

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

When a Marriage Struggles — Conflict, Reconciliation and the Ways Out

Nushūz on both sides, the two arbiters, settling terms, khulʿ, the judge's separation and the conditions a wife may write into the contract. Each step comes from the Quran and the authenticated Sunnah, with pointers to where Malaysian and UAE courts come in.

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Where to go, in what order

Read this first. This book teaches what the Quran and the authenticated Sunnah say about a marriage in trouble. It is not a fatwa on your case or legal advice. Steps that depend on a Malaysian or UAE court are marked **To be sourced:** nothing local is printed from memory. Take your own facts to a qualified scholar and, where a court is involved, to the court or a family-law practitioner. Questions: deen2u.com/ask/.

If you are being hurt, start at Chapter 9. In the site's words: "remaining in an abusive marriage is not a religious obligation, and safety takes priority."

deen2u.com/qa/domestic-abuse-islamic-stance-khula/

CHAPTER 1

Before you call it a crisis: what each spouse owes

Before asking what the ways out are, be clear what the marriage owed each of you. The Quran measures every later step in this book by the standard it sets here: *ma'rūf*, what is right and recognised as fair.

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَن تَرِثُوا النِّسَاءَ كَرِهًا ^ص وَلَا
تَعْضِلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا ءَاتَيْتُمُوهُنَّ إِلَّا أَن يَأْتِيَنَّ بِفَحِشَةٍ
مُّبِينَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِن كَرِهْتُمُوهُنَّ فَعَسَىٰ أَن
تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا

"O ye who believe! Ye are forbidden to inherit women against their will. Nor should ye treat them with harshness, that ye may Take away part of the dower ye have given them,-except where they have been guilty of open lewdness; on the contrary live with them on a footing of kindness and equity. If ye take a dislike to them it may be that ye dislike a thing, and Allah brings about through it a great deal of good."

Quran 4:19

The verse forbids using harshness to squeeze property out of a wife, sets the default of married life ("live with them on a footing of kindness and equity"), and asks a husband who has come to dislike his wife to wait before acting on it.

وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ^ج وَلَا يَحِلُّ لَهُنَّ أَنْ
يَكْتُمْنَ مَا خَلَقَ اللَّهُ فِي أَرْحَامِهِنَّ إِنْ كُنَّ يُؤْمِنَنَّ بِاللَّهِ وَالْيَوْمِ
الْآخِرِ وَبَعُولَتُهُنَّ أَحَقُّ بِرَدِّهِنَّ فِي ذَلِكَ إِنْ أَرَادُوا إِصْلَاحًا
وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَ بِالْمَعْرُوفِ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ
وَاللَّهُ عَزِيزٌ حَكِيمٌ

"Divorced women shall wait concerning themselves for three monthly periods. Nor is it lawful for them to hide what Allah Hath created in their wombs, if they have faith in Allah and the Last Day. And their husbands have the better right to take them back in that period, if they wish for reconciliation. And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them. And Allah is Exalted in Power, Wise."

Quran 2:228

Even in the middle of the rules of divorce, the Quran states the principle before the husband's "degree": "women shall have rights similar to the rights against them, according to what is equitable." Rights run both ways.

"The most complete of the believers in faith, is the one with the best character among them. And the best of you are those who are best to your women."

Jami' at-Tirmidhi 1162 SAHIH

The measure of a man is how the people who live with him are treated. The Prophet ﷺ said the same at the Farewell Pilgrimage:

"Indeed you have rights over your women, and your women have rights over you."

Jami' at-Tirmidhi 1163, the Farewell Pilgrimage HASAN

A note on one reference. The Farewell sermon is quoted in this book from Jāmi' at-Tirmidhī and Sunan Ibn Mājah, with their grades. The longer account of the sermon in Ṣaḥīḥ Muslim is not cited, because the site's numbering for it has not yet passed verification.

The rights themselves (maintenance, lodging, intimacy, kindness, the household) are set out in the companion book **Spousal Rights** (deen2u.com/spousal-rights/). This book turns to what happens when they are not met.

CHAPTER 2

Nushūz from both sides

The Quran's word for a marriage turning against itself is *nushūz*, and it uses it twice in the same sūrah: once of a wife, once of a husband. Both verses in full:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا
 أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَأَلْصَلِحُوا لِقَتْلَتِ حَافِظَتُ لِلْغَيْبِ بِمَا
 حَفِظَ اللَّهُ وَالَّتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَأَهْجُرُوهُنَّ فِي
 الْمَضَاجِعِ وَأَضْرِبُوهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا
 إِنَّ اللَّهَ كَانَ عَلِيًّا كَبِيرًا

"Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly); but if they return to obedience, seek not against them Means (of annoyance): For Allah is Most High, great (above you all)."

Quran 4:34

وَأِنْ أَمْرًا خَافَتْ مِنْ بَعْلِهَا نُشُوزًا أَوْ إِعْرَاضًا فَلَا جُنَاحَ عَلَيْهِمَا
 أَنْ يُصْلِحَا بَيْنَهُمَا صُلْحًا وَالصُّلْحُ خَيْرٌ وَأُحْضِرَتِ الْأَنْفُسُ
 الشُّحَّ وَإِنْ تُحْسِنُوا وَتَتَّقُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا

"If a wife fears cruelty or desertion on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves; and such settlement is best; even though men's souls are swayed by greed. But if ye do good and practise self-restraint, Allah is well-acquainted with all that ye do."

