7653 - Ruling on Living With In-laws in Islam

the question

I live with my inlaws for last 7 years, I don't get along with my father inlaw, I have asked my husband to move out from them. He is very hurt on this matter, He says he cannot live without his parents, and its hard for me to live with his parents and his younger brother, am i asking too much. What does islam role says on this. Please answer me ASAP. I am desperate to move out, But I like my husband to be happy with me also.

Summary of answer

If a husband wants to make his wife live with her in-laws, such as his mother or sister or daughter from another marriage or another relative, and she refuses to accept that, then he has to provide her with an accommodation of her own.

Detailed answer

Praise be to Allah.

Husband’s relatives entering upon his wife

The Prophet (peace and blessings of Allah be upon him) warned against the husband’s relatives who are not Mahrams to the wife entering upon her.

It was reported from `Uqbah ibn `Amir (may Allah be pleased with him) that the Messenger of Allah (peace and blessings of Allah be upon him) said: “Beware of entering upon women.” A man from among the Ansar said: “O Messenger of Allah, what about the brother-in-law?” he said: “The brother-in-law is death.” (Narrated by Al-Bukhari, 4934 and Muslim, 2172).

It is not permissible for the wife to be alone with any of her in-laws except those who are very

young that there is no fear that they will tempt her or be tempted by her.

The obligation to provide a dwelling place to the wife

The husband must provide his wife with a dwelling place that will conceal her from the eyes of people and protect her from heat and cold, where she can live and settle and be independent. It is sufficient to provide her with what meets her needs, such as a room in good condition with a kitchen and bathroom – unless the wife has stipulated larger accommodation in her marriage contract. Also, he does not have the right to make her eat with any of her in-laws.

The kind of accommodation provided must be commensurate with what the husband is able to provide and be suitable according to local customs and the social level of the wife.

Ibn Hazm (may Allah have mercy on him) said:

“He has to provide her with accommodation according to his means, because Allah says (interpretation of the meaning):

“Lodge them (the divorced women) where you dwell, according to your means.” [At-Talaq 65:6]” (Al-Muhalla, 9/253)

Ibn Qudamah (may Allah have mercy on him) said:

“She (the wife) is entitled to accommodation because Allah says (interpretation of the meaning):

“Lodge them …” [At-Talaq 65:6]

If it is obligatory to provide lodgings for a divorced wife, then it is even more appropriate that lodgings should be provided for one who is still married. Allah says (interpretation of the meaning):

“… and live with them honourably…” [An-Nisa’ 4:19]. Part of that means providing them with accommodation, because she cannot do without proper accommodation to conceal her from people’s eyes and so that she may go about her business, relax and keep her belongings in order.” (Al-Mughni, 9/237)

Al-Kasani (may Allah have mercy on him) said:

If a husband wants to make her live with a co-wife or her in-laws, such as his mother or sister or daughter from another marriage or another relative, and she refuses to accept that, then he has to provide her with accommodation of her own… But if he lodges her in a room of the house that has a door of its own, this is sufficient for her and she should not ask him for alternative accommodation, because the harm caused by fear for her belongings and not being able to relax is no longer there." (Bada'i` As-Sana'i`, 4/23)

Ibn Qudamah (may Allah have mercy on him) also said:

"A man does not have the right to make two wives live in the same dwelling without their consent, regardless of whether the house is large or small, because this will cause them harm due to the enmity and jealousy between them. Making them live together will cause conflict and each of them will be able to hear when the husband spends time with (has marital relations with) the other or she will see that. If they both agree (to live together in one house), this is permissible because they have the right to ask for independent accommodation, or they may choose to forgo this right." (Al-Mughni, 8/137)

He did not mean that it is OK for the husband to have marital relations with one where the other can see and hear that; what he meant was that it is permissible for them to live in one house, where (the husband) can come to each of them on her night in a place in the house where the other cannot see her.

If he can give each wife a part of the house with a bedroom, bathroom and kitchen, this will be sufficient. Similarly, he could give each wife a separate house or apartment.

Al-Haskafi (may Allah have mercy on him) – a Hanafi scholar – said: "Similarly, she is entitled to a place in the house that is free of his family and her family according to their means, as is the case with food and clothing. A separated part of the house with a door of its own and facilities such as a bathroom and kitchen will be sufficient for the intended purpose."

Ibn `Abidin (may Allah have mercy on him) commented:

“What is meant by “a bathroom and kitchen” is bathroom facilities and a place for cooking that should be within the room or in a place which is not shared by any other family members.” (Ad-Durr Al-Mukhtar, 3/599-600)

What indicates that what is meant by the word “house” [bayt – literally, “house”, translated above as “room”] is a room, is the comment of Al-Kasani (may Allah have mercy on him): If the house has rooms, a room should be allocated to her and given its own door. They said: she does not have the right to ask him for alternative accommodation.” (Bada’i` As-Sana’i`, 4/34)

On this basis, it is permissible for the husband to accommodate you in a room of the house that has its own facilities, so long as there is no temptation, or you being alone with any non-Mahrams who have reached the age of puberty. He does not have the right to force you to work for them in the house or to eat and drink with them. If he is able to provide you with accommodation that is completely separate from his family, that will be better for you, but if his parents are elderly and need him, and they have no one else to serve them and the only way he can serve them is by living with them, then he has to do that.

Finally, we urge you to be patient and to strive to please your husband and to help him to honour and be kind to his family as much as possible until Allah grants you a way out. May Allah bless our Prophet Muhammad.

For more details, please refer to the following answers: 6388 , 83778 , 83971 , 96455 , 140687 , 85162 , 94965 , and 85163 .

And Allah knows best.