

The ninth question of Fatwa no. 9881

Q 9: A man divorced his wife after concluding the marriage contract but before consummating the marriage. After a week, he said that he did not mean to divorce her and traveled to work abroad and asked her to travel to him to consummate the marriage.

Does this count as divorce? If so, should he conclude a new contract, or is it enough to intend to take her back in marriage, given that a woman divorced before the consummation of the marriage has no `Iddah (woman's prescribed waiting period after divorce)? May Allah reward you best.

A: If the reality is as mentioned, his wife is considered irrevocably divorced, and there is no `Iddah for her, for Allah (Exalted be He) says: **O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no `Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them.**

It is only lawful for him to remarry her after concluding a new marriage contract and offering her a new Mahr (mandatory gift to a bride from her groom) provided that she gives her consent to marry him.

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

The Permanent Committee for Scholarly Research and Ifta'

Member
`Abdullah ibn Ghudayyan

Deputy Chairman
`Abdul-Razzaq `Afify

Chairman
`Abdul-`Aziz ibn `Abdullah ibn Baz