In the name of Allah, the Compassionate, the Merciful.

Synopsis of the Friday Sermon delivered by Ameer Mustapha Elturk on March 1, 2019:

Marriage in Islam (Part 3) - Rights and Responsibilities

A marriage between two compatible couples founded on taqwa is destined to be blessed. The couple, regardless of their socio-economic condition, by the grace of Allah, may enjoy a prosperous and successful married life if they know, understand, and fulfill the rights of their spouses.

Islam stands for justice, fairness and equity. The very purpose of God’s messengers is to establish justice based on divine guidance. “We sent Our messengers with clear signs (miracles), the Book (law), and the Balance, so that people may uphold justice.” (al-Hadid, 57:25)

The Divine law is a key element to divine justice. In it one finds the balance of rights and responsibilities between the ruler and ruled, employer and employees, parents and children, and, of course, husbands and wives.

Therefore, in order to create a balance in marriage, both husbands and wives enjoy well defined rights and responsibilities. We are informed, “And they (women) have rights (over their husbands) similar (to those of their husbands) over them to what is reasonable, but men have a degree (of responsibility) over them, Allah is Almighty, all-Wise.” [al-Baqarah, 2:228]

When both the husband and wife respect and honor their respective rights and duties, the marriage of a compatible couple will, in sha Allah, succeed and prosper regardless of the obstacles that may come their way.

Unfortunately, not all married couples understand their rights and responsibilities which may pose a threat to their married life. Expectations of one over the other may not be of what is prescribed by the Quran and Sunnah.

Some couples employ cultural traditions incompatible with Islamic guidelines. One example is a husband who expects his wife to give her earned money to him, which as we know is not consistent with Islamic teachings.

Therefore, to ensure a prosperous and successful marriage it is incumbent upon both the husband and wife to know their rights and responsibilities prior to the nikah or marriage ceremony.

The rights and responsibilities of the husband and wife:

Allah (SWT) said, “Men are the caretakers, (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 an established fact that in Islam, in most cases, men play the role of the head of the household. Men are entrusted with the duty of being responsible for women. “Men have a degree (of responsibility) over them.” [al-Baqarah, 2:228] Additionally, men are financially responsible to support them out of their wealth. It is the responsibility of the husband to spend and care for his wife. She does not have to work to support herself, the husband and/or family if the husband is able to work. Of course, with his consent she may work,
however, her earnings are totally hers. She may willingly without compulsion share some of her earnings with her husband. Men are to ensure that their wives are taking care of and to guide them to the path of righteousness.

With this responsibility comes basic rights for the husband. “Therefore, righteous women are obedient guarding (the property and honor of their husbands) in (their) absence with the protection given by Allah.” [al-Nisa’, 4:34]

To elaborate on this, the Prophet (SAW) once said to Umar (RAA), “Shall I not tell you about the best of treasures a man can have? Upon Umar making takbeer, the Prophet (SAW) said, ‘A righteous woman. She pleases him whenever he looks at her; she obeys him whenever he asks her to do something; and she protects his honor and wealth in his absence.’”

The First Fundamental Right: “When he looks at her, she pleases him.” This statement has a dual meaning. The general meaning is, the wife cannot deny her husband the right to enjoy physical intimacy unless under special circumstances such as during her menstruation, illness, or for any other legitimate reason. A wife’s refusal is rebuked by Allah (SWT) as evident from the hadith. The Prophet (SAW) said, “When a man calls his wife to his bed and she refuses, and he went to sleep angry with her, the angels will curse her until morning.” (Muslim)

Sexual urge is inherent in both males and females. The only permissible way to satisfy that urge is through lawful means, i.e. marriage. It is noteworthy to remember that the sexual urge in men exceeds that of a woman according to scientific studies.

Satisfying this strong urge should not be taken lightly. According to the Prophet (SAW), “If a man calls his wife to fulfill his needs, let her come to him even if she is (cooking) at the oven.” (al-Tirmidhi)

If the husband does not receive what Allah permitted for him to satisfy his sexual urge where will he get it from? Today more than ever, it is easy for men to satisfy their sexual desire in an unlawful way whether it’s pornography or other unlawful means. Husbands, on the other hand, need to understand and appreciate the physical, mental, and psychological capabilities of the wife and not treat her as a sex object. Allah (SWT) describes both the husband and wife as garments to one another. Both are entitled to sexual intimacy, enjoyment and satisfaction.

