

Islam Question & Answer

General Supervisor:
Shaykh Muhammad Saalih al-Munajjid

116038 - She is one month pregnant, and she wants to abort the foetus, because she is going to get divorced from her husband

the question

My sister married a man, and she has had some problems, the most serious of which is that he does not pray and he beats his wife. She divorced him by khul' because he beat her. Unfortunately she has a daughter from him, and this child was a cause of suffering for her mother, because he would threaten to take her on every happy occasion, such as Eid. Then she married another man, and that was a real problem for this woman, because he is mentally ill, and now she is afraid of going through the same suffering that she did with her first husband. Now she is asking for divorce (talaq) from him, and she is one month pregnant. What is the ruling on aborting the foetus in the first month?

Detailed answer

Praise be to Allah.

This woman and her guardians should be keen to choose a righteous husband who is pleasing in terms of his religious commitment and character, after asking and researching and trying to find out, and they should not be deceived by outward appearances or only focus on his financial standing.

We ask Allah, may he be exalted, to make this sister patient and grant her reward, and to compensate her with something better.

We advise her to be patient, in the hope that Allah, may He be exalted, will heal her husband and rectify his condition. That will be better for her and her foetus than divorce.

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As for aborting the foetus before forty days have passed, there is a well-known difference of opinion among the fuqaha'. This has been discussed in a number of previous questions. Please see the answer to question no. [13319](#) and [42321](#) .

And Allah knows best.