THE RIGHTS OF MEN IN MAINTAINING HIS FAMILY IN ISLAM

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Abstract

Islam gives full authority to every men to maintain their family in order to achieve happiness, calmness and harmony in life. This is because as the men they are not only the protectors of women as Allah S.W.T. mentions in the Holy Qur’an but their physicals appearance and nature are stronger than women, as well as his nature has been created differently from women. Thus, they are able to shoulder a lot of responsibilities can carry on many responsibilities towards their family. This article aims to highlight the authority given by Islam to every men in maintaining their family towards achieve success in life.

Keywords: Rights, Men, Authorities.

INTRODUCTION

Islam provides authority and rights to every men to maintain and govern their family towards achieving success, development and harmony in life. Consequently, the whole will also feel pleasure, joy, calmness and happiness in their life.

Allah S.W.T provides men with more power than women in many aspects of life. Thus, they can govern and patronize as well as protect their family from possible risks and dangers while guide them towards success and happiness within Allah’s pleasure. Allah S.W.T mentions:

الرجالُ قُوّامٌ عَلَى النِّسَاءِ يَمَا فَضَّلَ اللَّهُ بَعْضَهُم بَعْضٍ وَمَا أَنْفَقُوا مِنْ أَمْوَاهُم

Which means, “Men are the protectors and maintainers of women because Allah S.W.T. has given one more strength than the other, and because they support them from their means” (al-Quran. al-Nisa’ 4: 34).
It's clear from this verse that the men are protectors and supervisors for their family's members for well being in future life, as such sacrificing to provide financial support for their children to further their study and so on.

According to Abdullah Yusuf Ali (n.d: 195) says, “The protector and maintainer refers to the Arabic word “Qawwam” as the al-Quran mentioned that one who stands firm in another’s business, protects his interests and looks after his affairs or it may be standing firm in his own business, managing affairs with a steady purpose”.

The phrase men are protectors and maintainers of women” is the men have rights to manage and treat the women politely (Abu al-Hasan, 2010). In addition, the protectors and maintainers mean setting the advantage, governing, and managing for the women. Thus the men have to govern the women and try with the best to protect them (Abu al-Hasan, 2010).

By this, it is clear that the men are the protectors and maintainers of women. So they must protect their wives and family members, providing all kinds of benefits and advantages to them as well as to maintain them.

Additionally, Islam considers men are better than women in term of strength, thought, protecting the religion, taking care of religion, good governance and being strong witness.

DEFINITION OF “RIGHT” AND “MAINTAINING”

Longman Dictionary of Contemporary English literally defines “right” as something that considered morally, legally or officially allowed to do or have, for example: people who are fighting for basic rights. It seems that “right” is the authority or liberty of someone to do or to demand something which he desires.

From definitions above it shows that right is referred to general benefits or advantages people will normally take care of. 

Al-Mu’jam al-‘Arabiyy al-Asasiyy (n.d) provides the literal meaning of “maintaining” as judging the member or people’s affairs, and being good governing for them.

Understood from definition above that maintaining literally means judged, managed or governed the member’s affairs in having good condition, successful and development for certain institution such as family and so on.

In terms of word or phrase, Muhammad Rif’at (2003) mentioned that “right” means things which relates to general advantages or certain
benefit. However Prof. Muhammad Ibn Ma'juz (1986) contended that “right” is thing that seriously sought or needed by someone who has advantages from it.

From the above definition, we can conclude that maintaining is to manage, administer and govern people’s affairs properly in order to achieve success and vast development for them. It consists of either a separate process or a specific part of management or leadership process. Sometimes people set up a government to administer these processes and systems.

THE NATURAL CREATURE AND IMPORTANCE EXISTENCE OF A MEN IN THE FAMILY

Allah S.W.T creates the men to protect and maintain the women as mentioned early. The men are protectors of women, thus, they become their leaders, their judges, and their discipliners when they commit mistakes. This is because men are more advanced than women, in term of idea and reaction. This due to women are emotional one.