Quran 4:128

In 4:34 the Arabic speaks of the wives' *nushūz*. In 4:128 the same noun is used of a husband, paired with *i'rād*, turning away. The translation the site carries renders the word "disloyalty and ill-conduct" in the first verse and "cruelty" in the second. The English changes but the Arabic word does not. However it is translated, the Quran names one kind of failure and recognises that either spouse can commit it.

The same verb, three times

Each remedy opens with fear: "those women on whose part ye fear disloyalty and ill-conduct" (4:34); "If a wife fears cruelty or desertion on her husband's part" (4:128); "If ye fear a breach between them twain" (4:35). The Quran speaks to a marriage heading somewhere bad, while there is still time to turn it.

Why it matters that both are named

The three verses hand the remedy to different people: 4:34 to husbands, 4:128 to the couple, 4:35 to the families. A reading that knows only the first treats the marriage as one person's problem to manage.

4:128 gives the wife no steps against her husband. Her remedies run through settlement (Chapter 4), the arbiters (Chapter 5), khul' (Chapter 8) and the judge (Chapter 9). When the husband is at fault, the matter goes to the family and, if need be, the court.

CHAPTER 3

The discipline clause of 4:34 and its limits

No sentence on this subject is quoted more, or misused more. The whole verse is in Chapter 2. Here is the clause in order, as the translation the site carries sets it out:

- ① **"admonish them (first)":** words.
- ② **"(Next), refuse to share their beds":** a separation in the bed itself (*fī al-maḍāji'*), not out of the house.
- ③ **"(And last) beat them (lightly)":** limited closely by the Sunnah below.
- ④ **The stop:** "but if they return to obedience, seek not against them Means (of annoyance)." When the cause ends, every step ends with it.

The bracketed words, "(first)", "(Next)", "(And last)" and "(lightly)", are the translator's. The Arabic joins the three with "and". The translation reads them as a sequence, each step only if the one before failed, and this book follows that reading and says so.

What the Sunnah did with the third step

"None of you should flog his wife as he flogs a slave and then have sexual intercourse with her in the last part of the day"

Sahih al-Bukhari 5204 SAHIH

The Prophet ﷺ names the contradiction: a man who beats his wife by day and expects intimacy with her that night.

“Do not beat Allah’s handmaidens, but when Umar came to the Messenger of Allah (ﷺ) and said: Women have become emboldened towards their husbands, he (the Prophet) gave permission to beat them. Then many women came round the family of the Messenger of Allah (ﷺ) complaining against their husbands. So the Messenger of Allah (ﷺ) said: Many women have gone round Muhammad’s family complaining against their husbands. They are not the best among you”

Sunan Abi Dawud 2146 SAHIH

Read it to the end. It moves from a prohibition, to a permission after ‘Umar’s complaint, to the Prophet’s verdict on the men who used it: “They are not the best among you.” The permission is not withdrawn in this report, but the measure is the same as Tirmidhi 1162: “the best of you are those who are best to your women.”

“And indeed I order you to be good to the women, for they are but captives with you over whom you have no power than that, except if they come with manifest Fahishah (evil behavior). If they do that, then abandon their beds and beat them with a beating that is not harmful. And if they obey you then you have no cause against them.”

Jami' at-Tirmidhi 1163, the Farewell Pilgrimage HASAN

"I enjoin good treatment of women, for they are prisoners with you, and you have no right to treat them otherwise, unless they commit clear indecency. If they do that, then forsake them in their beds and hit them, but without causing injury or leaving a mark. If they obey you, then do not seek means of annoyance against them."

Sunan Ibn Majah 1851, the Farewell Pilgrimage HASAN

The two reports of the sermon set three limits in the text itself: a **condition** ("manifest Fahishah", "clear indecency"), a **measure** ("not harmful", "without causing injury or leaving a mark") and a **stop** ("if they obey you then you have no cause against them"). An ordinary argument meets none of them, and a bruise or a mark is excluded by the words.

Where the scholars stand, and where this book stops

The site's Q&A records that "many scholars, drawing on the Prophet's ﷺ own example and the classical usage of the term involved, explain its final, most misapplied step as referring to something symbolic and non-injurious, never a license to strike in a way that causes pain, leaves a mark, or is carried out in anger" (deen2u.com/qa/protection-from-domestic-abuse-in-islam/).

No page on the site yet sets out how each of the four schools rules on the third step, so this book does not state their positions. **The question is marked open here.**

A narration that the Prophet ﷺ never struck a woman is widely quoted. It is left uncited here because the site's numbering for it has not yet passed verification. The reports above make the point without it.

