

Islam Question & Answer

General Supervisor:
Shaykh Muhammad Saalih al-Munajjid

222575 - He got married without his family's knowledge, and he wants to prevent his wife from having children until he tells his family; is it permissible for him to do that?

the question

I was married last year for the second time. I have two children from my previous marriage. My husband still has not told his family we exist and is leading a kind of double life. He has not told them because he fears they will convince him to leave me because I am white (he is from a cultural west African family) and because I have children. It causes a great strain on our relationship.

He tells me to be patient but after a year and a half he is still no closer to telling them. He has told me he will not give me children until he has told them. This is a big fitna for me as naturally, I am desiring to have many children.

Is it permissible for him to withhold my right to have children for the reason I have stated?

I know what he should do, however, he won't do it primarily because his mother will put a lot of pressure on him to leave me. I would like an answer to this question from an Islamic perspective, with Ahadith ect to back it up. What kind of sin he is in and the consequences of his actions. I need to present this to him. Its no good me saying such and such said it's wrong without proof.

Detailed answer

Praise be to Allah.

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Firstly:

Difference of colour is not a valid excuse, according to Islam, for a man to divorce his wife. He

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married her and he knew what colour she was, and he entered into that marriage with his eyes open. If he is the one who does not want that, then he should not have gone ahead with the marriage in the first place.

The believers are equal to one another and are allies of one another, and there is no difference between black and white except in terms of piety and righteous deeds.

The fact that the wife already has children (from a previous marriage) is also not a valid excuse for the man to divorce his wife, because he married her knowing that she had children from another man.

The Prophet (blessings and peace of Allah be upon him) married the Mother of the Believers Khadeejah (may Allah be pleased with her) when she had children from another man, from a previous husband.

The Mother of the Believers Umm Salamah (may Allah be pleased with her), after her husband Abu Salamah died and her 'iddah ended, the Prophet (blessings and peace of Allah be upon him) proposed to her, and she said: A woman like me would not receive a proposal; I cannot have children [because she was old], and I am a jealous person, and I have children.

He said: "I am older than you. As for your jealousy, Allah, may He be exalted, will take it away from you. As for your children, Allah and His Messenger will take care of them." And he married her.

A saheeh hadith, narrated by an-Nasaa'i in al-Kubra (7788) and others. The original report is narrated in Saheeh Muslim.

See how the fact that she had children did not prevent the Prophet (blessings and peace of Allah be upon him) from marrying the Mother of the Believers Umm Salamah (may Allah be pleased with). Rather they came under the care of Allah and His Messenger (blessings and peace of Allah

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be upon him). So how could he, after marrying her, have made that the reason for divorce?!

[Addressed to the husband:] Before you were married, you had the choice of either going ahead with the marriage or refraining. But now you have got married, and you have rights and duties. You do not have the right to divorce your wife in this manner, because of something that you were aware of, and something that is no cause for blame and there is nothing wrong with it.

We have previously explained that divorce for no valid reason is hated by Allah, may He be exalted, because it destroys the blessing of marriage and causes the family to break up and the children to be torn between their parents. It may also be unjust towards the wife. The fact that the wife was a servant in the past is not a legitimate reason for divorce, especially if she was righteous in her religious commitment and character.

Based on that, you do not have to obey your parents and divorce your wife, and this is not regarded as disobedience towards them. But the son should express his refusal to divorce his wife in a gentle and kind manner, because Allah, may He be exalted, says (interpretation of the meaning): "...say not to them a word of disrespect, nor shout at them but address them in terms of honour" [al-Isra 17:23].

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

The basic principle with regard to divorce is that it is not allowed; rather it is only permitted to the extent that is necessary, as it is proven in as-Saheeh (2) from Jabir that the Prophet (blessings and peace of Allah be upon him) said: "Iblees sets up his throne on the sea, and he sends out his troops, and the closest of them to him is the one who causes the most trouble. Devils come to him and say: 'I kept on at him until he did such and such,' until a devil comes to him and says: 'I kept on at him until I separated him from his wife.' Then Iblees brings him close to him and embraces him and says: 'Well done, well done!'"

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Allah, may He be exalted, says, criticising the practitioners of witchcraft (interpretation of the meaning): “And from these (angels) people learn that by which they cause separation between man and his wife” [al-Baqarah 2:102].

End quote from Majmoo' al-Fatawa (33/81).

See also the answer to question no. [47040](#)

Secondly:

Whether the parents know about their son's marriage or not has nothing to do with having children; rather having righteous children is one of the aims of marriage, and the spouses do not have the right to prevent that or delay it, without a genuine reason for doing so.

Neither of them has the right to decide about the matter of preventing or delaying having children on his or her own, without discussion between them and agreement of both parties to that.

Therefore, what we think is the best solution for you is for the husband to be gentle in informing his parents of his marriage from now, and he should strive to win them over to this idea. He should remind them to fear Allah and refrain from striving to separate him from his wife. If he can get some good and religiously committed people, or one of the people in the local Islamic centre, to intervene and help them to come to some understanding about the matter, that would be a good idea. This will help you to put an end to the period of anxiety and worry that will otherwise continue to affect you, and cast doubts upon the continuation of the marriage, until the parents know.

What you should do is go ahead and do that now, and the husband should not give them any opportunity to object or try to bring about divorce, and he should not allow himself that possibility.

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In fact, we think that having children from now may be a strong factor in counteracting their idea of separating you, or at least it may weaken their resolve concerning that.

We ask Allah to put things right for you and your husband, and to bring you together on the basis of good.

And Allah knows best.