147987 - Can Divorce Be Given over the Phone?

the question

My husband divorced me a month ago over the phone and he said it three times. Is it permissible to go back to him?

Summary of answer

Divorce over the phone is a valid divorce and counts as such, provided that the husband has uttered the word of divorce.

Detailed answer

Praise be to Allah.

Is Divorce over the Phone Valid?

Divorce over the phone is a valid divorce and counts as such. So long as the husband uttered the word of divorce, divorce has taken place.

Is Triple Divorce Counted as One?

There is a difference of opinion among the scholars with regard to the threefold divorce ; the majority are of the view that it counts as three divorces.

A number of scholars are of the view that the threefold divorce counts as one divorce. This is the view favoured by Shaykh Al-Islam Ibn Taymiyah (may Allah have mercy on him) and it was regarded as more correct by Shaykh As-Sa`di and Shaykh Ibn `Uthaymin (may Allah have mercy on them both).

They quoted as evidence the report narrated by Muslim (1472) from Ibn `Abbas (may Allah be

pleased with him) who said: At the time of the Messenger of Allah (blessings and peace of Allah be upon him), Abu Bakr and the first two years of `Umar's caliphate, a threefold divorce was counted as one. Then `Umar ibn Al-Khattab (may Allah be pleased with him) said: People have become hasty in a matter in which they should take their time. I am thinking of holding them to it. So he made it binding upon them.

According to this opinion, it is permissible for your husband to take you back during the `Iddah, if this was a first or second divorce.

And Allah knows best.