What this clause is not. The site's answer on domestic abuse states: "Scholars across the schools agree that physical harm, humiliation, threats, or severe neglect breach a husband's basic obligations toward his wife, and none of this is excused by claims of religious authority within the household." A wife being hurt is facing a wrong, and Chapter 9 sets out her remedies.

deen2u.com/qa/domestic-abuse-islamic-stance-khula/

CHAPTER 4

Ṣulḥ: settling it between you

The verse on a husband's nushūz (4:128, in full in Chapter 2) does not tell the couple to separate. It tells them “there is no blame on them if they arrange an amicable settlement between themselves; and such settlement is best.” This is *ṣulḥ*: a negotiated arrangement that keeps the marriage on terms both can live with.

‘Ā’ishah explained what the verse was about. The site holds several of her explanations (Sahih al-Bukhari 2450, 2694, 4601), and this one is the most detailed:

“It concerns the woman whose husband does not want to keep her with him any longer, but wants to divorce her and marry some other lady, so she says to him: ‘Keep me and do not divorce me, and then marry another woman, and you may neither spend on me, nor sleep with me.’ This is indicated by the Statement of Allah: ‘There is no blame on them if they arrange an amicable settlement between them both, and (such) settlement is better”

Sahih al-Bukhari 5206 SAHIH

The Prophet's own household gives the example. ‘Ā’ishah reports that Sawdah bint Zam‘ah gave her turn to ‘Ā’ishah, and the Prophet ﷺ then gave ‘Ā’ishah both her own day and Sawdah's (Sahih al-Bukhari 5212).

What a wife may concede

The texts show a wife giving up **her own rights**: her turn (Bukhari 5212), her maintenance and her share of intimacy (Bukhari 5206). She may give them because they are hers. A husband may equally concede time, money or a change of home.

What she may not be made to concede

A right that can be waived can also be extorted, and the Quran closes that door from three sides:

- ① “Nor should ye treat them with harshness, that ye may Take away part of the dower ye have given them” (4:19). Harshness used to extract concessions is forbidden by name.
- ② “do not take them back to injure them, (or) to take undue advantage” (2:231, in full in Chapter 7). Keeping a wife in order to pressure her is also forbidden by name.
- ③ 4:128 itself warns the stronger party: “even though men's souls are swayed by greed.”

The site's page on polygyny puts the principle in one sentence: “A husband may accept such a gift when it is genuinely given. He may never assume it, engineer it, or treat silence as consent — a right that can only be given by its owner cannot be taken by the one who owes it.” (deen2u.com/polygyny/, “What a Wife May Stipulate”)

The honest go-between

A settlement often needs someone to carry it, and the Sunnah ranks that work highly:

“He who makes peace between the people by inventing good information or saying good things, is not a liar”

Sahih al-Bukhari 2692 SAHIH

“Shall I not inform you of something more excellent in degree than fasting, prayer and almsgiving (sadaqah)? The people replied: Yes, Prophet of Allah! He said: It is putting things right between people, spoiling them is the shaver (destructive)”

Sunan Abi Dawud 4919 SAHIH

Practical advice, not a ruling: write the terms down, say who gives up what and for how long, and agree a date to review them.

CHAPTER 5

The two arbiters

When talking has failed, the Quran sends for the families before any talk of divorce.

وَأِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا

"If ye fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, Allah will cause their reconciliation: For Allah hath full knowledge, and is acquainted with all things."

Quran 4:35

Who they are

"one from his family, and the other from hers": each spouse has someone in the room who knows them. **Practical advice, drawn from the verse:** choose people who know you both, keep confidences, are trusted by the other side and want the marriage to survive.

What they are for, and what they may decide

The verse names their task and the result it hopes for: "if they wish for peace, Allah will cause their reconciliation." The site's Q&A on reconciliation adds that "scholars generally treat sincere effort at mediation as strongly encouraged, with some

jurists viewing it as a near-obligation before a judge finalizes contested cases such as khula” (deen2u.com/qa/reconciliation-before-divorce/).

Jurists do discuss whether the two arbiters may go further and separate the couple on their own authority, or only report back and recommend. The site has no page setting out their positions yet, so **this book leaves that question open**. If your arbiters are asked to do more than reconcile, ask a scholar or the court what authority they actually hold.

Where the court's mediation stage fits

Where a couple lives under a Muslim family-law court, the court may have its own counselling or mediation stage alongside the family arbiters of 4:35. Find out what it is before you file anything.

WHERE	WHAT TO FIND OUT (TO BE SOURCED)
Malaysia (Syariah court)	When a couple is referred to counselling or mediation, who runs it, and whether the court can appoint arbiters in the sense of 4:35.
UAE (personal status court)	The family guidance stage before a case reaches the court: whether it is compulsory, how it is opened, what it records.

To be sourced. Each row will carry its official source when the book is built. Until then these are questions to ask, not answers.

CHAPTER 6

Words that cannot be taken back

Some words bind whatever the speaker later says he meant.

“There are three things which, whether undertaken seriously or in jest, are treated as serious: Marriage, divorce and taking back a wife (after a divorce which is not final)”

Sunan Abi Dawud 2194 HASAN

A joke does not undo a divorce, which is why the word should never be used as a joke, a threat or a way to win an argument.

