

Fatwa no. 249

**Q: If a person divorces his wife while he is sleeping, will the Talaq (divorce pronounced by a husband) be effective?**

**A:** If a man divorces his wife while sleeping, the Talaq will not be effective. This is based on the general meaning of the following Hadith in which the Prophet (peace be upon him) said:

"There are three (persons) whose actions are not recorded: a sleeper until they awaken, a boy until he reaches puberty and an insane until they recover their mind. (Related by Al-Tirmidhy, Ibn Majah, and Al-Hakim on the authority of `Aly ibn Abu Talib, may Allah be pleased with him).

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 Sulayman Ibn Mani`

Member

`Abdullah ibn `Abdul-Rahman ibn Ghudayyan

Deputy Chairman

`Abdul-Razzaq `Afify