

Fatwa no. 14775

Q: I am married man and I have five children. One night I had a dispute with my wife who stood up, pointed her finger at me, cursed me three successive times, and then declared me unlawful for her three times by saying: "You are unlawful for me. You will never be lawful for me again." Thereupon, I left the house and went to my second wife's house. I hope Your Eminence will give me a Fatwa (legal opinion issued by a qualified Muslim scholar) regarding what my wife did, bearing in mind that she is waiting for me to take her to her family's house since she is insisting not to live with me and the children. Please reply promptly, and may Allah preserve you.

A: Women do not have the right to initiate divorce either by uttering the word of divorce or the word of Tahrim (unlawfulness). Rather, divorce is pronounced only by the husband. Accordingly, what your wife did is not tantamount to a divorce. On the contrary, she is still your wife but must make Kaffarah (expiation) for this oath which is to feed ten needy persons on a scale of the average of what she eats, clothe them, or manumit a slave. In case that your wife cannot afford any of these compensations, she is to fast for three days. In addition, it is not permissible for a woman to curse her husband, her son, or any other Muslim, for the Prophet (peace be upon him) said in a Hadith related by Al-Bukhari and Muslim,

"Cursing a believer is as sinful as killing him."

He (peace be upon him) also said,

"Those who curse cannot be an intercessor nor witness on the Day of Resurrection." (Related by Muslim).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member

`Abdullah ibn Ghudayyan

Deputy Chairman

`Abdul-Razzaq `Afify

Chairman

`Abdul-`Aziz ibn `Abdullah ibn Baz