Divorce said in anger

“There is no divorce or emancipation in case of constraint or duress (ghalaq). Abu Dawud said: I think ghalaq means anger”

Sunan Abi Dawud 2193 HASAN

The site's Q&A sets out three states. In ordinary anger, where a man knows and intends what he says, the divorce counts. In rage that takes away awareness of his words, it does not. Over severe anger that drives him to speak without truly intending it there is *ikhtilāf*, “though many verifying scholars (including Ibn al-Qayyim and Ibn ‘Uthaymīn) do not count it” (deen2u.com/qa/divorce-said-in-anger-or-as-a-joke/; also /qa/divorce-pronounced-in-anger/). Its practical rule: “one who is unsure should present the exact wording and circumstances to a trustworthy scholar or Shar‘ah court rather than assume the easier ruling.”

"Do not become angry and furious"

Sahih al-Bukhari 6116, repeated to a man who asked for advice SAHIH

Conditional pronouncements

On a conditional divorce (*ṭalāq mu'allaq*) the site records a real difference. The four madhhabs generally hold that it falls when the condition happens. Ibn Taymiyyah and Ibn al-Qayyim held that if the man meant only an oath, to threaten or prevent, no divorce falls and he expiates a broken oath (deen2u.com/qa/does-a-conditional-divorce-take-effect/).

"Three at once"

On a triple pronouncement in one sitting, the site's ṭalāq page: "Many scholars, following Ibn 'Abbas and later Ibn Taymiyyah, count it as only a single divorce; others count three. Either way it is blameworthy" (deen2u.com/talaq/). Take the exact words to a scholar or the court.

A report that is not the basis for anything here

"Of all the lawful acts the most detestable to Allah is divorce"

Sunan Abi Dawud 2178 DA'IF

Perhaps the most quoted line on divorce, and the site's corpus grades it **da'if** (weak). This book uses it as evidence for nothing, and does not need it: the case against a hasty divorce stands on 4:19, 4:35, 65:1, Bukhari 5251 and Abu Dawud 2194.

If the words have already been said

- ① Stop. Do not repeat or add to the words.

- 2 Write down the exact wording, the time, your state, and whether she was in her period or in a clean period after intimacy (Chapter 7).
- 3 Take it to a qualified scholar and the court. Registration: **To be sourced.**

CHAPTER 7

If he decides: ṭalāq in the Sunnah manner, and rujū‘

If a husband has decided on divorce after everything above, the Quran does not leave the manner to his mood.

يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ
وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ
يَأْتِيَنَّ بِفَلْحَشَةٍ مُبِينَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ
فَقَدْ ظَلَمَ نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا

“O Prophet! When ye do divorce women, divorce them at their prescribed periods, and count (accurately), their prescribed periods: And fear Allah your Lord: and turn them not out of their houses, nor shall they (themselves) leave, except in case they are guilty of some open lewdness, those are limits set by Allah: and any who transgresses the limits of Allah, does verily wrong his (own) soul: thou knowest not if perchance Allah will bring about thereafter some new situation.”

Quran 65:1

Divorce is tied to her “prescribed periods”, and she is not to be turned out of the house during the ‘iddah. The Sunnah shows what the first means:

“Order him (your son) to take her back and keep her till she is clean and then to wait till she gets her next period and becomes clean again, whereupon, if he wishes to keep her, he can do so, and if he wishes to divorce her he can divorce her before having sexual intercourse with her; and that is the prescribed period which Allah has fixed for the women meant to be divorced”

Sahih al-Bukhari 5251, when Ibn ‘Umar divorced his wife during her period **SAHIH**

So the Sunnah manner is **one pronouncement**, made while she is **clean of her period**, in a clean period in which there has been **no intimacy**. The site's ṭalāq page adds: “Divorcing during menstruation, or in a clean period after intimacy, is called talaq bid‘i – sinful and blameworthy in its manner. The majority of scholars still count it as taking effect” (deen2u.com/talaq/).

The limit on how many times is in 2:229 (in full in Chapter 8): “A divorce is only permissible twice: after that, the parties should either hold Together on equitable terms, or separate with kindness.”

Rujū‘: taking her back within the ‘iddah

After a first or second divorce, the ‘iddah is a window, not a wall: “their husbands have the better right to take them back in that period, if they wish for reconciliation” (2:228, in full in Chapter 1). The site's Q&A on revoking a divorce says a revocable divorce “can be undone during the iddah simply by the husband expressing his intention to resume the marriage, whether verbally or through resuming marital relations — no new contract, wali, or fresh mahr is needed” (deen2u.com/qa/can-divorce-be-revoked/).

فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ
وَأَشْهِدُوا ذَوْيَ عَدْلٍ مِّنْكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ ذَلِكُمْ يُوعَظُ
بِهِ مَن كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَمَن يَتَّقِ اللَّهَ يَجْعَلْ لَهُ
مَخْرَجًا

"Thus when they fulfil their term appointed, either take them back on equitable terms or part with them on equitable terms; and take for witness two persons from among you, endued with justice, and establish the evidence (as) before Allah. Such is the admonition given to him who believes in Allah and the Last Day. And for those who fear Allah, He (ever) prepares a way out,"

Quran 65:2

Whether jurists hold these witnesses required or recommended for a return is not yet on the site, so it is left open here. Taking them protects you both.

