

The Role of Spouses under Islamic Family Law

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Abstract

This research work on the Role of Husband and Wife in Islamic Family Law is an important perfect of life to the Muslim community. It shows the obligations to be followed on the side of man and the women as a husband and wife in order to have a blessed matrimonial home. These highlighted the major requirement before the marriage contract and after the contract have been fully consummated. These include the right of the husband and wife, the role of the family and their relatives, the role of the entire community. Also the right of the children on the parents is highlighted. It is recommended that, all Muslim should have a first-hand understanding of the rights of both couples in order to have a peaceful matrimonial home.

1.0 Introduction

Marriage in Islam confers duties on each of the couple. Some of these duties are reciprocal while some are complementary. At the same time, some are unitarily handled by each party. The defect of a partner in dispensing his/her roles in a home will hinder the very meaningful life presumed by the marriage.

2.0 Review of related Literature

a) The Role of the Husband in a Marriage

In an Islamic home the husband has some roles or duties that must be carried out as conferred on him by the law. Men are tagged as the “QAWWAMUN” that is, the protectors and the maintainers of women, in the Qur’an. This is due to the maintenance responsibility imposed on men by Allah. This can be seen in Q4:34: “Men are in charge of women by (right of) what Allah has given one over the other and what they spend (for maintenance) from their wealth”. Therefore, men have a greater and more difficult responsibility in supporting their families.

It is the man, who can, through his wisdom, support his family and prepare the grounds for their happiness and it is he who can turn the house into a paradise and his wife to act as an angel.

“The Prophet of Allah (S) stated: ‘Man is the guardian of his family and every guardian has responsibilities towards those under his guardianship’.”

A man, who is supporting his family, should know that a woman is also a human being like a man. She also has desires and the rights of freedom and life. Marrying a woman is not hiring a servant, but it is a selection of a partner and a friend who would be able to live with for the rest of ones life. Man has to care for her and her desires. Man is not the owner of his wife and in fact a woman has certain rights upon her husband.

i. Taking Care of your Wife

The secret to a family’s prosperity is the way in which one takes care of one’s wife, and this is, like the duty of a woman towards her husband which is regarded to be at the same level as Jihad, is also regarded as a man’s best and most valuable act. But a married man must learn how to treat his wife in a way that she turns into an angel-like character.

For this, a man must find out about his wife’s behavior and her desires. He must program his life according to her wishes and righteous requests. He can, through his own manners and attitude, influence her in a way that interests her in both him and his house.

Some of these roles are done with materials while others are immaterial. Among the material roles are:

“Giving the wife her dower (Mahr or Sadaq). This is one of the duties of the husband that must be fulfilled before the marriage could be considered legal. The dower is given in any materials the woman prefers. It may be money, jewerries, or other materials. Its mode of payment depends on the agreement between both parties. It may be paid in installments. It may also be deferred. The woman may also return part of the dower to his husband. At the same time it may be paid immediately before the contract is sealed. Whichever way it takes it is a right of the woman and the duty on the man that must not be jettisoned. The Holy Qur’an says:

“And give the women (upon marriage) their (bridal) gift graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease”. Maintenance (An- Nafaqah). It is the duty of the man to provide for the maintenance of his wife as spelt out in the aforementioned verse of the Qur’an. This includes provision for her feeding, clothing, shelter, services, health care and all the expenses that corroborate the well-being of the home.

This is made obligatory on the husband by the Qur'an, the Prophetic traditions and the consensus of the 'Ulama'. In Qur'an 2:233:

"....And upon the father is their (i.e. the mothers') provision and their clothing according to what is acceptable. No person is charged with more than his capacity".

In another verse Q65: 6 Allah says:

"Lodge them (in a section) of where you dwell out of your means and do not harm them in order to oppress them. And if they should be pregnant, then spend on them until they give birth..."

Among the traditions of the prophet in support of this maintenance are:

"Related by Muawiyah al-Qushayri, may Allah be pleased with him, He said: I said oh the Messenger of Allah what is the right of our wives on us? The prophet said: You should feed her when you eat, you should clothe her when you clothe yourself, don't ever beat the face (of the wife), don't insult (her) and don't neglect her except in the house". (Ahmad, 1981)

Except the woman proves recalcitrant (Nushuz) to her husband for no cause should he 'eave her not catered for according to his capability.