In addition to that men are acting reasonably compared to women who are always used sentiment and emotional. It is suitable for men to protect and maintain the women. This is based on the verse that Allah S.W.T has mentioned in surah an-Nisa’ verse 34 as mentioned before. In a hadith narrated by Imam al-Bukhariyy, the prophet Muhammad S.A.W said:

لَن يَعْلَجَ قَوْمٌ وَلَوْ أَمْرُهُمْ امْرَأَةً

Which means, “It not succeed or development for the tribe that represented their affairs to the woman” (Hadith. al-Bukhariyy. Bab Kitab al-Nabiyy ila Kisra Wa Qaysar. 4163).

Moreover, Ibn Kathir (1999) contended that all the messengers of Allah S.W.T are men and not women. Al-Alusiyy (n.d) says, “Men are governors for women regarding prohibition and order. Men are also better persons to govern feeble people and to spend money for them”. Al-Raziyy (n.d) mentioned that men are better governors than women due to two reasons: firstly, knowledge-wise, as it is believed that men have stronger wisdom and better ideas. So, with their wisdom, it can help them to guide women particularly in family institution. Secondly: looking at the physical features men have more physical strength than women as well as aspirations and ambitions.
By this men can face any challenges and struggle as well as sacrifice for achieving the benefit of their family especially in educating their children and training them to become good people in their future life.

Al-Samarqandiy (n.d) supports the fact that men have strong aspirations and characters and their nature are analogically referred as hot and dry, which explains why they are strong and intense. While compared to women, their nature are referred as damp and cold, which makes them gentle and feeble or physically weak.

Therefore, the existence of men in a family is very important. A man in the family is equivalent to a prime minister in a government who tackle and settle all his ministers in order to retain harmony, peace, stability, development as well as success of a state. Likewise, in a family, the husband is the leaders while their wives are like secretaries which support their husband’s affairs.

**THE RIGHTS OF MEN IN MAINTAINING THE FAMILY**

There are many rights awarded by Islam to men in maintaining their family towards achieving peace, harmony. However, how far it can be applicable depends on one’s sincerity to practice these rights. These rights are mentioned below:

**Insisting Or Forcing His Daughter To Marry With Someone**

Islam gives rights to men to insist or force a marriage upon his daughter when they reach or arrive at a suitable age of marriage. He can insist or force his daughter to marry with someone who has good morals and feels confident that this man could guide his daughter toward a good future. According to a hadith narrated by Imam Muslim, prophet Muhammad S.A.W said which means, “Widow has rights for herself than her godparent and virgin girl, her father has right to marry her”.

By this we can understand that a widow has rights to control and administer her affairs by herself including in marriage affairs, and the father has to get permission from her first, but for a virgin girl, her father has authority to force her to marry. This is because the father has mercy and kindness to her girl and really wants to fulfill her girl’s benefit or maslahah and so on.

When a man or father is hear about someone who has a good moral, excellent idea as well as educated, he also need to ensure that this man is a religious person who can guide her daughter toward well being as well as become a religious person for future life. In addition
to that achieving the valuable interest or so called *maslahah*, thus, the man or father has the right to force her daughter to marry that person according to four Islamic scholars (al-Zuhayliyy, 2002).

However, In *Mughniyy al-Muhtaj* by al-Khatib al-Sharbiniyy (n.d) contended that the father has to fulfill certain condition as followings:

i. There must not be any dispute between both of them or in other words the father is not an enemy against his daughter.

ii. The father has to make an arrangement for his daughter to marry a suitable man.

iii. The father has to make sure that the daughter will a receive suitable *mahr* (dowry).

iv. The *mahr* must refer to the local currency money.

v. The father is not marring his daughter with a man who faces difficulties to pay dowry.

vi. The father is not marring his daughter with a man who will cause harm to her in her daily lives, for example a blind or an old man.

vii. He must not marry his daughter with a man who is obligated to perform the pilgrimage. This is to avoid the men from performing his pilgrimage later.