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلْيُغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ
 سَرِّحُوهُنَّ بِمَعْرُوفٍ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّتَعْتَدُوا وَمَنْ يَفْعَلْ
 ذَلِكَ فَقَدْ ظَلَمَ نَفْسَهُ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا وَاذْكُرُوا
 نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ يَعِظُكُمْ
 بِهِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

"When ye divorce women, and they fulfil the term of their ('Iddat), either take them back on equitable terms or set them free on equitable terms; but do not take them back to injure them, (or) to take undue advantage; if any one does that; He wrongs his own soul. Do not treat Allah's Signs as a jest, but solemnly rehearse Allah's favours on you, and the fact that He sent down to you the Book and Wisdom, for your instruction. And fear Allah, and know that Allah is well acquainted with all things."

Quran 2:231

A return made only to keep her suspended, neither married nor free, is forbidden by name.

After the 'iddah: do not block a return

If the 'iddah ends without a return, the divorce becomes final. The couple may still remarry, with a new contract and a new mahr (deen2u.com/qa/can-divorce-be-revoked/). The Quran forbids anyone to stand in the way:

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَلَبِغْنَ أَجَلَهُنَّ فَلَا تَعْضُلُوهُنَّ أَنْ يَنْكِحْنَ
 أَزْوَاجَهُنَّ إِذَا تَرَضَوْا بَيْنَهُنَّ بِالْمَعْرُوفِ ذَلِكَ يُوعَظُ بِهِ مَنْ
 كَانَ مِنْكُمْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَمْ أَزْكَى لَكُمْ وَأَطْهَرُ
 وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ

"When ye divorce women, and they fulfil the term of their ('Iddat), do not prevent them from marrying their (former) husbands, if they mutually agree on equitable terms. This instruction is for all amongst you, who believe in Allah and the Last Day. That is (the course Making for) most virtue and purity amongst you and Allah knows, and ye know not."

Quran 2:232

"That man was not a bad man and his wife wanted to go back to him. So Allah revealed this Verse: 'Do not prevent them.'"

Sahih al-Bukhari 5130, Ma'qil ibn Yasār on his sister; see also 4529

SAHIH

Ma'qil had sworn she would never go back to him. The verse overruled him. When the two want each other back on fair terms, family pride has no veto.

After a third divorce the barrier is higher: 2:230 bars remarriage until she has married another man and that marriage has ended (see deen2u.com/qa/can-divorce-be-revoked/).

To be sourced. Readers in Malaysia ask how a rujū‘ is reported to the Syariah court, and couples in both countries need to know how a divorce is registered. Whether registration is required, the deadlines, the forms and the consequences of not registering will be printed with their official source at build time.

CHAPTER 8

If she needs out: khul'

A wife is not left waiting for her husband to decide. The verse that limits divorce to twice also opens a door for her:

الطَّلَقُ مَرَّتَانٍ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٍ بِإِحْسَنٍ وَلَا يَحِلُّ
لَكُمْ أَنْ تَأْخُذُوا مِمَّا ءَاتَيْتُمُوهُنَّ شَيْئًا إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا
حُدُودَ اللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا
فِيمَا افْتَدَتْ بِهِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا وَمَنْ يَتَعَدَّ
حُدُودَ اللَّهِ فَأُولَئِكَ هُمُ الظَّالِمُونَ

"A divorce is only permissible twice: after that, the parties should either hold Together on equitable terms, or separate with kindness. It is not lawful for you, (Men), to take back any of your gifts (from your wives), except when both parties fear that they would be unable to keep the limits ordained by Allah. If ye (judges) do indeed fear that they would be unable to keep the limits ordained by Allah, there is no blame on either of them if she give something for her freedom. These are the limits ordained by Allah; so do not transgress them if any do transgress the limits ordained by Allah, such persons wrong (Themselves as well as others)."

Quran 2:229

The words "there is no blame on either of them if she give something for her freedom" are the Quranic basis of *khul'*: release at the wife's request, in return for giving something

back. The Sunnah shows it happening:

"I do not blame Thabit for defects in his character or his religion, but I, being a Muslim, dislike to behave in un-Islamic manner (if I remain with him)." ... "Will you give back the garden which your husband has given you (as Mahr)?" She said, "Yes." ... "O Thabit! Accept your garden, and divorce her once"

Sahih al-Bukhari 5273, the wife of Thābit ibn Qays SAHIIH

"I do not blame Thabit for any defects in his character or his religion, but I cannot endure to live with him."

Sahih al-Bukhari 5275 SAHIIH

She accused him of nothing. Her reason was her own state, and the Prophet ﷺ asked her one question, about the garden. "I cannot endure to live with him" was enough.

What the site records on how khul' works

From deen2u.com/qa/khula-wife-initiated-divorce/: "scholars differ on whether the husband's agreement is strictly necessary or whether a judge can grant it despite his refusal if the marriage has clearly broken down." The same answer notes that many Muslim-majority countries have formalised judicial khul', and that "Khula is generally treated as one irrevocable divorce", so a later return needs a new contract.

