

FATAWA MARRIAGE, DIVORCE AND FAMILY 2013-2015

From: Esam, OnIslam.net

Sent: Wednesday, October 23, 2013

Question: Wife giving charity from her own income

Salam Mawlana,

We have received this question from Dalia, could you kindly reply to it?

Assalam Alaykum! If a wife has her own income, is it allowed for her to give charity without her husband's concern?

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salamu 'ala Sayyidina Muhammad, wa 'ala Aalihi wa Sahbihi Ajma'in

Dear Sr. Dalia

Assalam Alaykum wa Rahmatu Allah wa Barakatuh

If the wife has her own income/wealth she can do anything she likes with her properties (income and wealth), no need for permission from her husband, no need to inform him and no need for him to know what she does with her own property. Isn't she an independent sane mature adult? For husbands, they should not even ask or feel interference. But if she informs or consults that is out of her good relation with him and he should appreciate it. same applies to him too, he can do whatever he likes with his properties as long as he is fulfilling his responsibility of spending on the family including his wife.

According to Shari'ah husband and wife are completely independent from each other in financial matters except for two points: 1) he is required to spend on her and his children, and 2) she is permissible to give normal charity within normal range from his properties and both will be rewarded InShaAllah.

Wa Allah A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

From: Mas'ud

Sent: Friday, December 04, 2015

Location: Nigeria

Question: Interfaith Marriage enquiry

Dear Professor Kahf,

Assalam Alaykum wa Rahmatullah wa Barakatuh.

Someone has requested for my advice on the options available to parents of a Muslim woman who has married a Christian man notwithstanding the parent's objection.

I am aware that the four schools of thought are unanimous on the prohibition based on texts of Quran and hadith. Also, I believe where such marriage is conducted, it must be dissolved in an Islamic country/society. However, I am unclear about the options available to the parent from

an Islamic point of view where the daughter acts in violation of this injunction particularly in a multicultural society like Nigeria.

Your guidance would be highly appreciated.

Jazaakumullah.

Mas'ud

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salamu 'ala Sayyidina Muhammad, wa 'ala Aalihi wa Sahbihi Ajma'in

Dear Br. Mas'ud

Assalam Alaykum wa Rahmatu Allah wa Barakatuh

This is an interesting point. Here is what I know as the Shari'ah rule: this is not permissible and it is treated as continuous fornication, even it is subject to the penalty of fornication.

Parents have literally nothing to do. They have no power at all and of course no responsibility too.

My advice: parents or at least one of them should not boycott this girl in the hope that her husband may accept Islam. If they lost hope completely just have the patience and stay away from her and her (BY LAW NOT BY Shari'ah) husband.

Wa Allah A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf
