

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

FRIDAY SERMON

HAZRAT MUHYI-UD-DIN AL-KHALIFATULLAH

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(Summary of Sermon)

After greeting all his disciples (and all Muslims) worldwide with the greeting of peace Hadhrat Khalifatullah (atba) read the Tashahhud, Ta'uz, Surah Al Fatiha, and then he delivered his sermon on the subject of *"Divorce (Talaq)"*:

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهَا وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا
يُوقِّعَ اللَّهُ بَيْنَهُمَا إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا ۝

Wa 'in khiftum shiqaa baynihimaa fab-'asuu hakamam-min 'ahlihii wa hakamam-min 'ahlihaa. 'Iyy-yuriidaa 'islaahayy-yuwaffi-qillaahu baynahumaa: 'innallaaha kaana 'Aliiman Khabiiraa.

"And if you fear dissension between the two, send an arbitrator from his people, and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Acquainted." (An-Nisa 4: 36).

My Friday Sermon (*Jumu'ah Khutba*) today is on the subject of divorce (*Al-Talaq*). Islam places great emphasis on marriage in the sense that it is a sacred contract that cannot be broken for vain and trivial reasons.

Although *Talaq* (divorce/ repudiation) is allowed, it must be considered that from among everything which is allowed, *Talaq* (divorce) is the most hated thing, the most abhorred by Allah and it is permitted insofar that it does no unjust damage. It should in

no way be used as part of some ruse which acts as a pretext for divorce. It can happen that the husband does not like a particular behaviour of his wife and that he has had enough of her. This is not sufficient to justify his request for divorce (*Talaq*). He must not consider only the negative side of his wife but on the contrary he must assess her good qualities that may well be greater than the defects. A separation may as well have a detrimental effect on the behaviour of the couple's children (if any) who may become easy prey for Satan.

“And live with them in kindness. For if you dislike them – perhaps you dislike a thing and Allah makes therein much good.” (An-Nisa 4: 20).

This verse clearly defines the framework of the marital status in Islam, each spouse having some obligations towards the other. We can also understand from this verse that love alone does not justify the continuation of the marriage contract. Are there not such acts as kindness and faithfulness that must be considered by the couple?

Marriage is in no way an institution built on a strand of hair that can be broken at any time, either by a sudden quarrel, excessive anger, a temporary quarrel, or a lack of understanding on the part of both spouses. But this is a contract that must be respected and honoured until the end.

Although marriage can be broken, *Talaq* (divorce) is only allowed in extremely difficult cases where life gets really bitter and relations unbearable. In no case should the husband become a subject of discontent for his wife. If one of her qualities is disliked by him, another one may well please him. That is to say, a woman is not completely bad, there is more or less some virtue in her. *Talaq* (divorce) cannot be delivered for trivial matters because no one is perfect.

In case of disagreement, it is not the idea of *Talaq* (divorce) which must take precedence but on the contrary it is the idea to save the marriage which should be reinforced. We must first find every opportunity to achieve reconciliation. And Islam offers the believer different ways: -

1. To lecture his wife,
2. To seek the advice of others,
3. To find an arbitrator.
4. Or to convene a meeting of the concerned families.

Such are means which are very much encouraged by Islam.

“And if you fear dissension between the two, send an arbitrator from his people, and an arbitrator from her people. If they both desire reconciliation, Allah will cause it between them. Indeed, Allah is ever Knowing and Acquainted.” (An-Nisa 4: 36).

However, consultation (Shura) is one of the effective ways which Allah exhorts the husband to use in case of disagreement. The Quran emphasizes that the husband and wife should submit their disputes to arbitration before resorting to *Talaq* (divorce). Is it not quite fair to say that today many parents neglect this great divine counsel by asking their son to cease all relations with their wife at the beginning itself of an argument? There are even some who do not realize the requirement that the woman need to be in a state of purity (these men are not aware of it) and only pronounce *Talaq* (divorce) against Islamic precepts.

During the lifetime of the Messenger of Allah (pbuh), Abdullah bin Umar (ra) divorced his wife while she was menstruating. His father, Umar Ibn Al-Khattab (ra), asked the Messenger of Allah (pbuh) about that and the Messenger of Allah (pbuh) said: *“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.”* (Bukhari, Muslim).

So if the husband is against the divine laws, he is the only one to blame. Note that the *Talaq* (divorce) is still valid even if it is delivered when the woman is in her period.

Allah throughout his Mercy urges the husband to grant himself (and his wife) a time of mature and sincere reflection and gives him sufficient time before the final decision of separation (such advantage should in no way be neglected). This is why Allah leaves open the path to reconciliation for a period of three menses after the pronouncement of the first *Talaq* (divorce).