Her ‘iddah

“The wife of Thabit ibn Qays separated herself from him for a compensation. The Prophet (ﷺ) made her waiting period a menstrual course.”

Sunan Abi Dawud 2229 SAHIH

The site grades this report sahih. Abu Dawud himself notes that one chain of it is *mursal* (missing the Companion). This book prints the report and its grade. The site does not yet set out whether every school takes it as the rule for a khul‘ ‘iddah, so confirm your own ‘iddah with a scholar or the court before relying on it.

The warning, read correctly

“Whichever woman seeks a Khul from her husband without harm (cause), then the scent of Paradise will be unlawful for her”

Jami' at-Tirmidhi 1187 SAHIH

“If any woman asks her husband for divorce without some strong reason, the odour of Paradise will be forbidden to her”

Sunan Abi Dawud 2226 SAHIH

Both are authentic, and both are routinely quoted with the condition cut off: “without harm (cause)”, “without some strong reason.” **This book's reading:** they warn a wife who asks on a whim, not one who cannot bear the marriage, because the Prophet ﷺ granted khul‘ to exactly such a wife (Bukhari 5275).

What she returns, and what she keeps

She returns what she received as mahr, the garden in Thābit's case, or what is agreed (local practice on the amount is **To be sourced**). She keeps everything else that is hers. The companion book After Divorce: "Note what she returned: the mahr itself, no more. ... whether the parting is by ṭalāq or khulʿ, the children's maintenance is untouched by it." A husband who makes life unbearable so that she will buy her way out is doing what 4:19 forbids.

CHAPTER 9

When there is harm: the judge's separation

When the couple, the family and khul' all fail, or the harm is too serious to bargain over, the Sunnah has the judge. The Prophet ﷺ himself separated couples by his own ruling.

"Allah's Messenger (ﷺ) separated (divorced) the wife from her husband who accused her for an illegal sexual intercourse, and made them take the oath of Lian"

Sahih al-Bukhari 5313 SAHIIH

In li'ān (mutual oaths after a husband accuses his wife) he first urged each to repent, "Allah knows that one of you two is a liar; so will one of you repent?" (Bukhari 5311). When both refused, he separated them (Bukhari 5311–5314), and when the husband denied the child he "decided that the child belonged to the mother only" (Bukhari 5315). Li'ān itself: deen2u.com/ila-zihar-lian/.

"Abu Sufyan is a miser and he does not give me what is sufficient for me and my children. Can I take of his property without his knowledge?" The Prophet (ﷺ) said, "Take what is sufficient for you and your children, and the amount should be just and reasonable"

Sahih al-Bukhari 5364, Hind bint 'Utbah SAHIIH

Hind's case is not a separation. It shows a wife's complaint of unmet maintenance heard and answered in her favour in her husband's absence: she was allowed to take what sufficed without his knowledge.

Safety first

The site's answer on domestic abuse

(deen2u.com/qa/domestic-abuse-islamic-stance-khula/)

states: "A wife facing abuse has real options: she can seek intervention from family arbiters, appeal to a judge for a judicial divorce (faskh) on grounds of harm, or pursue khula to release herself from the marriage, forfeiting financial claims if necessary to secure her safety." It ends: "remaining in an abusive marriage is not a religious obligation, and safety takes priority."

If you are in danger now, get yourself and your children to safety first and call the emergency number where you are. The fiqh of what comes next can wait a day. Your safety cannot.

Grounds a wife may bring to a judge

The site's Q&A names these, in general terms:

- 1 **Harm:** "a judicial divorce (faskh) on grounds of harm" (deen2u.com/qa/domestic-abuse-islamic-stance-khula/).
- 2 **Abuse, abandonment, non-maintenance:** "on grounds such as abuse, abandonment, or failure to provide financial support" (deen2u.com/qa/wifes-right-to-seek-divorce-khula/).
- 3 **A broken contract condition:** "she has the right to take the matter to a judge and seek annulment" (deen2u.com/qa/conditions-stipulated-in-the-marriage-contract/; Chapter 10).

Not printed in this edition. The schools' positions on which grounds allow a judge to dissolve a marriage (*faskh, tafriq*), how long an absence or non-maintenance must last, and what proof is needed. No site page sets them out yet. The grounds and procedure under Malaysian and UAE law are **To be sourced**.

CHAPTER 10

What she can write into the contract

The cheapest way out of a future crisis is agreed before the marriage begins. The Sunnah gives marriage conditions the strongest claim to be honoured of any conditions:

"The stipulations most entitled to be abided by are those with which you are given the right to enjoy the (women's) private parts (i.e. the stipulations of the marriage contract)"

Sahih al-Bukhari 5151 SAHIIH

يَا أَيُّهَا الَّذِينَ ءَامَنُوا أَوفُوا بِالْعُقُودِ

"O ye who believe! fulfil (all) obligations."

Quran 5:1 (opening words)

What the site says a condition can and cannot do

From deen2u.com/qa/conditions-stipulated-in-the-marriage-contract/ and deen2u.com/qa/prenuptial-stipulations-shurut-marriage-contract/:

BINDING (PER THE SITE'S ANSWERS)

Conditions of clear benefit that do not contradict the Sharī'ah, such as not being moved from her city, finishing her studies, keeping her job, a separate residence, keeping her own property and income.

