

Al-Khul` of woman from neglectful man

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: A woman got married, four years ago, to a man who seemed righteous. However, in the last year, he has abandoned Salat without any reason, though she advised him many times. So, is it obligatory for her to stay under her husband's authority if he persists in abandoning Salat?

Answer: All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

It is recommended for a woman to ask her husband for Al-Khul¹ if he is neglectful as regards the duties towards Allaah; this is in order to leave sins and those who commit sins in accordance with the Prophet's صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ saying, "**The true emigrant (Muhaajir) is he who abandons all of what Allaah عَزَّ وَجَلَّ has forbidden**"². It is rather obligatory to leave him if he persists in neglecting prayer specially, as it is the centre of all the deeds, and this if reminding him about abiding by what Allaah عَزَّ وَجَلَّ ordered him to do is in vain, as he committed an act of disbelief whether it is inherent to creed or deed.

The perfect knowledge belongs to Allaah. Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ, his Family, his Companions and Brothers till the Day of Resurrection.

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¹ Al-Khul': (A kind of separation) the parting of a wife from her husband by giving him certain compensation, or to give back the Mahr (bridal-money given to the wife) which he gave her. Translator's note.

² Reported by Al-Bukhaaree, chapter of "Faith" (hadeeth 10), Aboo Dawood, chapter of "Jihaad" (hadeeth 2483), An-Nasaa'ee, chapter of "Faith and its prescriptions" (hadeeth 5013), Ahmad (hadeeth 6671) and Al-Humaydi in his "Musnad" (hadeeth 623) on the authority of `Abdullaah Ibn `Amr Ibn Al-`Aas رضي الله عنهما.