

## Darul Ifta Caribbean

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### Question

Salamaleykum,

I sent a SMS to a friend saying "I divorce and I come back". I was no intention to divorce and it was a bad joke.

At this time, I was ignoring divorce rules.

I want to know if it counts like a divorce.

I precise that i am french and in my langage, we often use present to refer to the futur.

BarrakAllahu fik

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**In the name of Allah, the Most Gracious, the Most Merciful**

### Answer:

There is a hadeeth of the Prophet s.a.w. that mentions:

Abu Hurairah (RA) reports that the Prophet (SAW) said that there are three things, which are counted as serious even if they were not intended seriously, and they are Nikah (Marriage), Talaq (Divorce) and Rajat (taking a wife back).<sup>1</sup>

<sup>1</sup> Sunan of Abu-Dawood – Book 12 Hadith 2189

As for issuing talaq in a joking manner even through a text or letter, indeed a talaq takes effect due to the previous Hadeeth of the Prophet s.a.w.<sup>2</sup>

In conclusion, one Talaaq would have taken place if you had sent the text to your wife but your marriage will still be in tact due to you having said that you have taken her back immediately. This strict ruling is because Talaaq is not a joking matter in islam, you should note that your marriage is at the moment existing with two Talaaq, therefore be very careful in uttering such words.

Only Allah knows best

Written by Mufti Naieem Mohammad

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<sup>2</sup> Radd Muhtaar v4 pg 443