

## Darul Ifta Caribbean

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### Question

With regards to the iktilaaf with ahlus zawaahir that 3 talaafs in one majlis is one, does it refer to 3 separate talaafs as well such as talaaf talaaf talaaf or only u have been issued 3 talaafs / anti taaliquun thalaathin?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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

### Answer:

As for the Zaahir Riwaayaat, it is mentioned in Badaai' us Sanaai' that if the root word "Talaafun" is used with the intention of 3 Talaaf then the 3 Talaaf occurs even though the word was said once. If the intention was only one Talaaf then only one occurs, due to the Masdar or root word having the ability to contain the maximum of limit of the possible meanings of a word when intended.

If the words Talaaf Talaaf Talaaf are used in one majlis, then according to Zaahir Riwaayaat only one occurs because when Masdar is used in a general sense without specifying an intention then the minimum possible meaning is used due to Masdar being singular.<sup>1</sup>

<sup>1</sup> Badaai' us Sanaai' pg 278 vol 4, Qawaaid Fiqhiyya pg 66 # 47

If the specific intention is given with a specific number such as you have been issued 3 Talaq then there is no ikhtilaaf that the 3 Talaq have occurred because the place or majlis is not important in the ikhtilaaf but rather the words and niyaat.<sup>2</sup>

Only Allah knows best

Written by Mufti Naieem Mohammad

Checked and approved by Mufti Mohammed Tosir Miah

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<sup>2</sup> Same as above