

Fatwa no. 311

Q: I send to Your Eminence a copy of my divorce document issued in 1389 A.H. I did not specify a number of the times of divorce and I meant only what is mentioned in the document. She has not married up to this day. I want to return to her and she does not have any objection. Please give me your opinion whether this is permissible or not.

The following sentence appears in the copy of the divorce document dated on 1/3/1389 A.H., "I admit that I have divorced my wife."

A: After studying the question and examining the divorce document, the Committee gave the following answer:

If the reality is as mentioned in your question and in the divorce document, then what you pronounced is only one time of divorce.

So if it is not the third time you have divorced your wife, you may return to with a new contract and Mahr (mandatory gift to a bride from her groom), upon her consent, if her `Iddah (woman's prescribed waiting period after divorce) has ended before you return to her.

If this is the third time of divorce, then she is not lawful to you until she marries another husband, consummates the marriage, then is divorced and finishes her `Iddah.

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

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