By this the father has rights to force his daughter to marry a suitable and good person in order to guide her to become a good person, bring her to right path to achieve happiness in this world and the hereafter. Of course an ideal father would never marry his daughter to a man who will cause harm and damage to her daughter.

**Defence And Prohibited**

Among the responsibility of a man or father in the family is to defend and guard his family members from wrong doings. Thus, father has rights to defend and guard whatever risks or something which would cause bad to the family and its members. For example, he has right to cancel or to force his daughter to marry a man during the period of engagement once he discovers that the person has bad moral and background for example a drug addict who can damage his daughter’s future. By this, Islam gives him an absolute right to cancel that engagement.

The father also has right to abstain or prohibit his daughter from going out with her future husband during the period of engagement.
An engagement is only promises to marry. The future husband is not lawful to live together with his fiancee or otherwise it will fall under the offence of “Khulwat”.

The prophet Muhammad S.A.W says which mean:

“Do not leave alone (Khulwat) between man and woman who is not lawful to him by marriage, because the third from both of them is Syaitan unless with Muhrim (who prohibited to marry to her because of relative)” (al-Shawkaniyy n.d).

This makes it clear that living together between a man and a woman before marriage is extremely prohibited by Islam as many problems will appear and might be cause the marriage to be cancelled. By this we can learn that a man or father has right to defend and govern his family in order to ensure successful in his family.

Expense And Spending Of Wealth

Expense or spending of wealth is another right gives to a man or father toward his family. He has full liberty to spend the wealth in order to lead his family to become strong in economy and to keep it away from becoming poor and fexible.

Allah S.W.T mentions in surah al-Talaq:

Which means, “Let the men of means spend according to his means and the man whose resources are restricted, let him spend according to what Allah S.W.T has given to him” (al-Quran. al-Talaq. 65:7).

By this we can learn that Allah S.W.T gives the right or authority to men to wealth according to their means and to what Allah S.W.T has given him. Thus a man or father has absolute right to spend wealth his family members who are under his governance.

In a marriage for example, when Islam commends husbands or men to give mahr (dowry) to the wife when deciding to marry a girl, it is a symbol of the husband’s responsibilities toward the wife after
getting married. It is not selling the girl to the men as done during the period of Jahiliyyah. Fyzee (1874) mentioned:

“In pre-Islamic Arabic, sadaq was a gift to the wife, but mahr was paid to the wife’s father and could therefore be regarded as a tantamount to sale-Price, but when Islam insisted on its payment to the wife, it could no longer be regarded strictly as a sale”.

By this it could be understood that men have rights to manage wealth and spend it in order to take care of his family and ensuring a successful life family too.

Punishment

The husband also has rights to punish his wife because of her wrong doings. This special authority given to a husband, man or father is to ensure the family is stable, and harmony as well as protecting his family members. Allah S.W.T says:

والالامی حت الفاوون نشوره و مطوفه و اعمروه في المصابع و اضرموه

إِنَّ أَطْعَنُكُمْ فَلَا تَنْعِضُوا عَلَيْهِنَّ سَبَيلًا إِنَّ اللَّهَ كَانَ عَلَيْهِمَا كَبِيرًا

Which means, “As to those women on whose part ye fear disloyalty and ill conduct, admonish them (first),(Next) refuse to share their beds and,(and last) beat them (lightly),but if they return to obedience, seek not against them(means of annoyance) and for Allah S.W.T is most height, great above you all” (al-Quran. al-Nisa’ 4: 34).

