

Question 1616) - Is there another way for a woman to leave the marriage besides divorce?

A: If there couple are at ends and fear that they will not be able to adhere to Allaah's limits then there is no harm for the wife to ransom herself with money to free herself from her husband. If she says, "I cast you off [Khul'] for such-and-such amount," and he accepts, a Bain divorce takes place and she is liable to pay the amount. This is called Khul'.

A: If the breakdown in the marriage was from his side then it is Makruh for him to take the money. If it is from her side then it is Makruh for him to take more than what he gave her. In both cases he may legally take the money and the divorce is Bain.

~ al-Quduri ~