VOID (PER THE SITE'S ANSWERS)

Conditions that contradict the Sharī'ah, such as no maintenance, no intimacy, a fixed end date for the marriage, or that he divorce an existing wife.

The site also records a real difference over one condition, that the husband will not take another wife: “the Ḥanbalīs hold it valid and binding, giving her the right to annul if he breaks it, while the Ḥanafīs and Shāfi‘īs hold the condition void though the marriage itself remains valid” (deen2u.com/qa/conditions-stipulated-in-the-marriage-contract/). The polygyny page reaches the same point and adds a practical lesson: “the time to raise this is before the contract, not after the shock” (deen2u.com/polygyny/).

A wife may also be given a **delegated right to divorce herself** (*ṭalāq al-tafwīḍ*) under agreed circumstances (deen2u.com/qa/prenuptial-stipulations-shurut-marriage-contract/). If a valid condition is broken, “many scholars hold the wife may treat this as grounds to seek dissolution of the marriage” (same answer).

The Malaysian ta‘līq and UAE contract conditions

Malaysian marriages commonly carry a *ta‘līq*, a statement of conditions made after the akad, and readers ask whether a breach gives them a divorce and how to claim it. UAE marriage contracts can also carry conditions. **To be sourced:** the standard wording of the ta‘līq in the reader's state, what counts as a breach, how a claim is filed and proved, and the rules on UAE contract conditions. All of it will be printed with an official source. This book gives no local specifics from memory.

Before the akad: decide what matters to you, put it **in the contract** in plain words rather than in a conversation, and keep your own copy.

CHAPTER 11

Money at the parting

A great deal of injustice after a divorce is about money. The Quran is unusually specific here.

لَا جُنَاحَ عَلَيْكُمْ إِن طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ
فَرِيضَةً وَمَتَّعُوهُنَّ عَلَى الْمَوْسِعِ قَدَرَهُ وَعَلَى الْمُقْتِرِ قَدَرَهُ مَتَّعًا
بِالْمَعْرُوفِ حَقًّا عَلَى الْحَسَنِ

"There is no blame on you if ye divorce women before consummation or the fixation of their dower; but bestow on them (A suitable gift), the wealthy according to his means, and the poor according to his means;- A gift of a reasonable amount is due from those who wish to do the right thing."

Quran 2:236

وَإِنْ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ وَقَدْ فَرَضْتُمْ لَهُنَّ فَرِيضَةً
فَنِصْفُ مَا فَرَضْتُمْ إِلَّا أَنْ يَعْفُونَ أَوْ يَعْفُوَ الَّذِي بِيَدِهِ عَقْدُ
النِّكَاحِ وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَى وَلَا تَنْسُوا الْفَضْلَ بَيْنَكُمْ إِنَّ
اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

"And if ye divorce them before consummation, but after the fixation of a dower for them, then the half of the dower (is due to them), unless they remit it or (the man's half) is remitted by him in whose hands is the marriage tie; and the remission (of the man's half) is the nearest to righteousness. And do not forget Liberality between yourselves. For Allah sees well all that ye do."

Quran 2:237

وَلِلْمُطَلَّاقِ مَتَعٌ بِالْمَعْرُوفِ ^{صَلَّ} حَقًّا عَلَى الْمُتَّقِينَ

"For divorced women Maintenance (should be provided) on a reasonable (scale). This is a duty on the righteous."

Quran 2:241

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وَجْدِكُمْ وَلَا تُضَارُوهُنَّ
لِتَضَيِّقُوا عَلَيْهِنَّ وَإِنْ كُنَّ أُولَاتٍ حَمْلٍ فَأَنْفِقُوا عَلَيْهِنَّ حَتَّى
يَضَعْنَ حَمْلَهُنَّ فَإِنْ أَرْضَعْنَ لَكُمْ فَآتُوهُنَّ أُجُورَهُنَّ وَأُتِمُّوا
بَيْنَكُمْ بِمَعْرُوفٍ وَإِنْ تَعَاَسَرْتُمْ فَمُتْرَضِعٌ لَهُوَ أُخْرَى

"Let the women live (in 'iddat) in the same style as ye live, according to your means: Annoy them not, so as to restrict them. And if they carry (life in their wombs), then spend (your substance) on them until they deliver their burden: and if they suckle your (offspring), give them their recompense: and take mutual counsel together, according to what is just and reasonable. And if ye find yourselves in difficulties, let another woman suckle (the child) on the (father's) behalf."

Quran 65:6

SITUATION	EVIDENCE
Before consummation, no mahr fixed: a gift by his means	2:236
Before consummation, mahr fixed: half, unless remitted	2:237
After consummation: the mahr is hers in full, none of it taken back	4:20–21
Khul': she returns what was agreed (Chapter 8)	2:229; Bukhari 5273
Li'ān: the mahr is not returned to him	Bukhari 5312
Every divorced woman: mut'ah	2:241

SITUATION	EVIDENCE
‘Iddah: lodging; if pregnant, maintenance until delivery	65:6

“You have no right to get back your property. If you have told the truth about her then your property was for the consummation of your marriage with her; and if you told a lie about her, then you are less rightful to get your property back.”

