110845 - The mother’s rights over her daughter are great but the husband’s rights over his wife are greater

the question

I have two situations that are related with which I ask two questions. I hope I can be helped. The situation is as follows and I do not know how to fix it. My mother is very demanding and fights with me all the time about my husband who has been very good to me and my children and her. She wants him to take her traveling and other things that involve spending a lot of time with her and he does not wish to do so due to his demanding job as a doctor and because he feels that they will not get along. She visits our home at least 4-5 months every year and makes me take her out on a daily basis not even worrying that it makes me neglect my home and children. She is also very busy trying to make her own businesses so she fought with me about taking my brother or sister to live with me (they are 16 and 18) and tells me it is my right and I don’t need to even have my husband’s permission on the matter. She also refuses to pay a loan that her and my father (who passed away 2 years ago) made me take when I was in college attending a university I didn’t even want to attend when I was 16 years old, this loan has destroyed my name making it impossible for me to buy anything with my name. She has done this to many people she owes money. On top of this, before my father passed away, he had written all properties and money in her name to make it easier to disperse to each of us (we are four girls and one boy) rather than involving an outside party; after he died, she said it is all in her name, and that she paid for a lot of his businesses before they succeded so she will keep all the money as her own until she dies. I even gave her about $100,000 (all the money I have ever saved and worked for) because she pretended that she was going to use it to pay off my dad’s debts and she used it for a summer house instead and denies I ever gave her a penny since I never told anyone else because I wanted it between me, my mom and Allah, even though I know she has a lot of money of her own. My husband was tired of this (and many more bad situations) and so he confronted her about the least of these problems – the old school loan, that was taken over 6 years before we were even married and keeps on multiplying in debt and on my name. He then continued to confront her about the many wrong things that have happened and involved his family too. She got very angry and didn’t want to

speak to either of us. Naturally, I wanted to fulfill my obligations to my mother so I managed to get on good speaking terms with her so I do not defy silat al rahim. We speak fine most of the time but after a couple weeks of that she will go back to insulting my husband, telling me to defy him and disobey him in order for him to apologize to her, and insulting me and my husband with very hurtful and shameful word. This relationship is badly affecting my marriage and my time at home and with my children. I cannot think about anything else and my husband doesn't want to apologize because he is right and feels my mom has not changed her bad ways and will not even pay off the old loan. And at the same time it is extremely difficult to communicate with her on a healthy level. We live in two different countries (me in America and her in Egypt) and she says if I love her and don't want to upset Allah that I will bring my three kids and visit her; my husband does not want me to leave him and she knows this and insists that I am being a bad Muslim and that Allah will punish me for disobeying my mother. I have tried to advise her to fear Allah and she gets mad and says I should obey her and be against my husband. My husband tells me to try to keep good ties with her as much as I can, and is a very good husband and father otherwise, Alhamdolilah, we have a very happy marriage and three healthy children. And so my questions are: 1. What are my obligations to my mother in such an ugly situation, keeping in mind that she continues to insult my husband in our phone calls (we live in two different countries) and asks me to disobey and defy him and cause problems in order for him to apologize to her. This communication has left me emotionally drained, it is what I think about most of my days and it wastes so much of time that I can use with studying or caring for my home. What is the minimum in regards to visiting and speaking to her so that Allah will not be angry with me and at the same time I will fulfill my obligation to her and not have to worry about her saying that Allah is upset. 2. Who is responsible for this loan? Keeping in mind that I was forced to attend this university, told to take a loan by mother and father, was only 16-18 years old and my husband was not told about this loan before marriage. Also, my mother has more than enough money to pay it off. Your help is deeply appreciated and greatly needed as soon as possible.

Detailed answer

Praise be to Allah.

Firstly:

The mother’s status in sharee’ah cannot be denied. Allah has enjoined that her children should honour her, and He has forbidden them to disobey her; He has ruled that the mother is the most entitled of people to one’s good company, as it says in the well-known hadeeth, when a man said: O Messenger of Allah, which of the people is most deserving of my good companionship? He said: “Your mother, then your mother, then your mother, then your father, then the next closest and the next closest.” Narrated by Muslim (2548).

This is the mother’s right, and that is her status. It is not permissible for her to consume her children’s wealth unlawfully, rather she must give each one his or her rights, and divide the estate in accordance with the laws of Allah. It is also not permissible for the mother to incite her daughter against her husband and spoil the good relationship between them. These actions of this mother are evil deeds which are not acceptable in Islam, and they bring the threat of sin and punishment.