Although the *Shari’ah* gives us so much advantage, many men today do not conform to this rule and proceed to the triple repudiation, i.e. the pronouncement of the three *Talaq* (divorce) in a single go to make it an irrevocable blow. Are they not making an abuse of the favour of Allah?

No one can hide or deny that the number of *Talaq* (divorce) is increasing day by day in our community. Family units are exploding today by the simple pronouncement of the word “*Talaq, Talaq, Talaq*” to end the marriage. The word “*Talaq*” became a game and banter on the tongue of many husbands. If Allah (swt) has ordered the men to

pronounce up to three *Talaq* (divorce) to end their marriage, there are among them who exaggerate and consider themselves as more learned in religious matters. They even come to a number of one or two thousand *Talaq*! And even stranger, after committing this innovation in religion they choose with great boldness for immediate reconciliation. Let us ask ourselves a question: Have we already reflected on its meaning (i.e. divorce), on the reason it was prescribed, on its conditions and above all on its consequences? Through the findings already made, it appears that the “*Talaq*” is often used, pronounced after foolish/ vain disputes and in a moment of anger which boggles the mind or through passion which renders it blind.

Verily the Jamaat Ul Sahih Al Islam and this humble Messenger of Allah, hereby present strongly condemns the triple repudiation/ divorce in one and same breath, be it verbally by pronouncing “*Talaq, Talaq, Talaq*”, or be it by e-mail (or sms etc.) or any other means which do not respect the Quranic three menses period.

The observation of that “*Iddah*” (waiting period) ordered by Allah, the Master of the Universe, has now become a forgotten thing. What has replaced it is the alacrity to end married life instantly. As believers in Allah (twf) and His Blessed Book, meditate on the verse where He says:

“O Prophet! When you divorce women, divorce them at their prescribed period, and calculate (accurately) the number of the days prescribed, and fear Allah, your Lord. Do not drive them out of their houses, nor should they themselves go forth, unless they commit an open indecency; and these are the limits of Allah, and whoever goes beyond the limits of Allah, he indeed does injustice to his own soul. You do not know that Allah may after that, bring about reunion.” (At-Talaq 65: 2).

Yet only one *Talaq* (divorce) which is permitted and accepted by the *Shari’ah*, acts as a warning, both for the woman and the husband also, without plunging them permanently in an irrevocable divorce. It is not just (it is not a sign of justice) to close the door to reconciliation with a single blow while Allah gives us the ease of using such a *Talaq* (divorce) – within a long span of time – that is to the advantage of the couple.

It should be noted that if the husband gave one or two *Talaq* (divorce) and the period of three menses have elapsed without him having given the third *Talaq* (divorce) their *Nikah* (marriage) is broken. But if they agree to reconcile (after the period of three menses) and live together again, they have the right to do so after renewal of their marriage - the *Nikah* **(that is to say, internally between both husband and wife, the husband can pronounce the *Nikah* once again before going to his wife (without the need to invite other people once again for such *Nikah*; no need for a *Walima* (wedding**

feast)); without the need for the wife to go through the Halala (in the absence of a third Talaq)). While if the three *Talaq* (divorce) is given at once, all of a sudden, the husband has no right to take his wife unless the *Halala* (that is to say, remarriage of the wife with another man and her divorce with her second husband only after the marriage is consummated) is practiced.

The Quran and the Hadiths tell us that we should not rush the issue of *Talaq* (divorce). Take the time that Allah (twf) has granted you. Do not let the door of regret and despair open. Do not be overcome by Satan who deploys his greatest ways to destroy homes. Consider the following:

1. Do not take hasty decisions to end your marriage.
2. Do not pronounce the *Talaq* in a moment of anger.
3. Avoid disputes and quarrels.
4. Try to understand the weaknesses of women.
5. Exercise tolerance that Islam has shown us.
6. Do your best to show yourself reasonable.
7. Do not instinctively react to the provocation of your wife.

And also, remember this Hadith:

Abu Said Al Khudri (ra) reported that Allah's Messenger (saw) said:

"Act kindly towards women, for they were created from a rib, and the most crooked part of a rib is its uppermost. If you attempt to straighten it; you will break it, and if you leave it alone it will remain crooked; so act kindly toward women". (Bukhari).

May Allah help every man and woman to understand the Quranic prescriptions relating to divorce, and hold fast to it in order not to harm and commit sins, for every injustice perpetrated on the subject shall certainly cause the throne of Allah to shake. So O men and women have the fear of Allah and respect the agreements you make with each other in respect to the divine requirements. *Insha-Allah, Ameen.*