

DUTIES OF THE SPOUSES: RIGHTS OF THE WIFE

Q:1- As a convert to Islam I greatly appreciate the Islamic literature such as your publication which helps me to advance in knowledge. I have three (3) questions which I would like you address for me. If you have addressed these questions in any of your past issues of Albalagh please let me know how I can obtain a copy Insha-Allah. If not would you please answer these questions for me or let me know if you intend to address these questions in any of your upcoming issues Insha-Allah. (Khadijah al-Khudri, Orlando, USA)

Firstly, all the time I hear of the duties of the wives in Islam, but no one seems to address the responsibilities of the husband. What is a husband's duty to his wife? Is he responsible for her financially and that's all? Who is to paint the house, mow the lawn, breed the children and raise them? Cook clean, wash and iron? It seems to me that all or most of the Muslim males in America go to the mosque or perform Tabligh work while their wives are burdened with all the other responsibilities. It is little wonder that most of the western women looking at the plight of women in Islam refuse to convert because they fear the slave mentality of the Muslim males.

A: Before replying your specific questions I would like to clarify one basic point which should always be kept in mind in such matters.

One should clearly distinguish between the Islamic teachings and the general practice of the Muslims. Unfortunately we are living in an age where the majority of the Muslims is not aware of the noble teachings of Islam nor do they practise these teachings in their day-to-day affairs of life. Instead they are mostly influenced by different cultures in which they have been living. Therefore, everything the Muslims practise on the ground cannot be attributed to Islam, and while evaluating the merits of Islam, one should not refer to the practice of the Muslims today, rather he should turn to the Islamic principles laid down in the Holy Qur'an and Sunnah. Obviously, if the Muslims have abandoned the guidance of Shariah, it cannot be taken in any way as a defect in the Shariah itself, rather, it is the fault of those who have deprived themselves of this guidance.

Keeping this basic point in view, here are the answers to your questions:

(a) It is evident from a plain study of the relevant material found in the Holy Qur'an and Sunnah that Islam treats the relationship of marriage as a bilateral contract between husband and wife, each one of them having some rights and obligations. The Holy Qur'an is very much clear on this point when it says:

"And the women have rights similar to their obligations". (2:228)

It is clear from this verse of the Holy Qur'an that the obligations of a wife towards her husband are not less than the rights she enjoys. The Holy Qur'an has summarized the obligations of a husband towards his wife in a short phrase where the Holy Qur'an has made it mandatory for a husband 'To keep her with fairness' (2:229). At another place, the Holy Qur'an instructs the

husbands in the following words:

"And live with them (wives) in fairness". (4?19)

Therefore, it is not correct that Islam has laid more emphasis on the obligations of a wife than on the obligations of a husband. Conversely, the Holy Prophet 4 has emphasized on the rights of women in a larger number of his sayings which are probably more than the sayings emphasizing the rights of a husband. Some examples are being quoted here:

i) The Holy Prophet has said:

'The best people from among you are those who are best to their wives ". (Tirmidhi)

"No Muslim should hate his Muslim wife. If he dislikes some of her qualities, he may find some other qualities agreeable."

"Keep to my advice about women that you should treat them fairly " (Tirmidhi)

These examples are sufficient to disclose the great concern the Holy Prophet saw, has shown for the rights of a woman, so much so that he dedicated a substantial portion of his Last Sermon at the time of Hajjatul Wida to explain, elaborate and emphasise on the obligations of a man towards his wife.

You have referred to the fact that women today are burdened with the house work like cooking meals, cleaning the house and raising children while their husbands seldom assist them in these matters. Here I would like to mention the correct Islamic standpoint with regard to the obligations of a woman about the household work.

First of all, it is not a legal obligation of a wife, according to Islamic teachings, to cook the meals or serve the house, and if a woman elects to refuse to undertake these works, a husband cannot compel her to do so. However, apart from the legal injunctions, Islam has laid down some moral instructions for both husband and wife according to which they are treated as life-companions who should not restrict themselves to the legal requirements alone, but should join hands to make mutual life as comfortable and peaceful as possible. They are invited to cooperate with each other in solving their day-to-day problems. For this purpose it is advisable that, as cooperating friends, they should divide the necessary works between them according to their mutual convenience. The woman should look after the management of the house while the man should be responsible for outdoor economic activities. This division of work was the practice of the Muslims in the very days of the Holy Prophet saw.

Even Sayyidah Fatimah Rdi, the beloved daughter of the Holy Prophet used to perform all the household functions with her own hands, while Sayyidna Ali rdi, her noble husband, carried out the economic activities. The Holy Prophet never objected to it, rather, he encouraged her daughter to perform all these functions.

It is true that from a pure legal point of view, a wife may refuse to cook meals or to do other

household works, but on the other hand, the husband may refuse to give her permission to meet her relatives. And if both of them are restricted to such a crude legal relationship, an atmosphere of mutual understanding and bilateral cooperation cannot develop between them.

Therefore, a wife should not take the household work as a disgrace to her. In fact, her active contribution to her own house work is the basic source of strength for the family system of the society. It is a great service, not only to her own family but also to the nation as a whole, because the betterment of the whole nation depends on a smooth family system. It is strange that when an air hostess serves meals to hundreds of strangers in an aeroplane, it has been taken today as a symbol of liberalism, progress and emancipation, but when a housewife renders much lighter services to her own family, it is deemed to be a disgrace or sign of backwardness.

The western countries are facing today a terrible situation of family-break-down. Their leaders are mourning on this drawback, which is caused by the lack of mutual cooperation between husband and wife and their failure to determine the functions of the spouses according to their natural, biological and religious requirements.

In short, a wife is not legally bound to render the household services, however, it is advisable that she performs these functions as a measure of cooperation with her family and an honorary service to the society as a whole, for which she deserves great reward in the Hereafter.

But at the same time, the husband should always remember that the household work undertaken by his wife is not a legal duty obligated on her, rather, it is a voluntary service she is rendering for the benefit of the family. Therefore, a husband must always appreciate this goodwill of his wife and should not treat it as a legal claim against her. Moreover, he should not leave all the household works on her exclusively. The husband should provide her with servants wherever possible, and should himself assist her in performing these functions. It is reported in a number of authentic ahadith that the Holy Prophet saw, despite his great outdoor responsibilities, used to render many domestic services with his own hands, like milking his she-goats, washing his clothes etc. We do not find anywhere in his Sunnah that he ever ordered any of his wives to do such works. However, his sacred wives used to render these services voluntarily without any specific command from the Holy Prophet Saw.

It is not correct that the books written on this subject stress upon the obligations of a wife only. In fact all the books of Islamic jurisprudence discuss the rights and obligations of both the spouses simultaneously. The husband is required not only to provide maintenance, but he is also required to treat his wife 'fairly' as the Holy Qur'an has put it in express terms, so much so that the Muslim jurists have observed that a husband cannot travel for more than four months at one time without the permission of his wife. But unfortunately many Muslims are not aware of the teachings of their religion and, due to this ignorance, they commit errors in their behaviour towards their wives.

Contemporary fatawaa