39318 - She left her husband’s house and refuses to go back

the question

I hope you can advise me and tell me what I should do according to sharee’ah and in a manner that will be pleasing to Allaah. I am a young doctor, and got married three years ago. My fiancée (now my wife) was a very good person, and she was easy going. But after marriage all that changed. I had debts, and she knew all about my income, but she still used to ask me for money of her own. When I tried to convince her to be patient and wait until I had paid off my debts, and that she should help me with that, she went crazy and told my mother in law, who kept insisting that I do as her daughter wanted, but I refused. Then she asked me to let her go to work, although we had agreed that she should not work unless I was unable to work. My mother in law kept bothering me a lot, until I agreed. After that there arose a lot of problems. She used to – and still does – treat my father and mother in an inappropriate manner; it has got to the point where she humiliates them. After we got married, Allaah blessed us with a little girl who is the envy of others. The point is that she went out of the house without my permission more than once, and she was not deterred by my speaking to her or forsaking her in bed or hitting her. She embarrassed me in front of the people who live in the same building as us, because she was talking about our problems to the other residents, our neighbours and her friends and relatives. All attempts to deal with her have failed; even the shaykh at the mosque spoke to her, but it did no good. The result of all this is that I no longer have any feelings for her; we have had a lot of arguments and I have divorced her (talaaq) twice, then we got back together for the sake of our young daughter whom Allaah gave to us. Recently my in-laws came back from a trip and she went to them on the basis that she would stay for a few days, then the time was extended to thirty days because her father is sick and her mother is old. When I asked her and my daughter to come back to my house, she refused, and when I spoke to her father he refused to send her back to her marital home. I threatened to take the matter to court but they did not care. I discovered that my wife and daughter’s personal papers, passports and gold are missing (she took them before she went to her family’s house). Please advise me, may Allaah reward you.

Detailed answer

Praise be to Allah.

If the matter is as you describe, then your wife has made a number of mistakes, by going out without your permission, staying in her family's house, and refusing to come back to you with no apparent excuse; before all that comes her insistence on going out to work, contrary to what you had both agreed, and her inappropriate treatment of your parents, and her broadcasting the secrets of what goes on in her home.

What we advise you to do is to follow the guidance given by the Lord of the Worlds when He said (interpretation of the meaning):

"If you fear a breach between them twain (the man and his wife), appoint (two) arbitrators, one from his family and the other from hers; if they both wish for peace, Allaah will cause their reconciliation. Indeed Allaah is Ever All-Knower, Well-Acquainted with all things"

[al-Nisa' 4:35]

So choose one of the righteous men from your family to discuss the matter with one of the righteous men from her family, then whatever they decide, adhere to it, for that is good. If they decide that you should divorce her, then do not be upset, because Allaah says (interpretation of the meaning):

"But if they separate (by divorce), Allaah will provide abundance for everyone of them from His Bounty. And Allaah is Ever All-Sufficient for His creatures' needs, All-Wise"

[al-Nisa' 4:130]

If appointing arbitrators does not do any good, then you can refer the matter to court, so that the court can either force her to come home or separate you, as they see fit.

During this period, try to control what you do and what you say, for the Shaytaan is keen to

separate husbands and wives, and a word may have a great impact when there is already dispute and division. Ask Allaah to guide you and to help you to do that which is best for you and your daughter. Do not do anything until you have prayed istikhaarah, and beware of being hasty, for it does not lead to good. You have to be gentle, forbearing and cautious, for how many families have been about to collapse, then they have reconciled and happiness and love returned to them.

Examine yourself and see if there are any mistakes on your part, and set things straight between you and your Lord, so that He might set things straight between you and His creation, for obedience and disobedience have an effect on whether families are happy or not.

We ask Allaah to set things straight between you and to help you to obey and please Him.

And Allaah knows best.