88085 - He said to his wife: It is haraam for us to speak to one another if you go to such and such a place

the question

Everything I do, I do it at least twice to make sure that I have done it.
There was an argument between me and my wife because she wanted to work in a bank, and I wanted to tell her “you are like my mother if you do that” but I did not say it for fear of speaking too harshly, but I told her “It is haraam for us to speak to one another if you go there.”
I hope that you can answer the following questions, may Allaah reward you.
1- Sometimes I think that I did not say the words “if you go there.” What is the Islamic ruling on either case, knowing that my intention was that if she went I would be upset with her, i.e., I was threatening her?
2- If I repeat my question or repeat what I said or what I am uncertain about, will I be held accountable for it?
3- What is the ruling on my wife’s pregnancy if there is anything haraam in what I said to her?.

Detailed answer

Praise be to Allah.

Firstly:

From your question it seems that you are suffering from waswaas, as you need to do things twice and you think that you said such and such or that you did not say it.

The best ways to treat waswaas are two:

1 – Do many acts of worship and remember Allaah a great deal (dhikr).

2 – Do not pay any attention to the waswasah and do not respond to it. See question no. 62839 and 25778.

Hence we say that basically what you said to your wife is, “It is haraam for us to speak to one another if you go there”. So you should not pay any attention to any doubts that arise because of waswasah.

Secondly:

If a man says to his wife: “It is haraam for us to speak to one another if you go to such and such a place,” if she does not go there, then he does not have to do anything.

But if she does go there, the matter should be examined further. If he intended to divorce her, then a divorce has taken place, because these words of his come under the heading of implicit divorce.

If he did not intend to divorce her – as you say in your question – then he has to offer expiation for breaking an oath (kafaarat yameen), which is freeing a slave, or feeding or clothing ten poor persons. If that is not possible then he must fast for three days.

The basic principle concerning that is that declaring something permissible to be haraam is a kind of oath, because Allaah says (interpretation of the meaning):

“O Prophet! Why do you forbid (for yourself) that which Allaah has allowed to you, seeking to please your wives? And Allaah is Oft-Forgiving, Most Merciful.

2. Allaah has already ordained for you (O men) the absolution from your oaths. And Allaah is your Mawlaa (Lord, or Master, or Protector) and He is the All-Knower, the All-Wise”

[al-Tahreem 66:1-2]

So Allaah describes declaring something permissible to be haraam as an oath.

In al-Bahr al-Raa’iq (4/317) it says: It is known that declaring something permissible to be haraam is an oath for which expiation must be offered… This includes saying “It is haraam for you to talk to me” or “talking to you is haraam”. End quote.

Thirdly:

If a man says to his wife: “It is haraam for us to speak to one another”, and he does not say, “if you go to such and such a place,” if he intended to divorce her then divorce has taken place in this case, whether she goes there or not. But if he did not intend divorce, then he must offer expiation for breaking an oath.

Fourthly:

If you say something or ask a question, and repeat it, you do not have to do anything, but it is important that the speech be permissible.

Fifthly:

If your wife was pregnant when you said the words mentioned above, then the pregnancy does not affect that. What Islam forbids is divorcing a woman when she is menstruating, but if she is pregnant that does not affect the divorce, although you did not actually divorce her.

Sixthly:

It is not permissible to work in a riba-based bank because that is cooperating in sin and transgression, and the Prophet (peace and blessings of Allaah be upon him) cursed the one who consumes riba, the one who pays it, the one who writes it down and the two who witness it, and he said: they are all the same. Narrated by Muslim (1598).

And Allaah knows best.