73408 - What Should a Divorced Woman Avoid during `Iddah?

the question

I have just divorced my husband and I want to know the exact rights that I have during my 3 months of waiting. So does this mean I cannot even talk to men Online? Would it be OK if my mom and dad’s friends come and pick me up and take me back home?

Summary of answer

It is not forbidden for a woman during the `Iddah of a revocable divorce to wear adornment, perfume, jewellery and other things that are forbidden to the woman who is observing `Iddah after the death of her husband. Rather, what is forbidden to her is going out of her husband’s house. Going out with men and speaking to them is forbidden in all cases.

Detailed answer

Praise be to Allah.

Can a woman divorce her husband in Islam?

A woman does not have the right to divorce her husband. Divorce in Islam can only be issued by the husband. The words in the Quran that speak about issues and ruling of divorce are addressed to husbands, not to wives. Allah says (interpretation of the meaning):

“And when you have divorced women and they have fulfilled the term of their prescribed period, either take them back on reasonable basis or set them free on reasonable basis.” [Al-Baqarah 2:231]

“There is no sin on you, if you divorce women while yet you have not touched (had no sexual relation with) them, nor appointed unto them their Mahr (bridal-money given by the husband to his

wife at the time of marriage).” [Al-Baqarah 2:236]

“O you who have believed, when you marry believing women and then divorce them before you have touched them [i.e., consummated the marriage], then there is not for you any waiting period to count concerning them.” [Al-Ahzaab 33:49]

“O Prophet! When you divorce women, divorce them at their `Iddah and count (accurately) their `Iddah (periods). And fear Allah your Lord (O Muslims).” [Al-Talaq 65:1]

Ibn `Abbas (may Allah be pleased with him) said: The Messenger of Allah (peace and blessings of Allah be upon him) said: “(The right of divorce) belongs to the one who takes hold of the calf [i.e., her husband].” (Narrated by Ibn Majah (2081), classed as sound by Al-Albani in Irwa` Al-Ghalil, 7/108)

How can women end a marriage in Islam?

When a husband leaves his wife (at her request) and she gives him a sum of money in return for that, this is called Khul` . This means that the wife frees herself from her husband by returning the Mahr or whatever the husband asks for, then he leaves her if he wants to. This is an annulment of the marriage, not a divorce. In this case, the woman’s `Iddah is one menstrual cycle .

What should a woman avoid after Khul` has been carried out?

When khul` is carried out, a woman becomes a non-Mahram to her husband immediately, and it is not permissible for him to be alone with her, and he has no right to take her back, except with a new marriage contract and a new Mahr.

When the `Iddah – which is one menstrual cycle, or when she gives birth if she is pregnant – is over, it is permissible for her to marry whomever she wants, in accordance with the Shar`i conditions; name;y having a Wali (guardian) and two witnesses of good character.

What should a divorced woman avoid during `Iddah?

If the husband has divorced her with a first or second divorce, it is not permissible for her to go out of her house during her `Iddah, and it is not permissible for him to ask her to leave the house until her `Iddah is over, whereupon she becomes a non-Mahram for him. The reason for that is that perhaps he may decide to take her back, which is what Islam encourages. Allah says (interpretation of the meaning):

“Do not turn them out of their [husbands'] houses, nor should they [themselves] leave [during that period] unless they are committing a clear immorality. And those are the limits [set by] Allah. And whoever transgresses the limits of Allah has certainly wronged himself. You know not; perhaps Allah will bring about after that a [different] matter.” [Al-Talaaq 65:1]

What can a divorced woman do during `Iddah?

During `Iddah , it is permissible for a divorced woman to uncover in front of her husband and adorn herself for him, and for him to speak to her and be alone with her, but he does not have the right to have intercourse with her until after he has taken her back, or he has intercourse with her with the intention of taking her back.

If the husband has divorced his wife with the last of three utterances of divorce , or he has divorced her twice or once and her `Iddah has ended, then she becomes a non-Mahram for him and it is not permissible for him to be alone with her, to touch her or to look at her.

What is the `Iddah after divorce?

It should be noted that the `Iddah of a  divorce woman who menstruates is three menstrual cycles, not three months. Three months is the `Iddah for a minor who does not menstruate, or an older woman who no longer menstruates.

Is it permissible for Muslim women to go out with non-Mahram men?

It is not permissible for a woman to go out with non-Mahram men or to speak to them over the internet. The evidence for that and the Fatwas of the scholars have been quoted in the answers to questions no. 34841 , 6453 and 10221 .

Based on this, a woman (during the `Iddah of a revocable divorce) is not forbidden to wear adornment, perfume, jewellery and other things that are forbidden to the woman who is observing `Iddah after the death of her husband. Rather, what is forbidden to her is going out of her husband's house. Going out with men and speaking to them is forbidden in all cases.

And Allah knows best.