Failure to give all this provision intentionally amounts to sin before the wife and then before Allah.

Among the immaterial aspect of the obligations of the husband is just and fair play among the wives, provided they are more than one, as much as possible in terms of his material division among them; such as division of days of sleep, division of properties brought home, division of meal, quality of the cloth bought for each of them, accessibility to each wife, etc. A Muslim should be fair in handling this among his wives lest he falls into sin that attracts penalty alive and hereafter.

Among the penalty for that in this life is that the home may/will not know peace while among that of the hereafter is that the man would be resurrected as a deformed being as said by the Prophet. A husband is commanded by the law of Allah to treat his wife with equity, to respect her feelings, and show her kindness and consideration, especially if he has any other wife.

Nevertheless, the man may not be able to be fair and just in terms of love. This is because the control of the heart is in the hand of the Creator, Allah. He can twist it whichever direction He likes. The Prophet was reported that he used to distribute things among his wives in a just and fair manner. However, he used to pray to Allah to pardon him on what he did not have its control (i.e., his heart).

The prayer of the Prophet on this goes thus

"Oh Allah this is my distribution on what I have power, I beseech you not to hold: me responsible for what I have no power and you have power (on it). It was explained that what the Prophet referred to in this prayer as what he had no power over is the love for his wives. This is because human beings' hearts are controlled by their Creator to any direction He wishes at any point in time".

ii. Complaining Unnecessarily

The problems of life are many. There is not anyone who is completely happy with his situation. But some people are more patient with their hardships than others, they try to record them in their memories and do not mention them except when there is reason or revealing them.

On the other hand, there are people who are so weak that they cannot keep any problem to themselves.

They are so used to making complaints that upon meeting others, they start complaining. Wherever they, go and whenever they are in a gathering, they moan about the everyday events which have effected their lives it is as if they haven't sent on a mission by Satan himself, to spoil the happiness of others. That is why most friends and relatives do not want to be bothered with these and try to keep away from them as much as possible.

But one must feel sorry for their wives and children who have to cope with them. Because no one else is prepared to listen to their moaning, these men vent their problems before their families. (Ahmad, 1981).

iii. Appease Her and Sympathize with Her

A woman also, similar to a man, undergoes emotional changes. She experiences happiness, anger, sorrow, etc. She becomes tired from housework and may become annoyed with the children. Others may upset her by their criticisms. She might become involved in competing with others. In short, a woman confronts many problems of which some may affect her so much so that she might become desperate to such an extent so as to react unkindly towards trivial matters.

This is especially the case for women, because they are very sensitive and would react more critically towards unpleasant events as compared to men.

Women, who experience hardship, need appeasing. Men must comfort them because they are their partners and the ones who are trusted by their wives.

If she feels like talking, listen to her and sympathize with her. Pretend you are more concerned with her problem than herself. Let her reveal her grievances for you. Then like a kind father or a sympathetic husband try to help her find a solution to her problem. Encourage her to be patient. Through wisdom and logic make her regard

her problems as trivial. Strengthen her character and assist her in overcoming the cause of her annoyance.

Be patient and treat her according to your logic. She would certainly find your help useful and life will soon get back to normal for both of you.

On the contrary, your wrong approach would cause more distress for her. You would also suffer and it might even turn into a major row from which, both of you would suffer.

iv. Do not pick up Faults

There is no one in this world who has all the qualities and free from all the faults. Some people may be too fat or too thin. Their mouth may be too big, have large noses or big teeth. Others may be dirty, impolite, shy, cheeky, depressed, bad - tempered, jealous, lazy or selfish. Some women may not be good cooks or talented hostesses. Some people may eat too much or spend lavishly. In brief, everyone is imperfect and no one in this world can be regarded as a perfect being. Men usually, before marriage, imagine their ideal woman to be devoid of all faults. They ignore this fact that there is no angel-like figure in our universe. These men, once married, find their ideal wives not to be perfect and thus start to point out their faults. They might even regard their marriages as failures and call themselves unlucky'.

