47040 - Man divorcing his wife on his parents' orders

the question

What is the shar'i ruling on a man divorcing his wife when his parents tell him to, on the grounds that this wife used to work for them as a servant in the past? Is this regarded as disobeying one's parents? Please note that this wife currently lives an honourable life.

Detailed answer

Praise be to Allah.

Undoubtedly the parents are those who are most deserving of respect, obedience and kind treatment. Allah mentions the command to treat parents well alongside the command to worship Him as He says (interpretation of the meaning):

"And your Lord has decreed that you worship none but Him. And that you be dutiful to your parents"

[al-Isra' 17:23]

Obedience to parents is obligatory on the child with regard to that which will benefit them and will not harm the child. With regard to that which does not bring them any benefits or which will cause harm to the child, he does not have to obey them in that case.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said in al-Ikhtiyaaraat (p. 114): A person is obliged to obey his parents with regard to that which is not sinful, even if they are immoral evildoers… This has to do with that which is beneficial for them and not harmful to him. End quote.

Divorce with no acceptable reason is something that is hated by Allah, because it destroys the blessings of marriage and exposes the family to destruction and the children to loss. It may also

involve injustice towards the woman. The fact that the wife had been a servant in the past is not a legitimate reason for divorce, especially if she is religiously-committed and has a good attitude.

Based on this, he does not have to obey his parents and divorce his wife, and that is not regarded as being disobedient towards them. But the son should express his refusal to divorce her in a kind and gentle manner, because Allah says (interpretation of the meaning):

“say not to them a word of disrespect, nor shout at them but address them in terms of honour

[al-Isra’ 17:23]

Shaykh Muhammad ibn Saalih ibn ‘Uthaymeen (may Allah have mercy on him) was asked about the ruling on a man divorcing his wife if his father tells him to do that. He said:

If the father tells his son to divorce his wife, one of the following two scenarios must apply:

1 – Where the father gives a legitimate reason why he should divorce her and separate from her, such as saying, Divorce your wife because her behaviour is suspicious, such as she flirts with men or goes out to gatherings that are not decent and so on. In this case the son should agree and divorce her, because he is not telling her to divorce her on the basis of a whim, rather that is to protect his son’s honour from being besmirched, so he should divorce her.

2 – Where the father tells his son to divorce his wife because the son loves her, but the father feels jealous of his son’s love for her and the mother is more jealous, because many mothers, when they see that their son loves his wife, feel very jealous, as if the son’s wife is a co-wife and rival. We ask Allah to keep us safe and sound. In this case the son does not have to divorce his wife if his father or mother tells her to divorce her. Rather he should be tactful with them and keep his wife, and he should try to convince them with kind words until they are persuaded that she should stay with him, especially if the wife is religiously committed and has a good attitude.

Imam Ahmad (may Allah have mercy on him) was asked about this very issue. A man came and said: “My father is telling me to divorce my wife.” Imam Ahmad said to him: “Do not divorce her.” He said: “Didn’t the Prophet (peace and blessings of Allah be upon him) tell Ibn ‘Umar to divorce

his wife when ‘Umar told him to do that?” He said: “Is your father like ‘Umar?”

If the father quotes evidence to his son and says, “O my son, the Prophet (peace and blessings of Allah be upon him) told ‘Abd-Allah ibn ‘Umar to divorce his wife when his father ‘Umar told him to do that,” the response to that is: “Are you like ‘Umar?” But you should speak kindly and gently, and say that ‘Umar saw something which indicated that it was in his son’s interests to divorce his wife. This is the answer to this question which comes up frequently.

Al-Fataawa al-Jaami’ah li’l-Mar’ah al-Muslimah, 2/671.

The Standing Committee for Issuing Fatwas was asked about a mother telling her son to divorce his wife for no reason or fault in her religious commitment, rather it was because of the mother’s personal reasons. They replied as follows:

If the situation is as described, that his wife is righteous and he loves her, and she is dear to him, and she does not behave badly towards his mother, and his mother only dislikes her for personal reasons, then he should keep his wife and stay married to her. He does not have to divorce her in obedience to his mother, because it was proven that the Prophet (peace and blessings of Allah be upon him) said: “Obedience is only with regard to that which is right and proper.” Based on this, he should honour his mother and uphold ties of kinship with her by visiting her and spending on her, and paying attention to her needs and making her happy and pleasing her in whatever ways he can, apart from divorcing his wife.

Fataawa al-Lajnah al-Daa’imah, 2/29.