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# SEEKING AN ANNULMENT BECAUSE SHE NO LONGER LOVES HIM

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Shaykh 'Ubayd Al-Jaabiree

## Question:

If a woman is not capable of obeying her husband due to her not loving him, or vise versa, is it permissible for her to seek an annulment, and is there a permissible type of hatred which is not for the sake of Allaah?

## Answer:

Firstly we advise the two spouses to have good living and companionship (between them). Likewise, we advise with kindness and gentleness, and for them to overlook one another's shortcomings which are not intentional. As for oppression, no one will be patient regarding it; however, there may occur from the man, just as there may occur from the woman, some shortcomings as it relates to some of the rights, so tolerance is required. However, if she is not able to be patient due to an affair from the affairs and she fears (for herself or her religion), then she may seek a divorce, just as Jameelah bint 'Abdullaah ibn Ubayy did with her husband, Thaabit ibn Qays Shammaas, may Allaah be pleased with them both. She said: "O Messenger of Allaah..." She mentioned that she did not love him and was not able to live with him. So he صلی اللہ علیہ وسلم said:

هل تردين عليه حديقته؟

*"Will you return back to him his garden?"*

He had given her a garden as a dowry. She said: "Yes." He said:

فطلقها

*"Then grant her divorce."*

Translated By: Raha ibn Donald Batts

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