

Question 1681) - You have mentioned the law in regard establishing lineage to a husband she is married to. What about a husband who has divorced her?

A: There are details in this matter as follows:

1. Raj'i divorcee will have her child attributed to the husband if she gave birth after two years or more, as long as she says her Iddah has not terminated. In the second scenario it will be said that he had sex with her during the Iddah and hence took her back.
2. If the Raj'i divorcee gives birth in less than two years the lineage is established from the husband and she becomes Bain.
3. An irrevocable divorcee's child is attributed to the husband if she gave birth within two years. If she gave birth two years from the day of separation or more the lineage will not be attributed to him unless he claims it.
4. The child of a widow is attributed to the husband if born within two years of the day of death.
5. A woman admits that her Iddah is complete. If she then gives birth within six months the child is the husband's. If after six months then the lineage is not established.

~ al-Quduri ~