96371 - Their daughter commits major sins and evils deeds. How should her family deal with her?

the question

I know a family that is religiously committed – praise be to Allaah – but they are suffering because of a daughter of theirs who is sinful and does haraam deeds, in fact they are major sins, namely disobedience towards her parents, immoral actions, drinking alcohol and smoking. This girl does not go back to her family's home; she runs away from home and sometimes she goes back and stays in the house for a short while, but she soon leaves the house again. Her mother is heartbroken by what she does and now she wants a shar'i fatwa stating what the parents must do when she comes back home. Should they throw her out or keep her in the house? Please note that she poses a danger to her younger siblings.
Please advise me, may Allaah reward you abundantly.

Detailed answer

Praise be to Allah.

We ask Allaah to relieve this family of their distress, and to reward them for their patience in bearing the calamity brought by the daughter. We also ask Him to guide this daughter and to help her to repent.

Her family should realize that what they are seeing of evil deeds committed by their daughter must be denounced and prevented.

In al-Mawsoo'ah al-Fiqhiyyah (39/123,124) it says:

The fuqaha' are unanimously agreed that evil is forbidden and the duty to forbid evil is proven in the Qur'aan and Sunnah and by scholarly consensus. In the Qur'aan, Allaah says (interpretation of the meaning):

“Let there arise out of you a group of people inviting to all that is good (Islam), enjoining Al-Ma‘roof (i.e. Islamic Monotheism and all that Islam orders one to do) and forbidding Al-Munkar (polytheism and disbelief and all that Islam has forbidden)”

[Aal ‘Imraan 3:104]

In the Sunnah, the Prophet (peace and blessings of Allaah be upon him) said: “Whoever among you sees an evil action, then let him change it with his hand [by taking action]; if he cannot, then with his tongue [by speaking out]; and if he cannot, then with his heart – and that is the weakest of faith.”.

al-Nawawi narrated that there was consensus that it is obligatory to forbid evil. End quote.

The hadeeth “Whoever among you sees an evil action, then let him change it with his hand… ”, which was narrated by Muslim (49) from Abu Sa’eed al-Khudri, enjoins parents to take charge of their sons and daughters and prevent them from committing evil actions, and to change them with their hands (by taking action), because they have authority over them, as the ruler has authority over the people.

Al-Nawawi (may Allaah have mercy on him) said:

Moreover, enjoining what is good and forbidding what is evil is a communal obligation (fard kifaayah). If some of the people do it then the rest are absolved of blame, but if they all fail to do it, then each of them who was able to do it with no excuse or fear is guilty of sin. It may also be an individual obligation, such as if a person is in a place and no one knows about it but him, or no one is able to remove it but him, such as one who sees his wife or child or slave committing evil, or falling short in doing good.

Sharh al-Nawawi ‘ala Muslim (2/23).

It is essential – first of all – for this family to understand three important points:

-1-

It is a serious mistake to allow their daughter to leave the home, even to go to school, or even to go to the mosque. Rather they should prevent her from doing so, even if that is by force, or by keeping her in her room, without allowing her to do anything by which she may harm herself or allowing her to contact anyone, lest she bring harm upon her family, as happens in some Muslim countries that imitate the kaafir countries that are devoid of all morals and virtues, and prevent parents from raising their children Islamically and prevent them from using strictness in child-rearing, and may even imprison the father or brother if it is proven that he prevented one of his sisters from exercising her freedom, as they claim.

-2-

They should not throw their daughter out of the house. If they do that, they will be the cause of her falling into the sins that she commits outside the family home, and they will have enabled her to meet bad friends; whatever leads to that is also haraam. It is not permissible for them to denounce her by throwing her out. It is well known in Islam that denouncing evil must not lead to a greater evil, otherwise it is haraam.

-3-

It is not permissible for anyone in her family to carry out the hadd punishment against her or to kill her, as some families do. We have discussed this matter in detail in the answer to question no. 8980.

Shaykh al-Islam Ibn Taymiyah (may Allaah have mercy on him) was asked about a woman who was married to a good husband and had children, but she fell in love with someone else and started to commit immoral actions with him. When she was found out, she tried to leave her husband. Does she have any rights over her children after doing this deed? Is there any sin on them if they cut off ties with her? Is it permissible for the one who found that out about her to kill her in secret? If someone else does that will he be sinning?

He replied:

What her children and relatives on her father’s side must do is to prevent her from doing haraam deeds, and if she cannot be stopped except by being detained, then they must detain her. If she needs to be chained up then they must chain her up, but it is not appropriate for a son to strike his mother. With regard to honouring her, they have no right to stop honouring her, and it is not permissible for them to cut off ties with her in such a way that she will be able to continue doing evil, rather they should do that according to what they are able to do. If she needs provisions and clothing then they should supply her with provisions and clothing. It is not permissible for them to carry out the hadd punishment against her by killing or otherwise, and they will be sinning if they do that.

Majmoo’ al-Fataawa (34/ p. 177, 178)

The answer of Shaykh al-Islam includes all three matters to which we have drawn attention, as he (may Allaah have mercy on him) issued a fatwa stating that the mother should be detained and chained up, so a fatwa to this effect is more applicable in the case of a daughter, for the rights of a daughter are much less than those of a mother.

We also advise the family to do the following:

1.Keep advising and exhorting the sinful daughter and use various methods for that, sometimes from them and sometimes from their relatives or her friends; sometimes by means of audio tapes, sometimes by means of videos and sometimes by means of books, or by mentioning the fate of others who previously followed a path of evil and immorality, and how it led to loss in this world, let alone that which Allaah has warned of for those who disobey Him and transgress His limits.

2.Move away altogether from the place where they are living, if the atmosphere of that place is having a negative effect on her attitude and behaviour. If that is not possible, then some of her family should move somewhere else with her and live in a different environment, if her family think that this will help to set their daughter straight.

3.Not allowing bad friends to visit their daughter or meet her.

4. Whilst she is being detained in the house, there is nothing wrong with bringing useful material that will benefit her, such as documentaries or useful discussions on trustworthy channels. This is for two reasons:

(a)So that she will not be bored to death by thinking and feeling lonely, and her thoughts will not wander to things that will harm her.

(b)There may be something in this useful material that will have an effect on her and play a role in setting her straight.

5.There should be no disagreement among the family members about detaining her in the house, and they should not be moved by pity for her before they are certain that she has mended her ways. Allaah says (interpretation of the meaning):

“The fornicatress and the fornicator, flog each of them with a hundred stripes. Let not pity withhold you in their case, in a punishment prescribed by Allaah, if you believe in Allaah and the Last Day. And let a party of the believers witness their punishment”

[al-Noor 24:2].

If Allaah has forbidden us to let pity affect us whilst a hadd punishment is being carried out, then it is more apt that this ruling should apply in the case of a ta’zeer punishment.

6.The whole family should be keen to say du’aa’ for her with sincerity, especially her poor mother. They should trust that their Lord is Able to change her and make her better, so they should turn to Him and beseech Him.

We ask Allaah to help them and relieve them of this calamity, and we ask Him to guide their daughter to that which He loves and which pleases Him.

And Allaah is the Source of strength.