40405 - She is confused about women’s rights in Islam

the question

I am confused. All my life I interacted with others on the basis that I am a human being before being female and the slave woman of Allah as much as I could, and that based on this, whoever does good, whether male or female, will be rewarded, and whoever commits sin will bear the burden of sin. But after I got married I was surprised by some rulings which treat me as if I am not human, because they treat me as if I am only an object for the enjoyment of the man, such as the fact that the angels will curse me if I refuse intimacy under any circumstances, at the time when he is under no such burden if he refuses to have intercourse with his wife even if he does that to cause her harm. So he gets the reward of doing charity if he has intercourse with her and enjoys intimacy with her, and she will not have any reward, even if she responds unwillingly. If he upsets me and humiliates me in front of people, I have to make up with him and try to please him, otherwise the angels will curse me. And of course I have no right to differ with his opinion or to argue with him, and if I lose my temper I am not forgiven. And, as you have stated in a fatwa, the reward for praying in congregation is only for men and not for women. Is this what Allaah has prescribed for us? Is this the fate of the Muslim woman if she does well and does what is required of her? If she avoids sin, she does not attain any virtue and if she falls short she is one of those who are cursed and expelled from the mercy of Allaah, and do I and the accursed Iblees become the same?

I hope that you will pay attention to this question, because I am having doubts about my religion. If this is what Allah has prescribed then we hear and obey and there is no power and no strength except with Allah.

Detailed answer

Praise be to Allah.

We are shocked by what the sister has mentioned in her question, that is not part of the religion of Allah but she is attributing to it, and her belief in rulings for which Allah has not sent down any authority, such as her saying that “after I got married I was surprised by some rulings which treat me as if I am not human, because they treat me as if I am only an object for the enjoyment of the man”!

We will respond by noting the following points:

Firstly:

Allah has honoured women greatly. He honours them as daughters, mothers and wives, and gives them rights and virtues, and enjoins good treatment in ways that are not shared by men in many cases.

Islam does not deny woman’s humanity. Rather it gives her her rights and holds her in high esteem. Women were treated as chattels and objects before Allah honoured mankind with Islam. Women would be inherited like goods and chattels, and could be left suspended, being neither married nor divorced. A woman would have to wait for a year after her husband’s death, neither washing nor going out of the house, until birds and animals would die from her foul smell! Women were not allowed to inherit, let alone the fact that they could be buried alive, and many other things.

Then Islam came and forbade burying females alive; it regarded that as murder, which is a major sin. It forbade leaving women suspended as a result of vows or making one's wife haram by means of zihaar [a jaahili form of divorce in which the husband said to his wife, ‘You are to me as my mother’s back’; intimacy thus became forbidden, but the woman was not divorced completely and was not free to enter into a new marriage - Translator]. Islam gave women their share of inheritance, and stipulated an ‘iddah of four months and ten days after the death of her husband, during which she could bathe, change her clothes and see other women and her mahrams. It allowed women to buy, sell and own property, and encouraged them to seek knowledge and call people to Allah. It commanded that women should be honoured as wives and as mothers, and

made the mother’s rights three times greater than those of the father. And there are many other ways in which Islam honoured women, which we have no room to discuss in detail here; rather we just wanted to remind you of this. Please also see the answer to question no. 70042 for more information.

Secondly:

The sister says in her question: “such as the fact that the angels will curse me if I refuse intimacy under any circumstances”.

This is not correct. Rather the angels do not curse the wife who refuses to share her husband’s bed unless she has no valid excuse. If she has an excuse – such as being sick, or menstruating, or bleeding following childbirth (nifaas), or observing an obligatory fast, then she is not cursed, rather her husband who calls her to bed is sinning if he insists on calling her, or forces her when he knows of her situation.

In question no. 33597 of this site it says:

A woman does not have the right to refuse her husband, rather she must respond to his request every time he calls her, so long as that will not harm her or keep her from doing something that is obligatory.

In question no. 9602 it says:

Ibn Hazm said:

It is obligatory on slave women and free women alike not to refuse their masters or husbands if they call them, so long as the woman who is called is not menstruating or sick in such a way that intercourse will be harmful to her, or observing an obligatory fast. If she refuses with no excuse, then she is cursed.

