179247 - He Divorced Her Several Times and She Doesn't Know if She's Still His Wife or Not

the question

I left my husband 18 months ago due to his unreasonable behaviour. He has beat me, spat on me, given me his urine to put in my mouth, put chilli in my eyes, put a knife to my neck and told me to say the shahada because he was going to kill me.
Before I left him, he told me on two occasions Talaq (divorce), you are not my wife and we are finished. After I left him he told me on the phone you are talaq (divorced), and after a few months he said again I divorce you 10 times. But after each time he would after a while kiss or touch me sexually. About two months ago he said he wanted us to get back together. I said no, I want to divorce and go to the mosque to end the marriage. His reply was, I divorce you and I am not going to any mosque ever, then 10 minutes after saying this he sexually grabs me in public. Although he hid it, I moved away from him and he said I want you and I replied I will never return back to live with him. We have a little girl together who is very hurt by his actions. Am I divorced from him by all the times he has announced talaq. I took him to court and was granted a 3 year restraining order against him. Thank you and may Allah bless you for all the good you are doing for many oppressed Muslim women who like myself are reverts and have no family to protect and defend them.

Detailed answer

Praise be to Allah.

First:

The husband’s saying “you are not my wife” and “we are finished” is not from the explicit wordings of divorce and so divorce does not take effect unless that was the intent of the husband. He must be consulted to know this.

Second:

It appears from your question that your husband explicitly divorced you three times on separate occasions. The first of them was when he said: “you are divorced” over the phone, the second was when he said “I divorce you ten times” and the third was when he said “I divorce you” after he learned that you wanted to get a divorce through the mosque.

Based on this, your divorce from your husband is final and you are not permitted to return to him until after you marry someone else genuinely, not for the sake of becoming lawful for your first husband again, and that second husband were to either die or divorce you. Allah says (what means): “Divorce is twice. Then, either keep [her] in an acceptable manner or release [her] with good treatment. And it is not lawful for you to take anything of what you have given them unless both fear that they will not be able to keep [within] the limits of Allah. But if you fear that they will not keep [within] the limits of Allah, then there is no blame upon either of them concerning that by which she ransoms herself. These are the limits of Allah, so do not transgress them. And whoever transgresses the limits of Allah – it is those who are the wrongdoers. And if he has divorced her [for the third time], then she is not lawful to him afterward until [after] she marries a husband other than him. And if the latter husband divorces her [or dies], there is no blame upon the woman and her former husband for returning to each other if they think that they can keep [within] the limits of Allah. These are the limits of Allah, which He makes clear to a people who know.” [2:229-230]

However, if the husband claims the marriage is still valid and contests the validity of one of the pronouncements of divorce, then you must refer to one of the people of knowledge at an Islamic Centre or elsewhere so they can listen to all the details from both of you.

You must be aware that what counts is the execution of divorce according to Islamic Law and not the judgement of the civil court. Refer to the answer to question 127179.

We ask Allah to guide you to good, obedience and repentance.

And Allah knows best.