These men are always moaning and do not even spare the trivial faults of their wives.

Some men exaggerate the faults so much that they always appear before them like high mountains. They occasionally mention these faults to their wives and humiliate them. They might even mention them before friends and relatives.

As a result, the foundation of their marital life starts trembling. The woman becomes depressed and loses interest in her husband and family. She would think it illogical to work in the house of someone who criticizes her. She might even take retaliatory measures.

v. Do not Pay Attention to Slanderous Talk of the Critics

Some people are in the habit of uttering slander about others. This distasteful behavior creates enmity among friends and relatives and can break families. It has even been responsible for murder. There are various reasons for such behavior, like jealousy, anger, vengeance and hostility.

Some people resort to defamatory words in order to satisfy their own ego, to attract others' attention towards themselves, or to pretend to be sympathetic with someone else. But it is rarely a case that slanderous statements are based on good intentions.

Therefore, a wise and clever man should ignore such statements. He must always analyze the statements of the speaker in order not to be deceived or influenced by his evil insinuations.

One of the points for men to remember is that generally their mothers, sisters and brothers, despite their apparent friendship, do not enjoy a good relationship with their wives.

The reason is that a man, before marriage, spends years with his parents where he does not have much independence. His parents, who have worked hard to bring him up, expect him to be helpful to them in their old age.

Even after they marry their son off and apparently give him independence, they expect him to conform to their own will and wishes. They like their son to pay more attention to them than to his wife. But the reality is that when a man starts a marital life, he makes a great deal of effort for his new family, wife, and independence. He directs his love towards his wife and works hard in this connection. The more he steps in this direction, the farther he goes away from his parents.

Thus his mother and sister(s) specifically feel offended. They regard their new bride as a threat who would be taking their young boy away from them. They might even blame their bride for separating their boy from his family.

Mothers may sometimes think that the best way of confronting this danger is by implementing ways of lessening their sons affection towards their wives. A mother of this kind would then start to point out her daughter-in-law's deficiencies, spread lies about her, speak defamatory words about her, conspire against her, etc.

If a man is simple or naive, he might even be influenced by his mother's defamatory statements. He would then become a tool in the hands of his family after which he would lose interest in his wife. Under his parents' influence, the man would start to moan and pick up faults with his wife. He would criticize her on any possible occasion.

As a result, the family house could turn into a cold and dull place.

Instigations of men by their mothers and sisters could lead to rows and even fights between a man and his wife. A wife in this condition might resort to drastic measures such as committing suicide.

vi. Overlook Her Mistakes

Other than the Infallible ones (whom Allah has vowed to keep away from sins), no human being is perfect and all of us make many mistakes. Of course this is true for both men and women.

In the case of women, she may make mistakes by being impolite to her husband, do something against his wish, be harsh to him, or inflict an economic loss on him by being careless, etc.

Of course it is true that a couple should keep each other satisfied and should seriously avoid annoying each other; however, it rarely happens that one or both parties do not deviate from this line.

Some men think that they should be strict about their wives' mistakes as they believe this to be the way to prevent the repetition of the same mistake again. However, experience often shows exactly the reverse to be the case. A woman, whose husband is strict with her, may be able to cope with his strictness for a while, but would eventually decide to react against it as a result of frustration. She gradually gets used to his attitude until she becomes indifferent towards it. A husband who would not practice forgiveness with regard to his wife's mistakes, is practically encouraging her to become impudent and disobedient. He might wish to continue this attitude where he will surely have many rows with his wife. They both would have to live in a state of bitterness for the rest of their lives. Or he might choose to leave his wife alone and not concern himself with her as much. In this case his wife, who feels she has won a fight, becomes indifferent to her husband's will and wishes. It might reach a point that even when she commits major mistakes deliberately, he keeps silent. Their marriage then loses its warmth and they might resort to divorce.

