21269 - She left home fleeing her husband’s beatings

the question

What is the Islamic ruling in your view on a woman who reaches the age of sixty five, and from the time she married her husband at age 14 she has been suffering from her husband’s bad treatment, his beatings, his humiliating her in front of her children and in front of others, and always throwing her out of the house, yet despite that she has been patient and seeking reward from Allaah, responding to all his never-ending demands even though she suffers from heart disease and blood pressure, and the doctors have advised complete rest for her and that she should not exert herself? Recently this husband’s bad treatment of this woman has become even worse; he humiliated her in front of her guests, beat her and threw her out of the house, so she had no choice but to leave the house to him and go and stay with her children, knowing that he would not give her enough money. What is your view on this case? Now she does not want to go back to him and he does not want her and he does not acknowledge that he has wronged her… Is she guilty of anything if she does not go back to him if he asks her to? What is your advice to them? May Allaah reward you with good.

Detailed answer

Praise be to Allah.

It is haraam for the wife to ask for a divorce for no reason, and it is haraam for her to go out of the house for no reason without her husband’s permission. But if she is being harmed as a result of staying in her husband’s house or staying married to him, then she has the right to ask him for a divorce. She has the right to leave the house and go to her family so that she can escape from her husband’s abuse and beatings. The husband has to fear Allaah with regard to what Allaah has put him in charge of. The Prophet urged good treatment of women, and Allaah commanded His Messenger SAWS (peace and blessings of Allaah be upon him) to treat people on a reasonable basis. Whatever the case, if the husband’s abuse is ongoing then she has the right to ask for the marriage to be annulled, and he has to respond to that request, or he has to repent to Allaah, and

stop harming her.