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**UHE3162 FAMILY SYSTEM IN ISLAM  
SEMESTER I SESSION 2020/2021**

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**PROJECT/WRITTEN ASSIGNMENT  
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**CHAPTER 7: During Marriage 3**

**TOPIC:** Working wife

**ISSUE:** Husband stop giving Nafaqah went the wife working

Once a couple ties a legal relationship through marriage, it will guarantee certain duties and obligations as well as rights to both husband and wife. The duty and right will continue along with extension of the husband and wife's relationship, that is, towards their children. Then, every member in a family owes a duty towards one another, and concomitantly, everybody in the family deserves certain rights to be fulfilled.

As regards husband or father, one of the duties he owes is the duty to provide maintenance to his wife and children. The word maintenance in the Arabic language is “nafaqah”, a noun derived from infaq, which means to spend for a good purpose. In literal definition, it means what a person spends for his family members.<sup>1</sup>

The Qur'an states:

Let the man of means spend according to his means; and the man whose resources are restricted, let him spend according to what Allah has given him; Allah puts no burden on any person beyond what He has given him...<sup>2</sup>  
... But he shall bear the cost of their food and clothing on equitable terms ...

But nowadays most of a wife were also provide maintenance to their family by working just like their husband. This is because they are driven by a high standard of living and low economic status in the family especially in the covid-19 situation were most the country in the world, their economy is affected.

The other reason that causes these women to work is because of the education they have. Their parents have provided formal education since they were little, of course adults who want to use the knowledge and skills they have. Work is that which comes directly and is applied to those who implement such knowledge and skills and at the same time they use their rewards for themselves or their family.

Islam does not forbid the wife from working to earn a living to meet the needs of their lives and also to help the needs of the family.

The Qur'an states:

Verily I do not waste the deeds of those who do good deeds among you, both men and women, (because) some of you are descendants of others.<sup>3</sup>

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<sup>1</sup> Abidin, al-Alamah Muhammad Amin bin `Umar bin 'Abdul Aziz Al-Dimashqi, Radd al-Mukhtar 'ala al-Dur al-Makruf bin hashiyat Ibn Abidin, Vol 5 (Dar Ihya al-Turath al-Arabi, Beirut, Lebanon, 1998/1419), p 222.

<sup>2</sup> Al-Qur'an, Surah al-Talaq; 65:7.

<sup>3</sup> Surah Ali-Imran: 195

According to Fatwa from Federal Territory Mufti's Office, it should be limited to a few conditions in order to allow women to work. First, the job must be in accordance with sharia. The job itself is not illegal or tends towards doing something illegal.<sup>4</sup>

For example, dancers who stimulate all the lusts and desires of the world or become employees of clubs that serve alcohol to the customer. Also, the flight attendant whose job it is to require him to serve intoxicating things and travel far without a mahram cause him to have to spend the night alone in Western countries.

Second, the woman must cover their “aurat” properly and take care of the way she dresses, acts and trials as well as their movements while in front of non-mahram and outside the house.

The Qur'an states:

And say to the believing women to restrain their eyes (from looking at what is forbidden), and to guard their honor; and let them not show their ornaments except what is apparent from them.<sup>5</sup>

The issue that happen nowadays is the husband did not give nafaqah because of their wife has their own salary. This is happening due to make an easy way of the husband to provide the maintenance to the family by distribute some obligation like bill of house or children school bill to their wife.

In Islam, the wife who has earned money by working, they are not obligated to give their earnings to pay the bill for their family unless he wants to. This is because the full obligation is on the husband shoulder to give the “nafaqah” to their wife.

The Qur'an states:

Men are the protectors and maintainers of women because Allah has given the one more strength than the other and because they support them from their means. "Therefore the righteous women are devoutly obedient and guard them guard in the husband's absence what Allah would have guard."<sup>6</sup>

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<sup>4</sup> Federal Territory Mufti's Office, Irsyad Al-Fatwa 304 Series: The Law of Working Women.

<sup>5</sup> Surah al-Nur:31.

<sup>6</sup> Surah al-Nisa; 4:34.

Just like Shafi'i jurists have detailed the scope of maintenance for the wife to include food clothing, cleaning tools, house appliances like cooking equipment accommodation and servants in the case where the wife has used the service of a servant before her marriage.<sup>7</sup>

Although the husband is fully in charge in the nafaqah, but the nafaqah must be based on the financial of the husband. At least the man should endeavor to provide or contribute to a safe abode with basic utensils such as bedding, sitting and cooking, food and drink, appropriate clothing and covering the genitals, and hygiene tools and materials, for his wife and children.

The above three verses show that the husband is responsible for maintaining his wife based on his capability and financial standing.

The Qur'an states:

"Let the person who is able to give nafaqah according to his ability, and whoever is deprived of his sustenance, then he should give nafaqah from what Allah gave him (just able), Allah does not burden a person except (just the ability) given by Allah to him. (Those who are in need should remember that) Allah will give pleasure after hardship. "<sup>8</sup>

In another verse, the Qur'an also states:

Let the women live (in 'iddah) in the same style as their live, according to your means; Annoy them not so as to restrict them. And if they carry (life in their wombs), then spend (your substance) on them until they deliver their burden...<sup>9</sup>

Conclusion, we Islam distinguishes the roles of men and women. A married woman will be responsible for managing and administering her household. It is well known that a woman's responsibility as a wife or mother is to ensure that her family is well managed. Same as the husband must provide the nafaqah to his family.

For the husband, they must not take the nafaqah for granted. Otherwise the institution of marriage will fall down. The best man is to do the best thing to their wife by provide the maintenance for their wife and family.

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<sup>7</sup> Al-shirbini, Mughni al-Muhtaj, Vol 3, pp 542-543.

<sup>8</sup> Surah al-Talaq: 7.

<sup>9</sup> Al-Qur'an, Surah al-Talaq; 65:6.