Remember that a divorce is harmful to both parties because starting a new life is not so easy. Happiness cannot be guaranteed after divorce. Therefore, strictness is not always useful and often results in undesired events which one can read about in the media. The best way is to remain moderate and to act logically. Forgive all the trivial and non-deliberate mistakes of your wife. There is no need to shout at someone for a mistake which has happened erroneously. Of course, one can always advise others in order to help them not to repeat their mistakes.

People make many mistakes out of ignorance, so it is better to advise them patiently to correct their incorrect deeds or opinions.

Therefore, your wife cannot be forced into correcting her mistakes, but instead you should explain her mistake and its harmful effects logically so that she could choose herself not to repeat that action again. Thus not only your mutual respect remains as before, but it would also prevent the repetition of the same mistakes. It is wise for a man to logically stop his wife from making mistakes, but if she persistently makes errors, then again he should forgive and overlook them. It is wrong for him to set about punishing her or trying to prove her guilt in order to make her apologetic. This is because women are stubborn by nature, and improper strictness makes them react more severely than before. This might be followed by unpleasant or even horrific events, such as divorce or murder.

Islam has recognized this sensitive point where men have been made responsible for their women.

vii. Be Attentive

Woman is an emotional being whose emotions are dominant over her logic. She is more naive and sensitive than a man. She can be deceived more easily and has less control over her emotional desires. She cannot decide wisely once she is upset. She can be amused or made upset with little effort. Thus if the man has supervision over the behaviour and actions of his wife, most of the possible risks would be averted.

This is why the holy religion of Islam appoints men to act as guardians of their families and makes them responsible for their family affairs. Allah states in the Holy Qur'an:

"Men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded." (4:3 4) Therefore a man, who is regarded as the protector of his family, should not practice carelessness with regard to his wife's deeds, He must always supervise her affairs and monitor her actions, He must see to it that she does not deviate or associate with the wrong kind of people. He must logically explain to her the harms of keeping bad company. He must not allow her to leave the house with indecent clothing or which arouse sexual feelings, He must not permit her to participate in corrupt activities or to attend unworthy gatherings,

It is a fact that if a woman is left alone in her deeds and associations, she would possibly fall into the traps of evil-minded people who live in a corrupt life.

Men are recommended to take a look at the number of women who, as a result of their husbands' negligence, have fallen prey to corruption; there are many women who have been deceived at night parties. Many families have broken down and many children have lost their families as a result of such get-togethers.

The Disciplinary Rights of the Husband

Although a husband and wife, who form a joint family life, share and cooperate in running the affairs of their house, they may have different opinions over certain matters. A man might feel that it should be he who should decide about family affairs, with his wife's indisputable agreement. At the same time his wife may object to her role as the obedient party.

Arguments and rows may then start because both parties attempt to establish their authority over the other. The best solution to such a problem is that both should try to refrain from acting as superior to the other, and try

to resolve their problems through dialogue and deep understanding. This would only be feasible if both of them stop being stubborn.

Some men order their wives to do many things and if are confronted with resistance, they think it right to become annoyed, to punish or even to physically hurt their wives. This approach is not correct at all. The men of the 'Age of Ignorance', who lacked humanity, used to hurt and beat their wives.

"The revered Prophet (S) banned the beating of women, unless in special circumstances when punishment becomes wajib (obligatory)."'

"The Prophet (S) also stated: 'I am astonished at a man who beats his wife, whereas it is he himself, more than his wife, who deserves a beating. C) People do not beat your women with sticks because such an act has Qisas (reprisal)'."

Oppressing a woman who has wishfully married her husband, who seeks comfort and tranquility with him, and who expects her husband to share with her problems, is not right. In fact Allah entrusts a woman to her husband through marriage and a man's mistreatment with his wife would be unfaithfulness towards Allah's trust in him.

A man, unless having a particular right over his wife, similar to those to be mentioned in this chapter is not lawfully permitted to force his wife into doing anything or to resort to physical punishment upon her disobedience. For instance a woman, lawfully is not duty-bound to carry out housework such as cleaning, cooking, washing up, childcare, knitting, sewing, etc.

