

Fatwa no. 401

Q: A man had a wife then divorced her and married another. The family of his second wife stipulated that if the concerned man takes his previous wife back in marriage, this will be tantamount to giving Talaq (divorce pronounced by a husband) to his second wife. The concerned man committed himself to this. The question is whether if he takes back his previous wife in marriage, his second wife will be regarded as divorced?

A: Since the questioner committed himself to the condition which is mentioned in the question, his second wife will be regarded as divorced if he takes back his previous wife in marriage. Proof for the foregoing is the Hadith in which the Prophet (peace be upon him) says,

Muslims are on (i.e. stick to) their conditions.

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

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