

## **174648 - Her husband treats her kindly but he does not give her her shar'i right to intimacy; what should she do?**

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### **the question**

Im married for 4 years and we have two children. We have a nice marriage with no fighting and Islam comes first.

But I feel that everything comes from my side, I teach my children everything, also Islam, my husband is always working, may Allah bless him for taking care of us.

But now for 3 years he doesn't want to be intimate with me; only 2 times maybe and then I was pregnant.

Because of my 2 pregnancies, I gained weight and that's why he said and he cheated on me , I forgave him, and we had after a much better marriage but without intimacy. I always have to help him with oral sex but I really need also intimacy. I already lost a lot of weight, I always make myself beautiful for him, I know I'm beautiful. I do everything for Allah and for him and for my children, he says there is no better or beautiful wife than me, but he doesn't touch me, I tried everything. He says that it is not me but he is tired from job. My feelings start also to become less, he had a long beard, now it is so short. I always talk about Islam with him, he says that he is so proud of me. But he hurt me so many times through our marriage, we also still don't live together and it's killing me. It 's such a long story, khayr in sha Allah.

I want love and intimacy, I want to feel beautiful and loved and ...He is a good man, like he is sweet and calm and gives me everything I need, but the most important thing I don't have with him.

What must I do, and do you have an advice for him?

If I have to give you more information, I will do that.

### **Detailed answer**

Firstly:

There is no doubt that what you mention is very difficult for a young woman. A woman may be able to do without her husband spending on her or providing her with accommodation, clothing or other material needs. She may be able to do without all of that, by spending from her own wealth or her family's wealth or whatever... But she has no way to maintain her chastity and fulfil her physical desire except her husband, or by means that Allah has forbidden – Allah forbid that she should think of that or be tested in that way.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) was asked about a man who stayed away from his wife for a month or two months and did not have intercourse with her; was there any sin on him or not? Could the husband be asked to do that?

He replied:

The husband is obliged to have intercourse with his wife on a reasonable basis, which is one of the most important rights that she has over him; it is more important than feeding her. It was said that what is obligatory with regard to intercourse is once every four months, or according to her need and his ability, just as he should feed her according to her need and his ability. And the latter is the more correct opinion.

Majmoo' al-Fatawa, 32/271

Muslim narrated in his Saheeh (1006) from Abu Dharr (may Allah be pleased with him) that the Messenger of Allah (blessings and peace of Allah be upon him) said: "...the intimacy of one of you (with his wife) is a charity." They said: O Messenger of Allaah, if one of us fulfils his desire, will he be rewarded for that? He said: "Do you not see that if he did it in a haram manner, there would be a burden of sin on him for that? Similarly, if he does it in a halal manner, he will be rewarded for it."

In that case, what the wise husband must do is take care of his wife in that regard and give it priority over everything else, so that he may keep her chaste, conceal her and meet her needs as much as he can, even if he does not have an urgent need for that and even if he had to do it only for her, for the sake of meeting his wife's needs. In that there will be

reward for both of them, in sha Allah, and a means of help so that they attain spiritual and worldly wellbeing.

Secondly:

There is no doubt that what you mentioned about your husband's situation and that having gone on for a long time without him satisfying your needs but doing his duty towards you, is something odd and needs to be dealt with.

If the matter is as you say, that you have not fallen short in your duties towards your husband of adorning yourself for him, endearing yourself to him and being prepared to meet your husband's needs, then we think that you, along with your husband, should look at two things:

1. Make sure that there is no medical problem that is preventing your husband from doing that, whether it is a psychological problem, as often happens, or a physical problem. We think that the possibility of this is not very strong, because of what you mentioned about your husband doing that with you, even if it is not frequent, and even his falling into that which is haram, even though he is married to you!
2. Make sure that you close all avenues to your husband fulfilling his desire, except with his wife. It is natural that if your husband has got used to other ways that are haram, such as masturbation, or immoral relationships – Allah forbid – or ways that are permissible, such as fulfilling his desire with his wife without having intercourse, then it is natural that this will weaken his desire to have intercourse with his wife. If he has got used to these ways, perhaps what that means is that he is able to do without his wife altogether, no matter how beautiful she is or what she does for him.

In that case, we advise you to give up all ways that may lead to that. What you mention about oral sex is one of the causes of the problem and is not a solution to it. So fulfil your husband's needs in all permissible ways and adorn yourself for him, and ensure that fulfilling desires is done by means of

some shared action that will fulfil the rights of both parties and allow each to fulfil the duties that Allah has enjoined towards the other.

That also involves making sure that your husband does not repeat the haram action that he admitted to you and that he has repented from that action. Try to keep him away from that as much as possible, even if that is by changing the environment and the place where you live, if you are able to do that.

If you do that and make the effort, but your husband does not change, and he continues to fail to fulfil your rights and keep you chaste by means of that which Allah has permitted, there is no doubt that the suffering in that case is something that carries weight in sharee'ah. So if you cannot put up with your husband any more and you fear that you may fall into haram or think of it, then you can ask for separation from your husband. Perhaps if he sees that the matter is serious, he will mend his ways, and if he goes ahead and divorces you, perhaps Allah will replace him with someone who is better than him and grant you someone who will keep you chaste. Allah, may He be exalted, says (interpretation of the meaning):

“But if they separate (by divorce), Allah will provide abundance for everyone of them from His Bounty. And Allah is Ever All-Sufficient for His creatures need, All-Wise.”

[an-Nisa 4:130].

But as you know, this should be the last resort.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said:

Causing harm to the wife by not having intercourse is grounds for annulment in all cases, whether the husband did that intentionally or otherwise, and whether he was able to do it or not; it is like maintenance, and even more important. End quote.

Al-Fatawa al-Kubra, 5/481-482

We ask Allah to set things straight between you and your husband, and to endear him to you and you to him, and to reconcile between you.