

Fatwa no. 539

**Q: I divorced my wife and took her from Riyadh to her father who lived in the suburbs of Madinah. After a period of time, I told my brother-in-laws to inform his father that they could marry her to another man because she was no longer my wife. Later, I took my children from her during the first days of Jumada II, 1393 A.H. Can you instruct me on the correct way to take my wife back in marriage? It should be noted that when I told her brother to inform his father to marry her to another man, I intended divorce; however, I did not utter a pronouncement of divorce, neither before nor after this incident. I revoked the divorce during her `Iddah (woman's prescribed waiting period after divorce) in the presence of two witnesses. The revocation took place in 20/7/1393 A.H.**

**A:** The husband mentioned that he previously divorced his wife in the form of encouraging her brother to tell her father to marry her to another man, because she was no longer his wife. He added that he never uttered the word of divorce and that he took his wife back in marriage during her `Iddah in the presence of two witnesses.

Divorce took place at the beginning of Jumada II, 1393 A.H. And the revocation of divorce occurred in 20/7/1393 A.H.

Based on these facts, the husband has made one pronouncement of divorce. His words are among the indirect pronouncements of divorce which reflects the intention to divorce. If the revocation of divorce has occurred during the `Iddah, it will be valid.

The woman is still his wife and there is no need to conclude a new marriage contract, pay Mahr (mandatory gift to a bride from her groom) or get her consent. If the husband took his wife back in marriage after the end of her `Iddah, it would be obligatory to conclude a new marriage contract and pay Mahr subject to her consent.

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

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