Al-Muhalla, 10/40

This curse is limited to cases where the husband remains angry with her all night. But if he calls

her and she refuses, then he foregoes his right, then she is not cursed.

Thirdly:

The sister says in her question, “at the time when he is under no such burden if he refuses to have intercourse with his wife even if he does that to cause her harm.” This also is not correct. Islam forbids harming others, which includes a husband harming his wife by preventing her from breastfeeding her child, or denying her her right to intercourse and pleasure.

It says in the answer to question no. 10680 – in the context of discussing the wife’s rights over her husband:

Not harming one’s wife.

This is one of the basic principles of Islam. Because harming others is haram in the case of strangers, it is even more so in the case of harming one’s wife.

It was narrated from ‘Ubaadah ibn al-Saamit that the Messenger of Allah (peace and blessings of Allah be upon him) ruled, “There should be no harming nor reciprocating harm.” (Narrated by Ibn Maajah,, 2340)

This hadith was classed as saheeh by Imaam Ahmad, al-Haakim, Ibn al-Salaah and others. See Khalaasat al-Badr al-Muneer, 2/438.

It says in the answer to question no. 5971:

It is not permissible for a man to forsake his wife and thus harm her, except in the case of nushooz (rebellion) and disobedience. But he is not committing a sin if he does not lie with her without intending to harm her, because the need is his and depends on his desire and he cannot control his desire at will. If he forsakes her, then he is a sinner because there should be no harming or reciprocating harm. And Allah knows best.

Fourthly:

The sister says in her question, “So he gets the reward of doing charity if he has intercourse with her and enjoys intimacy with her, and she will not have any reward, even if she responds unwillingly”

This is also not correct. Rather the wife will be rewarded for intercourse in two ways:

1 – Because she is the twin half of man in rulings and rewards, except those where an exception is stated in the texts. Allah says (interpretation of the meaning):

“So their Lord accepted of them (their supplication and answered them), Never will I allow to be lost the work of any of you, be he male or female. You are (members) one of another, so those who emigrated and were driven out from their homes, and suffered harm in My Cause, and who fought, and were killed (in My Cause), verily, I will expiate from them their evil deeds and admit them into Gardens under which rivers flow (in Paradise); a reward from Allah, and with Allah is the best of rewards” [Aal ‘Imraan 3:195]

2 – It is the cause of the husband being rewarded, and whoever is the cause of another person being rewarded will share in the reward without that detracting from his or her reward in the slightest.

It was narrated from Abu Dharr that some people from among the companions of the Prophet (peace and blessings of Allah be upon him) said to the Prophet (peace and blessings of Allah be upon him): “O Messenger of Allah, the rich people will get more reward. They pray as we pray, and they fast as we fast, but they give in charity from their excess wealth.” He said, “Has not Allah given you things with which you can give charity? Every tasbeehah (saying ‘Subhaan Allah (Glory be to Allah)’) is a charity. Every Takbeerah (saying ‘Allahu akbar (Allah is Most Great)’) is a charity. Every Tahmeedah (saying ‘al-hamdu-Lillaah (praise be to Allah)’ is a charity. Every Tahleelah (saying ‘Laa ilaaha ill-Allah (there is no god but Allah)’) is a charity. Enjoining what is good is a charity. Forbidding what is evil is a charity. Having intercourse (with one’s wife) is a charity.” They said, “O Messenger of Allah, if one of us fulfils his desire, is there reward in that?” He said, “Do you not see that if he does it in a haram way he will have the burden of sin? So if he does it in a halaal

way, he will have a reward for that.” (Narrated by Muslim, 1006)

So the wife will be rewarded just as her husband will, just as she is sinning if she fulfils her desires in a way that is haram, just as is the case with the husband.

Imaam al-Nawawi (may Allah have mercy on him) said:

“The phrase, ‘Having intercourse is a charity’ – the word bud’ (translated here as ‘having intercourse’) may mean intercourse, or it may refer to the private part itself…

This indicates that permissible actions may become acts of worship, if there is a sincere intention. Intercourse may be an act of worship if the intention behind it is to fulfil the rights of one's wife, to treat her kindly as enjoined by Allah, to seek a righteous child, to keep oneself or one’s wife chaste, to prevent both partners from looking towards or thinking of haram things, and other good intentions

Fifthly:

The sister says in her question: “If he upsets me and humiliates me in front of people, I have to make up with him and try to please him, otherwise the angels will curse me”.

