

Fatwa no. 9161

Q: While discussing a problem with my mother caused by my wife who was absent during the discussion, I took the following oath: "I swear by Allah, the Greatest, that I will not make peace with my wife and she will not be my wife after today." Indeed, I was angry with her. I was aware of what I said and intended divorce. This is the first time I divorce my wife. I would like to know the ruling on this from the Shari`ah of Allah (Glorified and Exalted be He).

A: If your oath of divorce is meant to make divorce effective, your wife is divorced one time and it is permissible for you to return to her in marriage during `Iddah (woman's prescribed waiting period after divorce or widowhood) by paying a new Mahr (mandatory gift to a bride from her groom) and concluding a new marriage contract. If this was the third time for you to divorce her, it is unlawful for you to return to her in marriage unless she gets married to another husband who consummates marriage with her.

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

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