In translating this verse Abdullah Yusuf Ali (n.d) says

“In case of family jars four steps are mentioned, to be taken.

i. Verbal advice or admonition may be given if sufficient.
ii. If not, sex relation may be suspended.
iii. If this is not sufficient, some slight physical correction may be administered, but Imam al-Shafi’iyy considers this inadvisable, though permissible, and all authorities are unanimous in deprecating any sort of cruelty, even of the nagging kind as mentioned in the next clause.
iv. If all this fails, a family council is recommended to be refered to.
Misconduct of a wife in the family could cause many problems and trouble which can damage the family tie. Thus, Islam gives right to the husband to take action if this happens. That is why Allah S.W.T mentioned about al-ta’dib or punishment in His holy Quran in the verse above.

Al-Sharbiniyy (n.d) said:

“If she has the proof of mutiny or disloyalty towards her husband, he has to advice her, if she refuses leave her bed or not sleeping with her, if not beat her without injury”.

This shows that the husband has full right or authority to give advice to the wife. However, if she does not obey, there are several steps can be taken by the husband such as avoiding to sleep with her, or, the husband can beat her but not on her face and without injuring. Another action which can be taken by the husband is to appoint two arbitrators consist of husband’s family and wife’s family to solve the problem and they can decide whether to continue with the marriage or not.

Al-Imam al-Nawawiyy (n.d) said:

“The two arbiters can do as they like whether to gather that husband and wife or separate”.

These rights are specially given to the man, father or husband in order to govern his family for success, calmness and harmony.

**Jihad Or Effort To Achieve Goodness**

Islam also gives the right to the father in the family to sacrifice and make efforts to achieve goodness in his family. This is because the man or father has responsibilities develop his family.

The Prophet Muhammad S.A.W besides his jihad to spread Islamic teachings among Pagan people, he also made effort to achieve goodness in his own family. For instance he allow her most love daughter Fatimah R.A to marry Caliph ‘Aliyy bin Abi Talib who is the poorest one on that day but having a sincere heart and politeness.

The Prophet already knew that this person would be able to guide his daughter towards goodness in the future. He had actually
take good care of her especially when she was ill. A source said when Fatimah got sick she really want fruits called “Rumman”. However, the caliph ‚Aliyy R.A had no money to buy it but he had tried to borrow some money to buy the fruit which Fatimah R.A wanted.

**Divorce**

Divorce is another right which Islam provides to men when he thinks his wife is not suitable for him or fail to obey her husband in a manner provided by Islam. Allah S.W.T said about the divorce:

الطلاق مرتان فإمتنعك يمتعو فاأو تسيرين بإحسان

Which means, “A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness” (al-Quran, al-Baqarah 2: 229).

A wife’s wrong doings might cause the family to become unstable or give a bad name to the family. About the divorce also Abdullah Yusuf Ali (n.d) explained:

“If a separation is inevitable, the parties should not throw mud at each other, but recognize what is right and honorable on a consideration of all the circumstances. In any case a man is not allowed to ask back for any gifts or property he may have given to the wife. This is for the protection of the economically weaker sex. Less that protective provision itself works against the woman’s freedom, an exception is made in the next clause”.

By this Islam gives the right to the husband to divorce his wife in order to keep that problem and making it stable and calm. In a hadith narrated by Imam al-Bukhariyy, the prophet Muhammad S.A.W said which means:

“the lawful right which is extremely hated by God is divorce”.

When a husband cannot longer share his life with his wife and fail to understand each other, Islam gives the right to the husband to divorce his wife in order to curb the problem. Even though a divorce is extremely hated by God, but to save the couple from sins and further problems, Allah S.W.T makes it legal.
CONCLUSION

Islam provides rights or authorities to men in order to govern his family towards achieving goodness, success and calmness in the family. This is because these due to the fact that men are stronger whether in terms of mind, physical as well as aspiration and ambition and they are also good protectors to women as Allah S.W.T mentioned in al-Quran. So they are suitable and eligible to lead the family and govern it.

The family which governed by the pious men would be stable and always getting calmness as well as harmony. Wallahu A'lam.

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