149359 - Her husband hits her and makes her bleed; should she call the police to protect her?

the question

I have a husband who sometimes is very violent towards me and sometimes really hurt me and made me bleed, am i allowed to call police when he get violent with me?.

Detailed answer

Praise be to Allah.

Firstly:

The husband has to treat his wife kindly, because Allah says (interpretation of the meaning):

“and live with them honourably. If you dislike them, it may be that you dislike a thing and Allaah brings through it a great deal of good”

[al-Nisa’ 4:19].

And the Prophet (blessings and peace of Allah be upon him) said: “I enjoin good treatment of women.”

Narrated by al-Bukhaari (3331) and Muslim (1468).

And he said: “The best of you is the one who is best to his wife, and I am the best of you to my wives.”

Narrated by al-Tirmidhi (3895) and Ibn Maajah (1977); classed as saheeh by al-Albaani in Saheeh al-Tirmidhi.

It is not permissible for him to hit his wife in a way that causes her to bleed or hurts her. This is sinful aggression and enmity, because the basic principle is that the Muslim’s blood, honour,

wealth and skin are sacred and protected, and it is not permissible to strike him except in cases where the Lawgiver has allowed striking that is not severe and does not cause harm, if there is the fear of wilful defiance (nushooz) on the part of the wife, and exhorting and shunning have not been to any avail.

Al-Bukhaari narrated from Abu Bakrah (may Allah be pleased with him) that the Messenger of Allah (blessings and peace of Allah be upon him) addressed the people and said: “Do you know what day this is?” They said: Allah and His messenger know best. He said: “Is it not the Day of Sacrifice?” We said: Yes indeed, O Messenger of Allah. He said: “What land is this? Is it not the sacred land?” We said: Yes indeed, O Messenger of Allah. He said: “Your blood, your wealth, your honour and your skin are sacred to you, as sacred as this day of yours, in this month of yours, in this land of yours. Have I not conveyed (the message)? We said: Yes. He said: “O Allah, bear witness.”

Secondly:

If the husband continues to beat his wife in the manner mentioned, it is permissible for her to ask for a divorce so as to relieve herself of the harm this is befalling her, and it is permissible for her to tell the police so that they can protect her against her husband's aggression by making him promise not to beat her and threatening him with imprisonment if he does that. But because the laws in the country where you are living may dictate punishments that are not permissible, such as forbidding the husband to enter his house or come near it, or ruling that the house belongs to the wife, or detaining the husband for a period that is not appropriate to his offence, we do not suggest that you should tell the police at first. Rather you should refer your case to an Islamic organisation such as al-Muntada al-Islami in London. Perhaps Allah will bring about reconciliation at their hands and your referring to them may bring about some good solution, or they may offer you some beneficial advice on how to deal with the police and the likely consequences of that.

If the husband continues like this and you do not want a divorce, then there is nothing wrong with telling the police whilst avoiding any unjust punishment. If it so happens that a verdict is issued in your favour that is not correct, such as barring him from entering the house, it is not permissible

for you to act upon this verdict because the ruling of a judge – even if he is Muslim – does not make permissible something that is haraam, and does not make forbidden something that is halaal.

We ask Allah, may He be exalted, to guide your husband and set his affairs straight, and to guide you in your affairs.

And Allah knows best.