87834 - Can A Man Prevent His Wife from Visiting Her Parents?

the question

Is it permissible to obey one’s husband if he does not want his wife to visit her family?.

Summary of answer

In Islam, a wife should not leave her home without her husband's permission, even to visit her parents. However, scholars differ: the Hanafis and Malikis say the husband cannot prevent her from visiting her parents, while the Shafi`is and Hanbalis say he can, unless harm results from forbidding her. Most scholars agree that it is recommended for the husband not to stop his wife without valid reason.

Detailed answer

Praise be to Allah.

Is It Permissible for a Wife to Go Out Without Permission?

It is not permissible for a woman to go out of her husband’s house without his permission , even if that is to visit her parents, but he should give her permission, so that she will be able to uphold her ties of kinship . But if he forbids her, then she must obey him, and he has no right to prevent her parents from visiting her or speaking to her.

Different Scholarly Opinions on Family Visits

The jurists differed concerning this issue, but what we have mentioned is the most correct view.

The Hanafis and Malikis are of the view that he does not have the right to prevent her from visiting her parents.

The Shafi`is and Hanbalis are of the view that he does have the right to prevent her, and she must obey him and not go out to visit them without his permission, but he does not have the right to prevent her from speaking to them or to prevent them visiting her, unless he fears that some harm may result from their visit, in which case he may prevent it so as to ward off harm.

Exceptions When Disobeying the Husband May Be Allowed

Ibn Nujaym (a Hanafi jurist) said: If her father is chronically ill, for example, and he needs her to serve him, and the husband prevents her from looking after him, then she should disobey him, whether the father is a Muslim or a non-Muslim. This is what it says in *Fat-h Al-Qadir*. From what we have mentioned it may be understood that she may go out to visit her parents and Mahrams, and according to the correct view she may go out to visit her parents once a week with or without his permission, and to visit her Mahrams once a year with or without his permission. (End quote from *Al-Bahr Al-Ra'iq*, 4/212)

It says in *Al-Taj wal-Iklil `ala Matn Khalil* (a Maliki Fiqh reference) (5/549): In *Al-`Utbiyyah* it says: The man does not have the right to prevent his wife from going out to her father's or brother's house, and this is the ruling that should be issued concerning that, unlike Ibn Habib. Ibn Rushd said: This difference of opinion only concerns a young woman who is trustworthy; as for the old woman, there is no dispute that she may visit her father and brother. And as for a young woman who is not trustworthy, she should not be allowed to go out. End quote.

The "old woman" is one who is elderly and for whom men feel no desire. (End quote from *Al-Mawsu`ah Al-Fiqhiyyah,* 29/294)

Ibn Hajar Al-Makki (a Shafi`i jurist) said: If a woman needs to go out to visit her father or to use the public baths, she should go out with her husband's permission, not showing her adornments, wearing a wrapper and scruffy clothes, lowering her gaze when walking in the street and not looking right or left, otherwise she will be sinning. (End quote from *Al-Zawajir `an Iqtiraf Al-Kaba'ir*, 2/78).

It says in *Asna Al-Matalib* (a Shafi`I Fiqh reference) (3/239): The husband has the right to prevent his wife from visiting her parents (when they are sick) and attending their funerals and the funeral of her child, but it is better not to do that. (End quote)

Imam Ahmad (may Allah have mercy on him) said concerning a woman who has a husband and a sick mother: Obeying her husband is more obligatory for her than her mother, unless he gives her permission. (End quote from *Sharh Muntaha Al-Iradat,* 3/47)

It says in *Al-Insaf* (a Hanbali Fiqh reference) (8/362): She does not have to obey parents about leaving her husband or visiting them and so on, rather obedience to her husband takes precedence.

The Standing Committee for Issuing Fatwas was asked: What is the ruling on a woman going out of her husband's house without his permission, and staying in her father's house without her husband's permission, and preferring to obey her father rather than her husband?

Answer:

It is not permissible for a woman to go out of her husband's house without his permission, whether to go to her parents or elsewhere, because that has to do with his rights over her, unless there is a Shar`i reason that compels her to go out. (End quote from *Fatawa Al-Lajnah Ad-Da'imah,* 19/165)

Another indication that it is essential to have the husband's permission to visit one's parents is the report narrated in Al-Bukhari and Muslim about the story of the slander (Al-Ifk), in which `Aishah (may Allah be pleased with her) said to the Prophet (peace and blessings of Allah be upon him): Will you give me permission to go to my parents? (Narrated by Al-Bukhari, 4141 and Muslim, 2770)

Al-`Iraqi (may Allah have mercy on him) said in *Tarh Al-Tathrib* (8/58): Her saying "Will you give me permission to go to my parents?" indicates that the wife should not go to her parents' house except with her husband's permission, unlike her going out to relieve herself which does not require his permission, as happened in this Hadith. (End quote)

Why Allowing Parental Visits Benefits the Family

Nevertheless, it is better for the husband to allow his wife to visit her parents and Mahrams, and not to prevent her from doing that unless some harm will result from visiting any of them, because his preventing her entails the severing of family ties, and his refusing her permission may make her go against him, and because visiting her family and relatives will make her and her children happy, and that will benefit the husband and the family.

For more details, please refer to the following answers: (158651, 72834, 12292, 159146, 70469, 143596, 1426)

And Allah knows best.