This also is not correct. The curse applies in the case of a woman who refuses to come to her husband’s bed with no excuse, when her husband stays angry with her all night – as explained above –

But if the husband humiliates her, then he is undoubtedly sinning by doing that, and sharee’ah allows her to answer him back in a manner that befits his wrongdoing.

Allah says (interpretation of the meaning):

“And indeed whosoever takes revenge after he has suffered wrong, for such there is no way (of blame) against them” [Al-Shoora 42:41]

i.e., there is no sin on them.

The word man (whosoever) here is general in meaning and includes women too.

Or if she is patient in bearing harsh words and mistreatment, seeking reward with Allah, she will earn a more complete and better reward.

So what he must do is to make up with her and try to please her, not the other way round. If a person does wrong, in order for his repentance to be complete he must try to please the one who has been wronged, with apologies and kind words.

Sixthly:

The sister says: “And of course I have no right to differ with his opinion or to argue with him, and if I lose my temper I am not forgiven.”

This is not correct. It is permissible for a women to argue with her husband and to have a different opinion, but she does not have the right to refuse to do what he tells her to do – even if she objects to it – so long as he does not tell her to commit sin, because there is no obedience to anyone if it involves disobedience towards the Creator. This is part of the qiwaamah (role of protector and maintainer) that Allah has given to the husband in return for the obligation to spend on his wife, protect her and take care of her. Allah says (interpretation of the meaning):

“Men are the protectors and maintainers of women, because Allah has made one of them to excel the other, and because they spend (to support them) from their means” [Al-Nisa’ 4:34]

It is narrated that the women of the Sahaabah used to argue and debate with them, and indeed this is the way in which the Mothers of the Believers [i.e., the Prophet’s wives] used to act with our Prophet (peace and blessings of Allah be upon him), as ‘Umar ibn al-Khattaab said to the Prophet (peace and blessings of Allah be upon him): “We Quraysh used to control our women, but when we came to the Ansaar we found that they were a people who were controlled by their women. So our women started to adopt the ways of the Ansaari women. I got angry with my wife and she argued with me and I did not like her arguing with me. She said, ‘Why do you object to me arguing with you? By Allah, the wives of the Prophet (peace and blessings of Allah be upon him) argue with

him…’” Narrated by al-Bukhari, 4895; Muslim, 1479.

Al-Haafiz ibn Hajar said – discussing the lessons to be learned from this hadith –

“This indicates that being harsh with women is something blameworthy, because the Prophet (peace and blessings of Allah be upon him) adopted the way of the Ansaar with their women and forsook the way of his people.”"(Fath al-Baari, 9/291)

With regard to what the sister mentioned about not being forgiven for any loss of temper or irritation on her part, this is not right at all, because there are some kinds of irritation for which a person will not be taken to task if he does not speak of them or act upon them, because the Prophet (peace and blessings of Allah be upon him) said: “Allah will forgive my ummah for that which crosses their minds, so long as they do not speak of it or act upon it.” And there are some which a person cannot help at all, because of intense anger, etc, which is beyond his or her control. At the end of Soorat al-Baqarah is mentioned the du’aa’ of the believers (interpretation of the meaning):

“Our Lord! Put not on us a burden greater than we have strength to bear” [Al-Baqarah 2:286]

and it is proven in the Sunnah that Allah has answered this du’aa’ and said, “I will do that.”

Seventhly:

The sister says in her question: “as you have stated in a fatwa that the reward for praying in congregation is only for men and not for women”.

This also is not correct. Rather what we said – based on the ahaadeeth of the Prophet (peace and blessings of Allah be upon him) – is that the twenty-seven-fold reward is for men only, because they are the ones for whom prayer in congregation is enjoined, not women. Prayer in congregation is mustahabb for women, but we cannot be certain that women will get the twenty-seven-fold reward. It is permissible for women to attend the prayers in the mosque, and it is not permissible for men to forbid them to go. If they go and pray with (the men), they will have a share of the reward for praying in congregation.

