

THE COHESIVE NATURE OF THE FAMILY (PART 3 OF 4): MUTUAL RIGHTS OF THE SPOUSES

Rating: 4.2

Description: The rights of both the husband and wife, and the complementary roles they play in bringing about a peaceful home.

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Actually, both spouses, in general, fail to some extent in their fulfilling of the other's obligations. Hence, before criticizing the other or being harsh with the other due to some shortcoming, the person should look to himself and realize what wrong he himself is doing.

At the same time, though, Islamic Law has clearly laid down some rights and responsibilities so that both parties in the marriage know exactly what is expected of them and know what they need to fulfill to be a proper spouse. Thus, for example, God says:

"...And they [women] have rights [over their husbands] similar to those over them according to what is reasonable..." (Quran 2:228)

In sum, the rights of the wife or the obligations of the husband include, among others, the following:

(1) Receiving her proper dower: God says:

"And give the women their dower with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it and enjoy it without fear of any harm."
(Quran 4:4)

(2) Being fully and completely financially maintained by her husband: God says:

"Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means..."
(Quran 4:34)

Furthermore, in a hadeeth recorded by al-Bukhari and Muslim, the Prophet, may the mercy and blessings of God be upon him, told Hind bint Utbah, when she complained

that her husband (Abu Sufyan) was very stingy and was not maintaining her and she asked if she could take from his wealth without his knowledge:

“Take what is sufficient for you and your child, according to what is customary.”

(3) Being treated in a proper and kind manner: God states:

“...And consort with your wives in a goodly manner, for if you dislike them, it may well be that you dislike something which God might yet make a source of abundant good”
(Quran 4:19)

(4) Having the right to sexual intercourse: In the *Sahih* of Ibn Hibban there is the following narration:

The wife of Uthman ibn Madh'oon complained to the Messenger of God that her husband had no need for women. During the day, he would fast and at night, he would pray. The Prophet asked him, “Am I not the best example for you to follow?” He answered, “Certainly, may my father and mother be sacrificed for you.” The Messenger of God then told him, “As for you, you pray during the night and you fast during the day. Certainly, your wife has a right upon you. And your body has a right upon you. So pray and sleep and fast and break your fast.”

(5) Having the right to “privacy”: Note the following hadeeth of the Prophet:

“Is there any man among you who goes to his wife, closes the door behind then, covers themselves, and conceals themselves by God’s concealing.” They said, “Yes.” He then said, “Then he sits after that [with others] and he says, ‘I did this and that.’” They were silent. He then turned to the women and said, “Do you any of you talk about such things?” They were also silent. Then a young girl came up on his toes so the Prophet could see her and hear her and she said, “O Messenger of God, they [the men] certainly talk about it and they [the women] also talk about it.” He said, “Do you know what they are like? They are like a female devil who met a devil in the street and they satisfied their desires with the people looking on.”[\[1\]](#)

(6) The right to being taught or learning her religion.

On the other hand, the rights of the husband or the responsibilities of the women include:

(1) Being the head of the household: God has said:

“Men are the protectors and maintainers of women, because God has given the one more (strength) than the other, and because they support them from their means...”
(Quran 4:34)

Although this is usually stated as a *right* of the husband, it is actually a heavy responsibility on his shoulders, as it means that he has the responsibility to guide his family and keep them along the straight path.

(2) Having the right to be obeyed: This goes with the first right. A person cannot be the head of something if he has no authority.

(3) Having his wife answer his call to meet his sexual needs.

(4) That the wife will not allow anyone in his house except by his permission: In a hadeeth recorded in al-Bukhari and Muslim, the Messenger of God said:

“Do not allow anyone into his house except by permission.”

If the husband and wife enter into the marriage with the right intention of pleasing God and pleasing each other, recognizing their roles and responsibilities in the marriage and treating each other with proper Islamic behavior, God willing, their union will be a blessed union that will stretch from this life into the Hereafter.

Having said what was just said about marriage, Islam, though, is also a practical religion. It takes into consideration all possible common scenarios. It is possible for a man and woman to enter into a union with good intentions yet their personalities and likes simply do not coincide with one another. There are times in which a good marriage simply cannot be achieved and the spouses enter into a state of misery. Under such circumstances, Islamic law allows for an end to the marriage and their suffering.^[2] The goal is to either stay together in a friendly manner or to separate in a goodly manner. Thus, for example, God says:

“And when you have divorced women and they have fulfilled the term of their prescribed period, either take them back on reasonable basis or set them free on reasonable basis...” (Quran 2:231)

God also says:

“Then when they are about to fulfill their term appointed [bringing an end to the divorce], either take them back in a good manner or part with them in a good manner...” (Quran 65:2)

Obviously, divorce is not a desired goal or a light matter. In a perfect world, all married couples would be in bliss. However, there are times in which this option is the best for all parties concerned. Thus, the option of divorce is in accord with the overall goal of preserving the family—it is not simply quantity, though, such that all marriages always stay in tact, that is desired but quality.

[1]

Abu Dawud.

[2]

Unfortunately, in some Muslim cultures today, divorce has become so “shameful” they have neglected this important guidance of Islamic Law, leading to spouses suffering in silence. This is definitively not the goal of Islamic Law concerning such issues.

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