

The first question of Fatwa no. 5048

Q 1: A man married a woman and they had five children.

The woman began to suffer from a mental illness and so the man married another woman. When the first wife recovered, the man told her that she could choose between staying with her children or him sending her back to her family.

My intention behind giving her this option was Talaq (divorce pronounced by a husband), but she chose to stay with her children. Now I support her financially and she lives with her children. Please advise me on this matter.

A: If the reality is as you mentioned and that by offering her the option of staying with her children or being taken back to her family you intended Talaq, whether she stayed with her children or went back to her family, she is divorced, through one pronouncement of Talaq.

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

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