

Question 1568) - Are there different kinds of divorce?

A: There are three kinds:

1. Ahsanut Talaq [the best divorce] 2. Talaqus Sunnah 3. Talaqul bid'ah

1. The first means to divorce her once whilst she is in a state of purity in which the husband did not have sex with her. He then does not have sex with her until her 'iddah finishes.

2 The second is to divorce thrice the wife whom he had sex with. The three pronouncements will be in three purity periods without sex. The jurists also call this at-Talaq al-Hasan. The Sunnah in this divorce is from two aspects - time and number. The sunnah of amount applies equally to a woman who had sex with her husband [Madkhul biha] and a woman who did not [Ghayr Madkhul biha]. The Sunnah of time is specific to the woman whom the husband had sex with. He should divorce her in a purity period in which they did not have intercourse.

3. The third kind is to pronounce three divorces in a single sentence; or to divorce her thrice during a single purity period. If a man pronounces a single divorce on his Madkhul biha the divorce falls against her. However, she will not separate from him until the completion of her 'iddah. If he wishes to take her back he may do so during her 'iddah. If she is Ghayr Madkhul biha she will separate from him upon one divorce. In this case the husband may not take her back whether during or after the 'iddah. InshaAllaah we shall elaborate on this.

~ al-Quduri ~