

Having Halaalah done with a Young Girl

Question: A man divorced his wife three times and then married a 12 to 13 year girl after a few months. He then divorced the girl. Will he now be able to remarry his first wife?

Answer: For the Halaalah to be valid, it is necessary that the second marriage take place after her Iddah and that the man engages in intercourse at least once with the next wife before divorcing her or before she dies. If the 12 or 13 year old girl is understanding, capable of intercourse, has been given over in marriage with the consent of her guardian and has consummated the marriage with the man, he will be able to marry his former wife if the girl dies or is divorced after she comes of age. This is, however only after his first wife completed her Iddah.

Marriage to an immature girl is not valid without the consent of the guardian and the husband cannot divorce her until after she comes of age. The man in the stated question can therefore not marry his first wife.

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