Although the majority of women do carry out these works of a housewife on their own, these are not mandatory. Men should be grateful to their wives for their work in the house. Therefore, no man has the right to question or punish his wife when faced with her refusal to carry out the house-keeping chores.

Islam recommends physical punishment of one's wife only in two cases where his rights are violated:

Case 1: A man is islamically and lawfully allowed to seek sexual satisfaction and pleasure from his wife and to derive all sorts of enjoyment from this relationship. His wife' is lawfully duty-bound to yield to her husband's sexual desires. If a woman refuses to satisfy her husband, the husband should initially persuade her in an orderly manner. However, if a man feels that his wife is trying to be malicious to him, and if he cannot tolerate the situation, then by observing the prescribed stages can punish her.

Allah states in the Holy Quran:

"...And (as to) those on whose part you fear desertion admonish them, and leave them alone in the sleeping places and beat them; then if they obey you do not seek a way against them; surely Allah is High Great (4:34)."'

Therefore, the Qur'an allows beating one's wife as the final stage of punishment, in the event of unreasonable behavior of a woman with regard to the sexual desires of her husband.

The first stage is giving advice. Secondly, the man should avoid sharing her bed or turn his back towards her, and in this way he should show his anger. If nothing positive happens at the end of the second stage and still the woman continues to refuse her husband, he is permitted to beat her (lightly).

A man, however, is not permitted to surpass the prescribed limit and resort to oppression. Men are reminded of the following:

- a) The aim of physical punishment of one's wife should be a way of education and not that of taking revenge
- b) Hitting should be done by hand or by using a thin and light wooden stick.
- c) Hitting to the extent that results in changing the color of the skin (to blue or red) is not permitted and is punishable by the payment of a Diah (fine).
- d) Hitting of sensitive parts of the body such as the eyes, head, stomach, etc. is not permitted.
- e) Physical punishment should not be as hard as to create hatred and ill-feeling between the couple, or to drive the wife towards more disobedience.
- f) A man (who intends to punish his wife in this manner) should remember that he is to live with his wife and that the family love should not be destroyed.
- g) A man is not allowed to hit his wife if there are legitimate reasons for her noncompliance with his wishes. For instance, if she is in the state of menstruation, fasting in the month of Ramadan being in ihrarn (garb for Hajj pilgrimage), or if she is sick. These are acceptable reasons and a man cannot punish his wife for not complying with his wishes on these occasions.

Case 2: A woman can go out of the house only after obtaining her husband's permission. Going out without permission is lawfully not allowed and committing it is a sin.

A tradition has been reported that the Prophet (S) did not allow any woman to go out of her house without her husband's permission. "He stated: 'Any woman who goes out of her house without her husband's permission, would be subjected to the curse of all the angels in the heavens and all those who see her, be they jinn or human, until the time she returns (to her home)'."56

This is the right of any husband which must be observed by their wives. But men should not be too strict with their wives on this account. It is better for them to allow their wives to go out whenever possible.

This right of men is not meant to be a show of strength or an attempt at putting pressure on their wives,

but a means of preventing women from going to undesirable and unsuitable places.

Being too strict, not only is not useful, but may affect the family relationship, or even drive a woman towards disobedience and corruption.

A man must stop his wife from going to corrupt and unsuitable places and gatherings. It is a religious obligation for women to obey their husbands. A disobedient woman can be punished by her husband. Here again the punishment should be carried out in stages.

A woman, however, can go out of the house on specific occasions without her husband's permission and men are not permitted to hurt their wives in such cases:

- (a) Going out of the house for learning the necessary commandments of religion.
- (b) Going out of the house for Hajj when she possesses the necessary financial means and ability to perform I-Iajj.
- (c) Going out of the house to repay a debt provided it is not possible to repay without going out of the house.

Suspicious Men

It is rightful for men to be watchful of their wives but not to an extent of suspicion and distrust. Some men are suspicious and doubt their wives' faithfulness. This is dangerous and makes life very difficult for all the family.

