263925 - Ruling on the husband’s mother entering her son’s apartment and making use of items there; does she have to seek the wife’s permission?

the question

I am a young man and have been married for six months. I live in the family home, myself, my mother, and my brothers; each of us has a separate apartment. I have two questions. The first question is about the ruling on my mother using items in the apartment, such as a broom, cups and plates, after seeking my permission. Does she have to seek my wife’s permission to do that? The second question is: I left a copy of the apartment key with my mother for emergencies, with the proviso that she should not enter the apartment except with my permission or in the case of necessity, but my wife says that this is not appropriate, because the accommodation is her right, and no one has the right to do anything in it or to use any items in the apartment except with her permission, even if it is the husband. Is this correct?

Detailed answer

Praise be to Allah.

Firstly:

It is the right of the wife to have separate accommodation with her husband, which is shared by no one else, whether the father or the mother or another relative, because Allah, may He be exalted, says (interpretation of the meaning):

{Lodge them [in a section] of where you dwell out of your means} [at-Talaaq 65:6].

This is the view of the majority of fuqaha’ among the Hanafis, Shaafa‘is and Hanbalis. They thought that the wife has the right to refuse to live with the father, mother and brothers of the

husband.

See the comments in the answer to question no. 94965 .

There is nothing wrong with giving your mother a key to the apartment, with the proviso that she should not enter it except in the case of necessity, such as if you are travelling, or there is an urgent problem such as a fire, for example, and similar exceptional cases.

But when you are there, your wife is there, or there is no case of emergency such as what we have mentioned, then the basic principle is that she should not use the key; rather she should knock on the door, and if it is opened for her, she may enter, otherwise she should go back, because Allah, may He be exalted, says (interpretation of the meaning):

{O you who have believed, do not enter houses other than your own houses until you ascertain welcome and greet their inhabitants. That is best for you; perhaps you will be reminded.

And if you do not find anyone therein, do not enter them until permission has been given you. And if it is said to you, “Go back,” then go back; it is purer for you. And Allah is Knowing of what you do} [an-Noor 24:27-28].

What we think is that you should not leave the key with your mother except when you travel. This is less likely to cause the problems that usually occur between the [husband’s] mother and the wife.

And that is because limiting the matter to having permission or cases of necessity may not be understood correctly, and there is nothing like being on the safe side.

Secondly:

If the items in the apartment belong to the wife, such as those that she brought with her in her trousseau or those that the husband gave to her when they got married, or the local custom is that they belong to the wife in the event of separation, then they are the property of your wife and her permission must be sought before using any of them.

But the wife should be easy-going in lending whatever she can lend of plates and the like, for Allah, may He be exalted, criticized those who withhold small favours or [simple] assistance, as He says (interpretation of the meaning):

{So woe to those who pray,

[But] who are heedless of their prayer,

Those who make show [of their deeds],

And withhold [simple] assistance} [al-Maa'oon 107:4-7].

Ibn Katheer said in his *Tafseer* (8/495): The words {And withhold [simple] assistance} mean: they do not worship their Lord properly and do not show kindness towards His creation, and do not even lend things that may be beneficial and useful, whilst the item itself will remain and be returned to them…

Ibn Jareer said: Muhammad ibn 'Ubayd al-Muhaaribi told me: Abu'l-Ahwas told us, from Abu Ishaaq, from Abu'l-'Ubaydayn and Sa'd ibn 'Iyaad, that 'Abdullah said:

We, the companions of the Messenger of Allah (blessings and peace of Allah be upon him) used to say that *al-maa'oon* ([simple] assistance, small favours) referred to a bucket, an axe or a pot, things that one cannot do without. End quote.

But if the items belong to the husband, and are still under his ownership, and were not given to the wife, and it is not the custom that they become the wife's property in the event of separation, then in this case permission to use them should be sought from the husband, not the wife.

The couple should come to an understanding about the best way to deal with the husband's mother and respect her feelings without impinging upon the rights of the wife or transgressing against her privacy in her own home and her right to that, and they should work to overcome anything that may cause trouble in order to prevent it, and they should deal with anything that may occur with wisdom, prudence, kindness and deliberation.

And Allah knows best.