

22216 - Shar'i procedures when a wife rebels

the question

What should a husband do if his wife rebels against him?

Detailed answer

Ibn Qudaamah said: If a man fears rebellious behaviour on the part of his wife, because she shows signs of rebellion by not responding to his requests for intimacy, or she responds but does so reluctantly, then he should warn her and advise her to fear Allaah; he should remind her of what Allaah has enjoined upon her of duties and obedience, the sin involved in what she is doing and the rights of spending and clothing that she will lose, and the fact that he is permitted to hit her and forsake her in bed, because Allaah says (interpretation of the meaning):

“As to those women on whose part you see ill-conduct, admonish them (first)”[al-Nisaa’ 4:34]

If she persists and shows signs of rebellion and refuses to share his bed, then he may forsake her in bed as much as he wishes, because Allaah says (interpretation of the meaning):

“(next) refuse to share their beds”[al-Nisaa’ 4:34]

If she still persists, then he may hit her in a manner that does not cause harm, because Allaah says (interpretation of the meaning):

“(and last) beat them (lightly, if it is useful)”

[al-Nisaa’ 4:34]

The phrase (interpretation of the meaning):

“If you fear a breach between them twain (the man and his wife)”

[al-Nisaa' 4:35]

means, if it is known to have reached this stage, then the judge should send an arbitrator from his family and an arbitrator from hers, both of whom should be trustworthy, to decide either to reconcile and keep them together or to separate and divorce, and whatever they do will be binding upon them. That means that if the spouses reach the point of separation or enmity, the judge should appoint two free, Muslim arbitrators of good character, preferably from their families, with their approval and appointed by them, so that they can investigate the case and do what they think is best to reconcile them or to let them divorce by talaq or khula'. Then whatever they do will be binding upon them. The basis for this is the aayah (interpretation of the meaning]

“If you fear a breach between them twain (the man and his wife), appoint (two) arbitrators, one from his family and the other from hers; if they both wish for peace, Allaah will cause their reconciliation”

[al-Nisaa' 4:35]