A man who is suffering, from this behavior, constantly picks up fault with his wife. He monitors her closely and follows her everywhere. He finds supporting evidence for his cause of suspicion from everything. If he sees his wife talking to a man, or finds a photograph of a man among her belongings, or finds a letter written to her by a man, or finds a man looking at her, he would reach certainty with respect to her unfaithfulness. If his wife hides a letter from him, he would think that it is a love letter. If she expresses her love less than before, he would doubt her sincerity.

He might even think that since his daughter does not look like him, his wife must have committed adultery.

All such examples can be regarded as a firm proof of a woman's infidelity by the suspicious husband. The situation becomes worse if a relative or friend agrees with his suspicion.

Families, who are affected by this illness, suffer a great deal. The man would act like a detective around the house, and his wife would feel as if she was being kept in custody. They would both suffer mentally and their marriage would become endangered. They might even resort to divorce or murder.

There are many cases of homicide and suicide which have occurred as a result of suspicion.

Under these conditions a man and his wife should be aware of the possible grave consequences and, through wisdom and understanding, repel any danger which could threaten their marriage or even their lives. They only need to be a ware of the potential danger and be able to think clearly in order to overcome their problems.

A man should give up his fanaticism and extreme jealousy. He must act logically. He must be aware that convicting his wife of adultery is not a trivial matter, and that such an allegation needs definite proof.

Allah states in the Holy Qur'an:

“O you who believe! avoid most of suspicion, for surely suspicion in some cases is a sin...” (49: 12)

“The Prophet of Allah (S) stated: ‘whoever, falsely, accuses his wife of committing adultery would lose all the benefits from his good deeds just as a snake sheds its skin. And for each hair on his body, one thousand sins would be written down in his record (for the Day of Judgment)’.”⁵⁷

As long as a woman's unfaithfulness is not proved through firm evidence, a man does not have any right to accuse her, otherwise he would be committing a sin for which, as per Islam, he is to be punished with eighty lashes.

Evidence based on purely imaginative grounds are not indicative of anything. Old letters, pictures, etc. do not prove anything.

Keeping such things is not right, but this is a mistake that most young people commit and it is not a thing to be seriously concerned with.

If a woman is seen conversing with a stranger, although she is not right in doing so, this isolated event cannot be held against her as a proof of her unfaithfulness. This is because she might have thought it rude not to pay heed to that man, or he might have not been a stranger but a friend of her father or brother.

If a woman makes a compliment to a man, although she should not, it may be out of simplicity and therefore cannot be indicative of her unfaithfulness.

b) The Role of Wife in a Marriage

A woman is a centre of kindness and a being who is completely emotional. Her existence depends on compassion and affection. She longs to be loved by others and the more the better. She sacrifices herself a great deal in order to seek popularity. This character is so strong in her that if she realizes nobody loves her, then she regards herself as a failure. She becomes disappointed in herself and feels dejected. Therefore, certainly one can claim that the secret of a successful man in a happy marital life is his expression of love towards his wife.

Love and affection must of course be genuine to appeal to another's heart, but even so loving for someone

is not enough, as it is vital to express one's affection. By showing your feelings through your words and actions, the love you have shown will be returned to you and your hearts will strengthen their bonds of love.

Be frank and do not be discrete in expressing your love towards your wife. In her absence or presence, you should make compliments for her. Write to her while traveling and inform her that you miss her. Occasionally buy something for her. Phone her when you are at work and ask how she is.

A woman is proud of herself just the same as a man would be. She likes to be respected by others. She would get hurt if she were to be insulted or belittled. She feels good when respected and would hate those who try to degrade her. "The Prophet of Allah (S) stated: 'Whoever is better-behaved is more complete in his faith. The best among you (the people) is one who does well to his family'." "The Prophet (S) also stated: 'There is no deed better than good behavior'. "Imam as-Sadiq (a.s) stated: 'Doing good to the people and behaving properly with them makes the cities populous and increases the age (of the citizens)'." Among the duties of the wife which are the husband's rights in the Islamic home are as follows:

"She should always bring happiness to her husband always and should be a comforter also".

"The woman should not deny her husband sexual pleasure for no genuine reason." "She should not disobey him in any way except that which runs against the will of Allah".