Perhaps the greatest way in which you can honour your mother is by deterring her from consuming haram wealth and doing haram things, and stopping her from wronging people unlawfully, and remind her of the sin involved in spoiling the relationship between husband and wife, and the sin of gheebah (backbiting), reviling and insulting others, and other haram things that she is doing, such as tabarruj (wanton display) and travelling without a mahram, if these are true in her case.

With regard to your siblings who want your mother to live with you and your husband, you are not obliged to do that according to sharee’ah, rather it is the duty of your mother, and in this case the right belongs to your husband: if he agrees to that, all well and good, otherwise you are not obliged to do this, rather we do not advise your husband to accept this situation, because they are not neglected or in need of such a thing, they are not poor and in need of someone to spend on them, and your mother is not unable to take care of their affairs. Taking this responsibility from her is helping her to do the things that she is doing that go against Islam, and to neglect her

duties, and pass on this burden to your husband, and put pressure on you and your household with something that is not required of you in the first place, let alone the unacceptable things that may result from your sister living in the same house as a man who is not her mahram (your husband). We do not advise you to accept this situation under any circumstances.

Secondly:

The status and rights of the mother do not supersede the rights of the husband, rather the husband's rights are greater and take precedence over your mother's rights. Your obedience to him takes precedence over your obedience to her, and the wise wife strives to please her husband by doing what he wants so long as it is not contrary to sharee'ah, and she strives to honour her mother in ways that do not go against her husband's commands. If there is a conflict of interest, then she should put her husband's commands and wishes first.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) was asked about a woman who got married, and was no longer under her parents' care. Which is better – honouring her parents or obeying her husband?

He replied: When a woman gets married, her husband has more authority over her than her parents, and obeying her husband is more obligatory for her. Allah says (interpretation of the meaning): "Therefore the righteous women are devoutly obedient (to Allah and to their husbands), and guard in the husband's absence what Allah orders them to guard (e.g. their chastity and their husband's property)" [al-Nisa 4:34]. And in a hadeeth the Prophet (peace and blessings of Allah be upon him) said: "This world is temporary conveniences and the best of its comforts is a believing wife, who when you look at her she pleases you and if you tell her to do something she obeys you, and if you are away from her she protects you with regard to herself and your wealth.". In Saheeh Abi Hatim it is narrated that Abu Hurayrah said: The Messenger of Allah (peace and blessings of Allah be upon him) said: "If a woman offers her five (daily prayers) and fasts her month and guards her chastity and obeys her husband, she will enter Paradise from whichever of its gates she wants." In al-Tirmidhi it is narrated that Umm Salamah (may Allah be pleased with her) said: The Messenger of Allah (peace and blessings of Allah be upon him) said: Any woman who dies when

her husband is pleased with her, will enter Paradise." This was narrated by al-Tirmidhi, who said it is a hasan hadeeth. It was narrated from Abu Hurayrah that the Prophet (peace and blessings of Allah be upon him) said: "If I were to order anyone to prostrate to anyone, I would have ordered women to prostrate to their husbands." Narrated by al-Tirmidhi who said it is a hasan hadeeth. It was also narrated by Abu Dawood with the wording: "I would have ordered women to prostrate to their husbands because of the rights that Allah has given them over them." In al-Musnad it is narrated from Anas that the Prophet (peace and blessings of Allah be upon him) said: "It is not acceptable for any human to prostrate to another, but if it were acceptable for any human to prostrate to another, I would have ordered women to prostrate to their husbands, because of the greatness of the rights they have over them. By the One in Whose hand is my soul, if there were sores from his feet to the top of his head flowing with pus, then she licked them, she would not have given him all his rights."

And he quoted ahadeeth about the virtue of obeying the husband.

There are many ahadeeth on this topic from the Prophet (peace and blessings of Allah be upon him). Zayd ibn Thabit said: The husband is a sayyid (lord or master) in the Book of Allah. Then he quoted the verse (interpretation of the meaning): "They both found her lord (i.e. her husband) at the door" [Yoosuf 12:25]. 'Umar ibn al-Khattab said: Marriage is slavery, so let one of you look to whom he is giving his beloved daughter to be a slave to. In al-Tirmidhi and elsewhere it is narrated that the Prophet (peace and blessings of Allah be upon him) said: "I urge you to treat women well, for they are like prisoners with you."

So the woman is like a slave of her husband, or like a prisoner; she should not go out of his house without his permission, whether she is told to do so by her father, her mother or anyone else, according to scholarly consensus.