Certainly, sex among married couples during the wife’s menses or post childbirth is absolutely prohibited. If the husband insists, she has every right to disobey him because he is stepping beyond the limits set by Allah (SWT).

The Prophet (SAW) said, “If anyone has intercourse with his wife when she is menstruating, or has anal intercourse with his wife, he has nothing to do with what has been sent down to Muhammad.” He (SAW) also said, “He who has anal intercourse with his wife is accursed.” Sh. Al-Qaradwi, a contemporary scholar, states that “anal intercourse is prohibited and a wife must abstain from it should her husband demand it, and may seek divorce over it if her husband persists or tries to force her, as the act is forbidden.” Couples who have done this unlawful act must repent to Allah (SWT).

Another interpretation to the statement, “When he looks at her, she pleases him,” may be understood by the following scenario: the husband, a bread-winner whose earning is pure, free from unlawful means, works hard and gets home after a very long stressful day, enduring rush-hour traffic. Agitated and frustrated, he can’t wait to get home to find peace and comfort (sakan) and to relax. No sooner that he gets in the door, his wife receives him with anger, questions why he was late and condemns him for not buying what she asked from the store. It’s easy to predict the reaction on the face of the husband, who asks himself, “Why did I come home?” Under this circumstance one may foresee a clash.

Of course, the wife has no idea how his day (and everyday) went and believes she has the right to complain. While this may be so, this situation, in light of the Prophet’s statement, “when he looks at her, she pleases him” could have been resolved peacefully by winning her husband’s heart and confidence. Now imagine the
following scenario: a husband comes home (of course, this works both ways if the wife works), his wife greets him with a smile, asks how his day went, offers him water, and gives him some space and time to relax. This type of welcome will inevitably make the man forget the stress he underwent. His appreciation to his understanding wife grows which strengthens the bond of love between the couple. There will be time to inquire about being late and why he has not brought the things she asked him to buy.

**The Second Right:** She is an obedient wife, “righteous women are obedient.” [al-Nisa’, 4:34]. The term obedient in the age of feminism is perceived to be negative where God did not intend it to be. Marriage is a partnership with defined roles and responsibilities. Being the head of the household, decisions taken by the husband through consultation must be enforced. The wife and children for that matter must have the discipline of obedience to nurture a successful and blessed marriage. An ideal wife should not deny any request from her husband so long as it does not contravene Islamic law (sharia). The Prophet (SAW) said, “There is no obedience to any person if it is disobedience to Allah Almighty.”

Therefore, the attitude of the wife should be that of obedience within her physical, mental, and psychological capabilities. Allah does not burden any soul more than what it can bear. (2:285)

**The Third Right:** She protects his honor and wealth in his absence, “Guarding (the property and honor of their husbands) in (their) absence with the protection given by Allah.” [al-Nisa’, 4:34]

Husbands are away from the home for long periods of time for a variety of reasons. The protection of the personal honor and modesty of the woman and everything under her charge are key elements to building a sound and healthy relationship. A devout wife maintains her commitment to her husband and family. The temptation of the self and that of satan is enough to destroy one’s marriage if not checked. It is with the blessings (tawfeeq) of Allah, honest and faithful wives abide by the rules of conduct while husbands are present and absent.

All this being said, women certainly have rights over their husbands. It is noteworthy to remember that women in the pre-Islamic era, (jahiliyah) were abused, treated like sex objects, were given no rights to inheritance or to education. Islam honored women like no other society or civilization before it. Among the rights granted to women are: the right to vote, to get an education, own a business, receive inheritance, and choose her husband, among others.

The Prophet (SAW) in his farewell sermon (hajjatul wada’), addressed the rights of women. He (SAW) said, “O people! It is true that you have certain rights in regard to your women, but they also have rights over you. Remember that you have taken them as your wives, only under Allah's trust and with His permission. If they abide by your right, then to them belongs the right to be fed and clothed in kindness. Do treat your women well and be kind to them, for they are your partners and committed helpers. And it is your right that they do not make friends with anyone of whom you do not approve, as well as never to be unchaste.”

Among the basic rights of the wife are:

**The First Right – Dowry (Mahr):** The wife is entitled to a dowry at time of concluding the marriage contract (nikah) and when the marriage is consummated. “And give to the women (whom you marry) their Mahr (obligatory bridal-money) with a good heart.” [al-Nisa’, 4:4] The gift signals the groom’s sincere intention and desire to marry the bride with the commitment to support her throughout their married life. Mahr is also called Sadaq from Sidq which means honesty and truthfulness.

