

Fatwa no. 6269

**Q: My mother and I had an argument, because I have around ten sheep and my mother used to feed them and she became tired. I was not happy at this, so I asked her to rest, but she refused to do so. So I swore by Allah, "If you do not rest and stop putting the sheep out to pasture and looking after them, I will sell them," but she refused to rest. I then said to her six times: "If you put them out to pasture or feed them, my wife will be Haram (forbidden) for me," but she ignored me and put them out to pasture.**

**When I come home from work now, I see that she has put the sheep out to pasture, but she has not fed them until now.**

**A:** If the reality is as you mentioned and by saying that your wife would be Haram to yourself you intended to divorce her, if your mother put your sheep out to pasture or fed them, it is regarded as one pronouncement effecting Talaq (divorce pronounced by a husband) on your part. You may take your wife back in marriage, as long as she is still in her 'Iddah (woman's prescribed waiting period after divorce or widowhood) and you have not divorced her twice previously and have not divorced her twice since then. However, if you intended by it to prevent her from putting the sheep out to pasture or feeding them without intending Talaq, no divorce occurred because of it. Instead you have to perform the Kaffarah (expiation) for breaking oath by freeing a believing slave, feeding ten poor people by giving each poor person half a Sa' (1 Sa' = 2.172 kg) of wheat or the like, or clothing them. If you cannot do that, you should observe Sawm (Fasting) for three days. The same ruling applies if you intended by what you said to forbid your wife to yourself rather than divorcing her, you have to perform the mentioned Kaffarah and do not make your wife Haram to yourself again.

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

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