If a man wants to take her to another place, so long as he is doing what is required of him, and observing the sacred limits of Allah with regard to her, and her father tells her not to obey him in that, then she must obey her husband and not her father, because in that case the parents are wrongdoers, and they have no right to tell her not to obey someone like this husband, and she

does not have the right to obey her mother if she tells her to leave him or to cause trouble to him so that he will divorce her, such as demanding more maintenance and more clothing, and demanding (the deferred portion of) her mahr so that he may divorce her. It is not permissible for her to obey either of her parents by divorcing him if he fears Allah with regard to her.

In the four Sunans and Saheeh Ibn Abi Hatim it is narrated that Thawban said: The Messenger of Allah (peace and blessings of Allah be upon him) said: “Any woman who asks her husband for a divorce when there is nothing wrong, the fragrance of Paradise will be forbidden to her.” According to another hadeeth: “The women who ask for khul’ and the women who make a wanton display of themselves are indeed hypocrites.”

But if both or one of her parents tells her to do something that involves obedience to Allah, such as praying regularly, speaking the truth and fulfilling trusts, and tells her not to squander or waste her money, and other things that have been enjoined or forbidden by Allah and His Messenger, then she must obey them in that, even if the command comes from someone other than her parents, so how about if it comes from her parents?

If her husband tells her not to do something that is enjoined by Allah, and he tells her to do something that Allah has forbidden, then she should not obey him in that. The Prophet (peace and blessings of Allah be upon him) said: “There is no obedience to any created being if it involves disobedience toward the Creator.” If a master orders his slave to do something that involves disobedience toward Allah, it is not permissible for him to obey him by disobeying Him, so how can a woman obey her husband or one of her parents by committing sin? All goodness is in obeying Allah and His Messenger, and all evil is in disobeying Allah and His Messenger. End quote. Majmoo’ al-Fataawa (32/261-264).

This is a strong answer based on knowledge, and it is sufficient to explain what is meant, which is that it is not permissible for your mother to spoil the relationship between you and your husband, and it is not permissible for you to obey her in that, and your husband’s right to your obedience is greater than your mother’s.

Thirdly:

Just as you are not obliged to take care of any of your siblings because of your commitment of your husband and the requirement that he should first agree to that, the same applies to your visiting your mother with your children. This is not permissible except with the consent of your husband, and you have done well to refuse your mother's request. We affirm that this refusal is Islamically acceptable, especially since you have no mahram to travel with you.

With regard to limiting the number of your mother's visits to you, this is something that is also up to your husband, and you can work it out with him. The husband has the right to prevent anyone who he thinks is a trouble-maker from entering his house, even if they are your family. As you are in agreement and you have a good relationship, then the matter is simple. All you have to do is agree on a specific number and time for her visits, and stipulate that to her. Your husband has every right to do this; indeed we think that if he stops her altogether he will be doing the right thing, but there is the hope that if her visits are restricted to only a few, and do not affect your family's happiness, then there is no reason why they should be prevented, and there is nothing wrong with tolerating them. Determining the limit is up to you and you should consult one another and come to some agreement.

Ash-Shaykh Muhammad ibn Salih al-'Uthaymeen (may Allah have mercy on him) said: "And not allow into your houses anyone whom you dislike" means, they (wives) should not allow anyone to enter the house if you (the husband) do not want him or her to enter, even if it is her mother or her father. It is not permissible for her to let her mother, father, sister, brother, paternal uncle, maternal uncle, paternal aunt or maternal aunt into her husband's house, if he objects to that. Attention is drawn to this because some women – Allah forbid – are bad even to their daughters. If they see that the daughters are settled and happy with their husbands, they become jealous – Allah forbid – even though they are mothers, and they try to spoil things between the daughter and her husband. So the husband has the right to stop such a mother from entering his house, and he has the right to say to his wife: She should not enter my house. He has the right to prevent her according to sharee'ah, and he has the right to prevent his wife from going to see her, because

she is a nammamah (one who spreads malicious gossip) and a troublemaker. The Prophet (peace and blessings of Allah be upon him) said: “No spreader of malicious gossip will enter Paradise.” End quote. Sharh Riyadh al-Saliheen (2/91, hadeeth no. 276),

Fourthly:

It seems that the sin of the riba-based loan that is mentioned in your question is borne by you, because you were an adult and responsible for your dealings. So try to get back what is rightfully yours from your mother, and stop the mounting interest payments that result from your delay in repaying it. Try not to pay back anything but the original amount without the interest (riba). If you are not able to do that, then there is no blame on you, but it is essential to repent sincerely, because riba is a major sin.

We ask Allah to guide your mother and to reconcile between you and your husband.

Please see also the answer to question no. 96665 which discusses the reasons why mothers interfere in the lives of their married daughters, and ways of dealing with that.

And Allah knows best.