

Fatwa no. 13087

Q: Could you clarify what is meant by Talaq (divorce pronounced by a husband) according to the Sunnah (whatever is reported from the Prophet), as our scholars hold different views regarding it. Please give us your Fatwa (legal opinion issued by a qualified Muslim scholar). May Allah reward you. All praise be to Allah, Lord of all creation.

A: Talaq according to the Sunnah is that the husband pronounces one single Talaq during the wife's period of Tuhr (period of ritual purity) without the husband having engaged in sexual intercourse with her. Allah (Exalted be He) says:

O Prophet (صلى الله عليه وسلم)! When you divorce women, divorce them at their `Iddah (prescribed periods).

The Prophet (peace be upon him) said to `Umar (may Allah be pleased with him) when his son `Abdullah divorced his wife during her menstrual period:

“He must take her back in marriage and keep her in his `Ismah (the bond of marriage) until she becomes Tahir (ritually pure), then menstruates, then becomes Tahir. Only then if he wants to divorce her, he may divorce her, while she is Tahir and before touching her; for that is the `Iddah (woman's prescribed waiting period after divorce) as prescribed by Allah (Glorified and Exalted be He).” (Related by Al-Bukhari).

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

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