Sahih al-Bukhari 5312, to the husband after li‘ān SAHIH

Where the schools differ

Maintenance of a finally divorced woman who is not pregnant. After Divorce records that “the Ḥanafīs give her lodging and maintenance; the Mālikīs and Shāfi‘īs give lodging but not maintenance; the Ḥanbalīs give neither. All four are reasoning from authentic narrations — the difference is old and principled, not carelessness.” Ask about your own case.

Mut‘ah. The site's Q&A on nafaqah notes that the parting gift of 2:241 is something “some scholars treat as a moral recommendation and others, particularly in certain contemporary legal codes, as a stronger entitlement” (deen2u.com/qa/nafaqah-financial-support-after-divorce/).

The claims to ask about locally

Readers in Malaysia are commonly told to claim mut‘ah, arrears of maintenance and jointly acquired property (*harta sepencarian*), alongside any deferred mahr still owed. The heads of claim in the UAE are listed in its own personal status

rules. **To be sourced:** what each claim covers, how it is calculated, and when it must be filed. None of this is printed from memory. Take the list to the court or a practitioner.

Custody (*ḥaḍānah*) and the children's maintenance are covered in the companion book **After Divorce** (deen2u.com/after-divorce/). One rule from it belongs here: whatever the spouses settle between themselves, the father's duty to maintain his children does not lapse and cannot be traded away.

CHAPTER 12

A checklist for Malaysia and the UAE

The book in the order a reader meets it. Every legal step is marked **To be sourced** and will be linked to an official source at build time.

In what order

- ① **Safety** (Chapter 9). Protection orders and shelters: **To be sourced**.
- ② **Name it, talk, settle** (Chapters 1, 2, 4).
- ③ **Family arbiters**, one from each side (4:35, Chapter 5).
- ④ **Take advice before any words are said**, above all in anger (Chapter 6).
- ⑤ **The court's counselling or family guidance stage**: Syariah court (Malaysia); family guidance before the personal status court (UAE). **To be sourced**.
- ⑥ **Choose the route**: ṭalāq in the Sunnah manner (7), khul' (8), the judge (9), a broken condition or ta'liq (10). Filing: **To be sourced**.
- ⑦ **Register** the divorce, and any rujū'. **To be sourced**.
- ⑧ **Money and children** (Chapter 11; the book After Divorce).

What to keep together

A working list, not the court's (which is To be sourced): the marriage contract with any conditions or ta'liq, identity documents, a record of the mahr paid and deferred, a dated

account of any pronouncement with the exact words, and any record of harm or unpaid maintenance.

What not to believe

YOU MAY HEAR	WHAT THE TEXTS SAY
"The Quran lets him hit you."	The clause has a sequence, a condition, a measure and a stop, and the Sunnah names the men who used it "not the best among you" (Chapter 3).
"A wife cannot leave unless he agrees."	Khul' was granted on "I cannot endure to live with him" (Bukhari 5275). A judge can separate (Chapter 9).
"It was only a joke, so it doesn't count."	Divorce counts in jest (Abu Dawud 2194, hasan).
"If she asks for khul' she loses Paradise."	The warning is for asking "without harm (cause)" (Tirmidhi 1187) and "without some strong reason" (Abu Dawud 2226).
"Divorce is the most hated of lawful things," quoted as a hadith.	Graded da'if (Abu Dawud 2178). It is not evidence (Chapter 6).

وَأَن يَتَفَرَّقَا يُغْنِ اللَّهُ كُلًّا مِّن سَعَتِهِ ۚ وَكَانَ اللَّهُ وَسِعًا حَكِيمًا ج

"But if they disagree (and must part), Allah will provide abundance for all from His all-reaching bounty: for Allah is He that careth for all and is Wise."

Quran 4:130

Where this book draws from.

Qur'ān: Arabic from the site's muṣḥaf files; English from the Yusuf Ali translation the site carries, verbatim, brackets and capitals included.

Hadith: each report was checked against the site's own corpus row before printing. Ṣaḥīḥ al-Bukhārī in standard numbering. Sunan Abī Dāwūd, Jāmi' at-Tirmidhī and Sunan Ibn Mājah with the grade the site carries, including one da'if report shown as not evidence. No Ṣaḥīḥ Muslim numbers are cited in this edition: the two reports planned from it have not yet passed the site's numbering check, and their points are made from the reports above.

The site's own pages: deen2u.com/talaq/, [/polygyny/](http://deen2u.com/polygyny/), [/after-divorce/](http://deen2u.com/after-divorce/), [/spousal-rights/](http://deen2u.com/spousal-rights/), [/ila-zihar-lian/](http://deen2u.com/ila-zihar-lian/), and the Q&A answers named in each chapter. Scholars' positions are named only where one of those pages names them; otherwise the question is marked open.

Local law: nothing in this book is a statement of Malaysian or UAE law. Every **To be sourced** marker is a place where an official source must be linked before the book is released.