Nevertheless, based on the saheeh ahaadeeth, if a woman prays in her house, she is doing that which is better for her than the reward for praying in the mosque.

It was narrated from Ibn ‘Umar that the Prophet (peace and blessings of Allah be upon him) said: “Do not prevent your women from coming to the mosques, although their houses are better for them.”

Narrated by Abu Dawood, 567; Ahmad, 5445 – this version narrated by Ahmad.

‘Abd al-‘Azeem Abaadi said:

“Their houses are better for them” means that their praying in their houses is better for them than praying in the mosques, if only they knew that, but they do not know that, so they ask to go out to the mosques and think that the reward for going to the mosque is greater. The reason why their praying in their houses is better is because they are safer from fitnah (temptation). This ruling is even more necessary because of the tabarruj (wanton display) and adornment that have become prevalent among women."(‘Awn al-Ma’bood, 2/193).

Eighthly:

The sister says in her question: “Is this the fate of the Muslim woman if she does well and does what is required of her? If she avoids sin, she does not attain any virtue and if she falls short she is one of those who are cursed and expelled from the mercy of Allah, and do I and the accursed Iblees become the same?”!

This is thinking badly of Allah, and what you say is not correct at all.

Allah says (interpretation of the meaning):

“Whoever works righteousness, whether male or female, while he (or she) is a true believer (of Islamic monotheism) verily, to him We will give a good life (in this world with respect, contentment and lawful provision), and We shall pay them certainly a reward in proportion to the best of what they used to do (i.e., Paradise in the Hereafter).” [Al-Nahl 16:97]

“So their Lord accepted of them (their supplication and answered them), Never will I allow to be lost the work of any of you, be he male or female. You are (members) one of another, so those who emigrated and were driven out from their homes, and suffered harm in My Cause, and who fought, and were killed (in My Cause), verily, I will expiate from them their evil deeds and admit them into Gardens under which rivers flow (in Paradise); a reward from Allah, and with Allah is the best of rewards” [Aal ‘Imraan 3:195]

“Verily, the Muslims (those who submit to Allah in Islam) men and women, the believers men and women (who believe in Islamic Monotheism), the men and the women who are obedient (to Allah), the men and women who are truthful (in their speech and deeds), the men and the women who are patient (in performing all the duties which Allah has ordered and in abstaining from all that Allah has forbidden), the men and the women who are humble (before their Lord -- Allah), the men and the women who give Sadaqaat (i.e. Zakaah and alms), the men and the women who observe Sawm (fast) (the obligatory fasting during the month of Ramadaan, and the optional Nawafil fasting), the men and the women who guard their chastity (from illegal sexual acts) and the men and the women who remember Allah much with their hearts and tongues. Allah has prepared for them forgiveness and a great reward (i.e. Paradise)” [Al-Ahzaab 33:35]

With regard to the sister’s saying that if she falls short, she and Iblees would be the same, this is an exaggeration and there is no need for this; and it is an unacceptable comparison, because the curse of Allah to Iblees is the eternal curse for which no repentance will be accepted, and it cannot be compared to the curse that applies in the case of a Muslim who believes in Allah alone and submits to Him, but commits some major sins.

The clear verses and words that we have quoted are sufficient to explain the error of what you say. We ask Allah to help you to understand Islam properly and to make you steadfast in adhering to goodness and true guidance.

At the end of this response, we should not forget to praise our sister for her frankness in asking about the doubts about some Islamic matters that the Shaytaan has thrown into her heart which, if she had kept them to herself, could have spoiled her religious commitment and generated

waswaas (whispers from the Shaytaan) which could have caused a great deal of trouble in her life. Asking such questions dispels confusion and dispels doubt from one’s heart.

But when asking such questions, that should be done with more in a more appropriate manner, when asking about the wisdom of Allah in what He prescribes, and the questioner should avoid everything that may be taken as objecting to the rulings, because the human mind is incapable of comprehending the greatness of Allah’s wisdom and the vastness of His bounty towards His creation.

We also appreciate our sister’s acceptance of and submission to the laws of Allah, as she says, “If this is what Allah has prescribed then we hear and obey”. This is how the believer should be.

We ask Allah to make us steadfast in adhering to His religion, and to guide us.

And Allah knows best.