The dower or bridal gift varies according to the economic and social status of the bride. The Qur’an and Sunnah have not fixed a certain amount. Depending on the means of the husband, the bridal gift may vary from a tin ring to a qintar according to the Quran, “If you wish to replace one wife with another, do not take any of her bride-gift back, even if you have given her a qintar (great amount of gold).” [al-Nisa’, 4:20] The Prophet (SAW) instructed one of his poor companions to, “Search for something, even if it is a ring made out of iron.” (Bukhari and Muslim). On the other hand, according to the ayah, there is no set limit to qintar. It could be a great amount of gold or a large sum of money.
Traditionally, the dower used to go to the father or the guardian, however, it is clear from the Quran as quoted above and Sunnah, the bridal gift belongs to the bride alone. She may share it with or give it to her parents but not out of compulsion.

**The Second Right – Support (Nafaqah):** Men were honored the title of *Qawwam* (head of the household) because they “spend (to support them) from their means.” [al-Nisa’, 4:34] The right to be fed and clothed in kindness is one of the basic rights of a wife. “And upon the father is the mother's sustenance and her clothing according to what is reasonable. No person shall have a burden on him greater than he can bear.” [al-Baqarah, 2:233]

Women are not required to work in order to support themselves or the family except in some rare occasions. It is the responsibility of the man to ensure that the wife (and family) are fed and clothed but only in what is customary and according to his means. Women cannot be demanding and ask for what is beyond the husbands’ means. “Let the rich man spend according to his means; and the man whose resources are restricted, let him spend according to what Allah has given him.” [al-Talaq 65:7]

The husband should maintain a balance in spending. He must avoid extravagance and certainly not be miserly. Righteous people are “neither wasteful nor tightfisted when they spend, but moderately in between.” [al-Furqan, 25:67] Additionally, the wife must be provided with the same quality of food and clothes he buys for himself.

In addition to food and clothing, the wife is entitled to having her own space and accommodation. She is not obliged to live with and serve her husband’s parents and family unless she consents to it willingly. Other expenses may include a good reliable car, a monthly allowance and of course health care. The husband is obligated to make sure all her basic needs are met.

**The Third Right, Good Treatment:** “Do treat your women well and be kind to them, for they are your partners and committed helpers.” Due to much abuse in the days of *jahiliyah*, the Prophet (SAW) prohibited such practices and insisted that men treat their wives honorably and kindly with love and compassion.

A marriage is as good as the relationship between the husband and the wife. The Prophet (SAW) declared wives as the other halves of men and as alluded by him, they are their partners and committed helpers. Therefore, wives deserve in the most emphatic ways, respect, admiration, kindness and good treatment. Unfortunately, domestic violence is a very real issue in our community and men must acknowledge and implement the command of the Prophet (SAW), “Do treat your women well and be kind to them.” The Prophet (SAW) gave the good news of Paradise for good and righteous mothers. “Paradise lies under the feet of mothers,” he (SAW) said.

The husband must maintain a good attitude toward his wife. He should show her and reward her for her role as a good wife and mother. Speak softly and gently to her, honor her, and respect her. Husbands must learn how the Prophet (SAW) treated his wives. He never abused nor lifted a finger on any of his wives. He followed Allah’s order, “Live with them (your wives) in a way that is fair and kind.” [al-Nisa’, 4:19] He (SAW) would kiss Aisha (RAA) when he was fasting and used to do ghusul (cleansing themselves from *janabah*, sexual intercourse) from one basin. He (SAW) would talk to his wife in bed. He performed chores around the house. The Prophet (SAW) was quite romantic and kind. This is the Sunnah.

The Prophet (SAW) informed, “The most complete of the believers in faith are those with the best character, and the best of you are the best in behavior to their women.” Remember! They are your partners and committed helpers.

In sum, the Prophet (SAW) in a profound hadith said, “Each one of you is a shepherd and is responsible for his flock. The leader (ameer) of a people is a shepherd (guardian) and is responsible for his flock. A man is a shepherd (guardian of his family) and is responsible for his flock. A woman is a shepherd (custodian) of her husband’s home and his children and she is responsible for them. No doubt, everyone is a shepherd and is responsible for his flock.” (Bukhari)

May Allah help all married couples maintain a good and healthy relationship honoring one another in a manner pleasing to Allah, ameen.