46910 - If there are ongoing arguments and disputes with the husband, is divorce required?

the question

Is it better for a woman who has been married for almost 5 years and have 3 children to bear with these problems or separate well the problems are as follows im often misunderstood by my husband he calls it talking back and disobedience al-hamdulillah i have a all knowing and just lord its still some way somehow by the end of the conversation ive fallen very weak and say things that a mutaquee wouldn't say or him and it always or 80% of the time appear to be the bad person and I really feel like I might often be cursed by the angels at night and on the other hand I feel like if its not my fault and I say sorry anyway and seek asstagfir then im ok but u can never be to sure I just feel like im sinng and he said i complain a lot wallahi i can go on for hours with what my husband put me through but im going to try to focus on me well I feel like he exaggerate he say I want to be the man so ill say well we know that's not good cause u want ur dua answered so why don't we separate like the ayat say and if u fear that u can not meet the set ordainments by Allah then separate so there most of it im really confused all though most of the time im unhappy and so is he, I feel like he's not being honest with himself cause if I were disobedient complainer want to imitate the man then why would he still be married to me please please please give me some advise I don't want to keep upsetting Allah or him he do say I drive him crazy he say I want to argue everyday im so scared oh Allah forgive us all 4 our sins aameen.

Detailed answer

Praise be to Allah.

Allaah has enjoined marriage, blessed man with it and made it one of His signs. He tells us that one of the greatest wisdoms behind marriage is to create tranquillity, love and compassion between the spouses. Allaah says (interpretation of the meaning):

“And among His Signs is this, that He created for you wives from among yourselves, that you may find repose in them, and He has put between you affection and mercy”

[al-Room 30:21].

The purpose of marriage that Allaah intended cannot be achieved unless the spouses treat one another kindly, which means that each of them should do his or her duty towards the other.

The wife should obey her husband on a reasonable basis, and allow him to do what Allaah has permitted of physical enjoyment, and stay in her house and not go out except with his permission. She has the right that her husband should clothe her, spend on her and provide accommodation for her on a reasonable basis, and she is entitled to kind treatment from him. Allaah says (interpretation of the meaning): “and live with them honourably” [al-Nisa’ 4:19].

Our advice to the husband, first of all, is to do his duty towards his wife. If he sees some shortcoming in her in some aspect, then there may be some other aspect in her that calls him to stay with her and not divorce her. Allaah says (interpretation of the meaning): “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 (peace and blessings of Allaah be upon him) said: “No believing man should hate a believing woman. If he dislikes one of her characteristics, he may be pleased with another.” Narrated by Muslim (1469) from Abu Hurayrah.

We think that the husband has done that, and that despite what he finds in his wife he should put up with her harm, and perhaps this is what the sister is surprised at, that the husband divorce her. Because the husband, by his wisdom and reason, can see that there is the possibility of correcting and changing his wife, and he is aware that the harm that would result from the break-up of the family and loss of his children through divorce is greater than the harm that results from arguments and her showing disrespect to him.

Our advice to the wife is to fear Allaah with regard to her husband and remember that he is her Paradise and her Hell. She may enter Paradise because of him or she may enter Hell. The Prophet (peace and blessings of Allaah be upon him) said: “Look at how you are with him – the husband –

because he is your Paradise and your Hell.” Narrated by Ahmad (18524); classed as hasan by al-Albaani in al-Silsilah al-Saheehah (220). Allaah has enjoined her to obey him on a reasonable basis, and the Prophet (peace and blessings of Allaah be upon him) told women of the great rights that the husband has over the wife, and that if he were to order anyone to prostrate to anyone, he would have ordered the wife to prostrate to the husband, as was narrated by al-Tirmidhi (1159) from Abu Hurayrah and classed as saheeh.

The wise woman does that which Allaah has enjoined upon her, and she does not transgress the limits set by Allaah. Transgression of the wife against the husband includes reviling him and arguing with him a great deal. If they have children, then it is more sinful, because her reviling him makes the children dare to disobey their father, and he loses respect in their eyes, and this has a negative impact on their upbringing.

If you know that you can set right the mistakes that you have made, then you must hasten to do that, by seeking forgiveness, repenting, regretting it and resolving not to do such things again. You must also ask your husband for forgiveness and obey him and treat him kindly. Thus you will earn the pleasure of Allaah and the pleasure of your husband, and you will raise your children well. This is the domestic bliss that many people miss out on, which slips through their fingers, but they are careless or too arrogant to set things straight.

If you think that you are not able to set things straight or have no intention of doing so, then we advice you to separate and ask your husband for khula’, and you have to give him whatever you agree upon of the mahr, or more or less than that, so that he will divorce you. This is better for you than persisting in disobedience and increasing your burden of sin.

Strive – may Allaah bless you – to set things straight in your home, make your husband happy and bring your children up well. Strive to stay with him, adopt a good attitude and refrain from everything that will make him think badly of you and cause division between you and your husband. We can sense from your words that you feel sorry about things that you have done that are contrary to sharee’ah. This is good but it needs to be strengthened. Strive to say du’aa’s at times when du’aa’s are answered, asking Allaah to purify your heart and actions, and to bless you

with a good attitude. Do not hesitate to admit your mistakes to your husband and work out an agreement with him to set things straight between you. Refrain from arguing and reviling, and strive to be a good companion. We advise you to do ‘Umrah together, and to have a program to strengthen your faith and increase the bonds between you, such as fasting, reading Qur’aan and listening to useful tapes.

We ask Allaah to guide you to that which is best in this world and the Hereafter.

And Allaah is the Source of strength.