhari (261) and Muslim (321). The words are of Muslim.

<sup>2</sup> Transmitted by Abu Dawud (2578), Al-Albani said in Sahih Abu Dawud: Sahih (2248).

menstruating”<sup>1</sup> ‘A’isha said: (كَانَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ (يُقَبِّلُ وَيُبَاشِرُ وَهُوَ صَائِمٌ وَكَانَ أَمْلَكُكُمْ لِأَرْبِهِ) “God’s messenger used to kiss and embrace while he was fasting, but he was the one of you who had the most control over his desire.”<sup>2</sup>

مباشرة الحائض (To contact menstruating woman physically), denotes only kissing, embracing, and enjoying the wife without intercourse. And مباشرة الزوجة (to contact the wife while she is with fasting) denotes kissing, touching, embracing and so on.

The person who is not able to restrain his lust from falling into the forbidden act, i.e., intercourse, is strictly forbidden (to contact his wife during her fasting or menstruating period). The state of menstruation and fasting of the wives of the Prophet (ﷺ) could not prevent him to make his family happy, to play with them, and to bring happiness in their lives.

6- Narrated Al-Aswad (سَأَلْتُ عَائِشَةَ مَا كَانَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ (يَصْنَعُ فِي أَهْلِهِ قَالَتْ كَانَ فِي مَهْنَةِ أَهْلِهِ، فَإِذَا حَضَرَتِ الصَّلَاةُ قَامَ إِلَى الصَّلَاةِ.) I asked `Aisha what did the Prophet (ﷺ) use to do at home. She replied: “He used to keep himself busy serving his family and when it was time for the prayer, he would get up for prayer.”<sup>3</sup>

Ibn Hajar said: in this hadith the word أهله denotes himself (ﷺ), or something more general than that. It has been mentioned in Al-Shama’il of Al-Tirmidhi by ‘Amrah on the authority of Aisha with the word: He is

<sup>1</sup> Transmitted by Al-Bukhari (303) and Muslim (294). The words are of Muslim.

<sup>2</sup> Transmitted by Al-Bukhari (1972) and Muslim (1106). The words are of Al-Bukhari.

<sup>3</sup> Transmitted by Al-Bukhari (676).

only a man: he used to examine his clothes for lice, milk his sheep, and serve himself.<sup>1</sup>

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<sup>1</sup> Fat'hul Bari (exploitation of the hadith 676)