83044 - His wife became Muslim but he hurts her and mistreats her

the question

A man traveled to Europe, married a Christian woman and had a daughter from her to get residency. He lived the first years in secrecy. He used to harm his wife and daughter like if they were not his family. His wife converted to Islam after Allah guided her. But he still hasn't changed. He is sinful and commits adultery, nor does he spend on his family. He forcibly takes his wife's money, and she is patient despite his unfairness, as she has other children and wants to protect her family, wishing that Allah guides him one day.
This woman's family thinks that the reason behind all the problems she meets is Islam and foreigners. May you please advise this man so that he may return to the straight path? And what is the ruling of Islam on this?.

Detailed answer

Praise be to Allah.

We praise Allaah for having guided this sister to Islam and we ask Him to make her steadfast in adhering to the truth, and to guide her to the right words and deeds.

What the sister has mentioned is an example of how Islam is suffering at the hands of its people – if we may put it this way – people who claim to be Muslim, then they go against the rulings and etiquette of Islam. Moreover, if this transgression happened in a Muslim country, where Islam is prevalent and those who are committed to the faith are known, then no one would be blamed for someone else's mistakes, and no one would condemn Islam because of the bad deeds of an evildoer. In that case the matter wouldn't be so bad. But the problem becomes worse when one of these evildoers lives in the west, among the kuffaar, and they regard him as a representative of Islam and of its morals, etiquette and rulings, then he lives his life like the Jews and Christians around him, not paying any attention to what is halaal and haraam.

Al-Awzaa’i (may Allaah have mercy on him) said: It was said that there is no Muslim who is not standing guard on the borders of Islam, so whoever can prevent Islam from being undermined or attacked, let him do so.

Al-Hasan ibn Hayy (may Allaah have mercy on him) said: With regard to Islam, the Muslims are like a fortress. If a Muslim does a bad deed, Islam is breached from his direction; if all the Muslims do bad deeds, you should persevere in adhering to that which, if all the people were united on it, the religion of Islam would prevail, that which Allaah wants for all people, and do not let Islam be breached from your direction.

Al-Sunnah by Muhammad ibn Nasr al-Marwazi (no. 29, 30).

It hurts every Muslim to hear that Muslim sisters who have entered Islam recently are exposed to verbal and physical harm by those who are supposed to be a good example of Islam and of the Muslim family which should be distinguished by stability, love and compassion among its members. It is regrettable that among those who claim to belong to Islam there should be someone like this husband who sets a bad example and puts people off Islam, and who causes the image of Islam to be distorted, which leads people to criticize it.

If one of the things that this husband does is to neglect the prayer, then the sister should realize that it is not permissible for her to stay with him, because not praying is regarded in sharee’ah as kufr which puts one beyond the pale of Islam, hence the marriage contract is rendered invalid. A person like this husband is not fit to be the head of a family in which he is entrusted with his wife and children, rather there is the fear that he may harm them by his bad actions. If he does not spend on them as enjoined by Allaah, then he has combined all kinds of evil in his actions and attitude, and staying with him is a heavy burden that the wife is shouldering for no reason; if she rids herself of him by means of divorce or separation, that will be better for her and perhaps her life will change for the better, either on her own with her children or with another husband who understands the value of family and fulfils the duty that Allaah has enjoined upon him.

If this sister hopes that her husband will be guided and set straight, then she should strive to

achieve that through his friends or relatives who may be able to have some effect on him and guide him. She can also make use of audio and video tapes which contain exhortations and warnings against committing sin, and remind one of death, the grave and the reckoning. Perhaps that will influence him and bring him back to his Lord, may He be glorified and exalted.

If that does not do any good, then she should not hesitate to refer her case to a Muslim judge or mufti, or the imam of a mosque whose knowledge and religion commitment she trusts, to help her to get rid of him. If she cannot do that, then she should refer the matter to judicial or state institutions that take care of family matters. If he does not pray, then her marriage is null and void, and if he commits those sins although he also prays, then she should pursue shar'i means of freeing herself from him through a scholar or seeker of knowledge or an Islamic centre, to oblige him to spend on his family and give up sins and evil actions. If he refuses then they should divorce her from him in accordance with sharee'ah, and after that she should divorce him officially so that he will no longer be regarded as her husband.

This sister should strive to move to a Muslim country because that – even though there may be things there that go against sharee'ah – is better than the land of kufr and permissiveness, where the Muslim cannot find safety for himself and his children.

We ask Allaah to increase her reward and to guide her and her children, and help them to do that which pleases Him.

And Allaah knows best.