Fatwa no. 1081

Q: I quarreled with my wife who provoked me and made me so angry that I said: "Cover yourself" (implying divorce). We have four children. Does my saying this word deem us divorced? Bear in mind that I immediately retracted my word in the presence of two witnesses.

A: If the reality is as you mentioned and you were so irritated that you were unaware of what you were saying and you have evidence thereof, your pronouncement does not make divorce effective. However, if you were aware that what you said carries the meaning of divorce, then it is counted as one revocable pronouncement of divorce. This is because there is a substantiating context, i.e. your quarreling with her resulted in your becoming angry. Yet, if the pronouncement of divorce is not the third, and it is true that you revoked the divorce immediately, it will be a valid revocation which retains her under your bond of marriage until two other pronouncement of divorce take place. On the other hand, if such was the third pronouncement of divorce, she will not be lawful to you except after being divorced by another husband.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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