119309 - He wants to stay up and he disturbs his wife, and she is complaining about his actions. Should he divorce her?

the question

My wife does not listen to what I say. I am always working outside the house, from 5 PM until 1 AM. When I come home, I tell her to make the food and she makes it, but because she and I live in one room with my children, of whom we have two, when I sit at the computer or to watch television, she sits and yells because she wants to sleep. But when I am outside the house why doesn't she sleep and rest then?! Every day is like this. What should I do? Should I divorce her or what?.

Detailed answer

Firstly:

Both spouses should realise that the basis of married life is mutual understanding and its pillars are love and compassion. Hence their married life cannot be complete unless there is kind treatment on both sides.

Allah says (interpretation of the meaning):

“and live with them honourably”

[al-Nisa 4:19].

Ash-Shaykh Muhammad ibn Salih al-‘Uthaymeen (may Allah have mercy on him) said:

Each spouse must treat the other in a kind and decent manner, because Allah says (interpretation of the meaning):

“and live with them honourably”

[al-Nisa 4:19]

“And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable”

[al-Baqarah 2:228].

If the spouses treat one another in a kind and decent manner, that will preserve love between them and make life more pleasant. How often has separation occurred because of the lack of kind and decent treatment. If each of them feared Allah and treated the other in a kind and decent manner, giving them their due rights, much good and blessing would be achieved thereby. But if there are arguments between the spouses, you find that most of them are caused by the lack of kind and decent treatment; the husband beats his wife for the slightest thing, or she is stubborn and argues with him about the slightest thing. Hence each spouse must treat the other in a kind and decent manner, as Allah has commanded. End quote from al-Liqa’ al-Shahri.

With regard to your situation, there is something that should be pointed out, and we hope that you will agree to that which is best for you and your children:

1. We think that it is essential for you to give the children their own room, separate from yours -- if possible -- and make your bedroom private.

2. Beware of spending the night in anything that is not pleasing to Allah. Your work involves staying up at night, then when you come home and eat dinner, it will be more or less the last third of the night, and it is not good for you to spend this time watching TV or at the computer with things in which there is no benefit or which are haram. This time is for sleeping for the one who has spent her night waiting for you and serving you. It is your wife's right to spend this time sleeping, so that she can get up in the day to serve you and to serve your children, and you do not have the right to disturb her or spoil the quality of her sleep, because it is her right over you to be treated in a kind and decent manner, and you are not doing that according to what you have told us, whereas we see that she waits for you and prepares dinner for you, and what you are criticising her for we do not see as anything to be blamed; rather she is in the right.

Just as the wife is required to pay attention to her husband's work and appreciate the effort he is putting into it, the husband should also take an interest in his wife's work in her house and

appreciate her serving him and taking care of the children. What the wife does is much greater than what the husband does. If you are working from 5 PM until one at night, your wife is working all around the clock. Even in her sleep, she does not rest; if one of the children cries or needs something, she is the one who gets up to take care of him and look after him, not you. After that, is it appropriate for you to deprive her of her fair share of sleep in which she can rest from the burdens of housework? How can you expect her to sleep at a time other than her time for sleeping? If you want her to stay at night with you, do you think that she can take care of your house during the day? We think that you are spending the day sleeping until noon, because of your work and staying up late. Is there any housewife who can do that? Indeed, what you are demanding is not in accordance with either sharee'ah or reason; what your wife is doing is in accordance with both.

3. We advise the wife to remember that it is essential to treat her husband kindly and not to raise her voice or yell when asking for her rights. This is not befitting for the wise Muslim woman to do.

The scholars of the Standing Committee for Issuing Fatwas said: What is prescribed is for the spouses to address one another in a way that will create love and strength in the marital bonds, and each of them should avoid raising the voice to one another or addressing one another in ways that they dislike, because Allah says (interpretation of the meaning):

"and live with them honourably"

[al-Nisa 4:19].

And she should not raise her voice to him, because Allah says (interpretation of the meaning): "And they (women) have rights (over their husbands as regards living expenses) similar (to those of their husbands) over them (as regards obedience and respect) to what is reasonable"

[al-Baqarah 2:228].

But the husband should treat her in the way that is better, so that the conflict will not be exacerbated.

And Allah is the source of strength; may Allah send blessings and peace upon our Prophet Muhammad and his family and Companions. End quote.

Finally:

We advise you to fear Allah and to treat your wife in a kind and decent manner. We also advise you to keep your wife and to give her her rights of love and compassion.

We ask Allah to reconcile your hearts and to set your affairs straight and to help you and your children.

And Allah knows best.