"She should protect herself from any illicit act as well as protect her husband's properties in the home".

"She should keep herself attractive always for her husband and keep her husband's house tidy always".

"She has to keep away from any work that can hinder the survival of her marriage."

"Anybody whose visit to their home is forbidden by her husband should not be entertained by the wife."

This can be understood in many traditions of the prophet. Among them:

"The best of the women is the one when you look at her you get joy, when you command her she obeys you, when you are not with her she protects you in herself and in your property and when you invite her to your bed she does well".

c) Reciprocal Roles between the Couple

Some of the roles shared by both parties are that:

1. Both of them should accord due respect and maximum honour to each other.
2. Both of them are entitled to good marital relationship and sexual enjoyment from his/her partner.
3. Each of them should give due honour and respect to the relative of his/her partner.
4. Each of them is entitled to inheritance from the estate left behind after the death of his/her partner.
5. Each of them should keep the secret of his/her partner.

SUMMARY

Islam divides roles between a man and his wife. It also makes the role complimentary in many cases. The right of a party confers an obligation on the other and vice versa. This shows how far Islam respects women in the community of mankind and makes their impact a must -be-felt in the society. Men are not given absolute power in their home. Women also enjoy some power that can check that of the man in spite of the appellation given to man by Allah (qawwamun) that is the poles. This is epitomized in the life of the Prophet with his wives. He used to help them in carrying out house works as well as give them honour that is rightly due. Marriage contract gives both the husband and wife the ability to satisfy their human desire and a way of gaining blessings of almighty Allah and have children that would help when the parents become old and help in the flow of future generation in a regulated manner. For the success of this contract, the parties have duties to abide by which the Islamic family highlighted such as duties of husband, duties of wife and the duties compulsory on both of them.

Conclusion

Generally, marriage has purposes in life. However, in Islam its purpose is more than mere acquisition of worldly gains. Islam considers it as part of one's religious duty that must be fulfilled to attain maximum piety.

Procreation of offspring in Islam is a means for increasing Allah's servants on earth other than for gaining any advantage in this world.

Through marriage a Muslim can come closer to his Creator by performing certain marriage responsibilities, showing tolerance, patience, and other virtues in the relationship. Therefore, marriage in Islam is a means of emotional and sexual satisfaction. It is a mechanism of tension reduction, a means of legitimate procreation, social placement and an approach to inter-family alliance and group solidarity. Most importantly, it gives chance for acts of Ibadah and acts of piety. Consequently, both the husband and wife should adhere to the rules, rights and privileges contained in Islamic family law to have a successful marriage.

It is correct that a man should be watchful of his wife but this should be done carefully and wisely. He must not resort to anger or violence. He must not make his wife feel that she is being ordered about or else she would react unpleasantly. The best way is, for the man, to be kind and understanding. He must act like a sympathetic partner and explain to his wife about the harms of wrong deeds. She must be made to choose the right

path herself with enthusiasm and eagerness.

A man should be moderate, that is, he should neither be too strict and fussy, nor should be care-free.

A woman, like a man, needs freedom and should be at liberty in her rightful associations. She must be free to communicate with her parents, brothers, and sisters and must be allowed to keep the appropriate type of company. In brief, there are exceptional cases where a woman should be deprived of her desires. But even in such cases one should not step beyond the limits and become too strict. Too much strictness is harmful. It destroys a friendly atmosphere and causes annoyance. A woman might react severely as a result of her husband's strictness. She might even ask for a divorce. This study recommended that all eligible Muslims, men and women are encouraged to get married and have a family that will worship almighty Allah and the prophet (S.A.W) will be proud of them. Also people should try to know the fundamental principles of Islamic family law in order to do our marriage in accordance with the tradition of the prophet (S.A.W). Also try to maintain the major roles and duties supposed to be carried by both the husband and wife. Many of us are ignorant of the basic issues guiding a successful marriage in Islam, and commit a lot of mistakes which will lead to the end of the marriage may be at its early age. All young men and women should encourage themselves to learn and digest to know all the rights of the both parties and consider it as an act of ibada instead of looking at it as a way of personal satisfaction.

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