

142326 - He told her a lie about his parents and she is asking him for khula‘

the question

If a man tells a lie to his wife, is that a valid reason for her to ask for khula‘? I lied to my wife before we got married by telling her that my parents were dead, when that was not the case.

Detailed answer

There is no doubt that lying is one of the vilest of attributes and it is the key to all evil and is a weak foundation for the one who wants to build a household and establish a Muslim family.

It was narrated that ‘Abd-Allah ibn Mas‘ood (may Allah be pleased with him) said: The Messenger of Allah (blessings and peace of Allah be upon him) said: “I enjoin you to be truthful, for truthfulness leads to righteousness and righteousness leads to Paradise. A man may continue to tell the truth and endeavour to be truthful until he is recorded with Allaah as a speaker of truth. And beware of lying, for lying leads to wickedness and wickedness leads to Hell. A man may continue to tell lies and endeavour to tell lies, until he is recorded with Allaah as a liar.” Narrated by al-Bukhaari (6094) and Muslim (2607).

But that mistake that the husband made on its own is not a justification or sufficient reason for the woman to try to break up her family by seeking divorce (talaq) or khula‘, if there is no convincing legitimate shar‘i, rational, health or social reason for that, so long as the wife cannot see any fault in her husband's attitude or religious commitment or his treatment of her. There may have been a reason why he committed this error. What he should do now is admit his mistake and admit that his deed was serious and wrong.

If he sets things straight with his wife and is good in his religious commitment and his treatment of her, then the wife should not take that as an excuse to break up her family, especially as she has nothing to gain from his parents being dead and will not be harmed if they are alive. All there is to be said is that she does not have to live with them or live in their house, and the matter is settled.

According to the hadeeth of Thawbaan (may Allah be pleased with him), the Prophet (blessings and peace of Allah be upon him) said: “Any woman who asks her husband for a divorce when there is no problem, the fragrance of Paradise will be forbidden to her.” Narrated by al-Tirmidhi, no. 1187; he said: This is a hasan hadeeth.

Al-Mannaawi (may Allah have mercy on him) said:

Ba’s (translated above as problem) means hardship, i.e., when there is no case of hardship which would prompt her to separate from him, such as if she is afraid that she cannot adhere to the sacred limits of Allah with regard to what is enjoined upon her of good companionship and kind treatment because she dislikes him, or if he is harming her in such a way that she should seek separation from him by khula’.

“will be forbidden to her” means that the fragrance of Paradise will be denied to her. End quote.

Fayd al-Qadeer, 3/178

What problem has befallen this woman, i.e., what hardship has befallen her if her husband's parents are still alive?!

Rather, even if she stipulated that he should not have two parents, and it became clear that they are alive, then she still has no right to annul her marriage because of this strange condition!

Al-Bahooti (may Allah have mercy upon him) said:

If a woman stipulates a condition other than those mentioned, namely his being free (not a slave) and being of good lineage, and stipulates a condition that is not regarded as part of compatibility, such as being handsome and so on, and it becomes apparent that he is less than that, she has no option because of what was stated above

[i.e., what was stated above was that this is not regarded as affecting the validity of the marriage, such as if she stipulated that he should be a faqeeh and it became apparent that he was not.]

Kashshaaf al-Qinaa’, 5/102

Our advice to the wife -- first of all -- is that she should think long and hard before asking for khula', and give her husband who lied to her another chance. Even if he has committed some transgression or fallen short, she should be tolerant and forgiving, for Allah loves those who pardon other people, and if the pardon is between spouses, then it brings a great reward and is of a higher virtue.

Secondly, our advice to the husband is that he should repent to Allah from the sin of lying, for it is one of the greatest and worst of sins for a believer, and the wife's defiance may be part of the punishment for this abhorrent sin. Every Muslim should know that if you think lying could save a person from a situation, telling the truth is the better way to save oneself.

And Allah knows best.