

Fatwa no. 707

**Q: A man had a dispute with the Awliya' (guardians) of his wife so he divorced her by saying: "She is divorced, then she is divorced." Thus he uttered the word divorce twice, this was the first time for him to divorce his wife, and he did not get any consideration for such a divorce. Does this man have the right to revoke the divorce that he pronounced under coercion from the Awliya' of his wife?**

**A:** If the reality is as you mentioned, that the husband pronounced only two divorces, that he has never divorced his wife before, and that he did not get any consideration for such a divorce, the divorce in question is considered a revocable divorce. The man thus has the right to revoke the divorce so long as his divorcee is still in her `Iddah (woman's prescribed waiting period after divorce or widowhood). Yet, if the `Iddah expires before the divorce is revoked; it is permissible for the man to remarry his divorcee after concluding a new contract and paying a new Mahr (mandatory gift to a bride from her groom) subject to her consent and provided that all other conditions and elements of the marriage contract are fulfilled. The couple then can resume their marital life; however, if any divorce takes place in the future it will be counted as the third and final irrevocable divorce. On the other hand, if it is legally proven that the husband was compelled by his wife's Awliya' to divorce her and that he did so only out of fear of being harmed by them; the divorce that he pronounced is not binding based on the general meaning of the Hadith in which the Prophet (peace be upon him) said,

**"Allah overlooks what my people do by mistake, forgetfully and under coercion."**

(Related by Ibn Majah and Al-Daraqutny; and Abd-ul-Haqq commented that it has a Sahih [authentic] and continuous Sanad [chain of narration]).

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

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