

## Triple Divorce in a Single Utterance in Libyan Dar al-Ifta Fatwas: The *Maqāṣid* Distribution on Institutional Duality

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**Abstract:** This study examines how the Libyan Dar al-Ifta (2012-2016) implements ahkam on triple divorce pronounced in a single utterance (*ṭalāq al-thalāth bi-lafz wāḥid*) or closely related patterns which related to divorce counting. Using a qualitative, document-based design method and juristic content analysis, the study examines a purposive corpus of published fatwas addressing (1) explicit numerical pronouncements “by three”, (2) repeated utterances (*tāliq / hiya tāliq*) framed as emphasis versus multiple enactments, and (3) conditional divorce and divorce oaths. Results show that the majority juristic position and authoritative transmissions are used to enforce the fatwa (explicit-number and conditional “three”). Repetition treated as emphasis under constrained intention. Moreover, the study reveals an institutional duality in Libya in which fatwas often enforce conditional or oath-based triggers and count explicit-number pronouncements as three if the awareness is present. On the other hand, Law No. 10 of 1984 limits the effect of numbered divorce to one, prevents conditional divorce and divorce-oath effects. This contradiction between the fatwas and the law is interpreted as a distribution of *Maqāṣid* across institutions, where prevention and safeguarding the seriousness of divorce language are emphasized in fatwa practice, while harm reduction and family stability are institutionalized through legal policy and procedure. This study, empirically, contributes the ongoing discussions of fatwa reasoning in society and clarifies how the tension between Ibn Abbas hadith and the majority pathway is managed and understood as evidence or an exception rather than a rule.



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## Introduction

Triple divorce pronounced in a single utterance (*ṭalāq al-thalāth bi-lafz wāḥid*) is one of the most controversial issues in contemporary Islamic family law. It lies at the roots of textual analysis, legal methodology, and lived experiences of family harm (I. Suryani et al., 2024). In practice, the utterance is often produced in moments of conflict, anger, or social provocation. However, its legal consequences could, negatively, affect marital status, child custody, and social belonging (Yuhasnibar & Wati, 2023). According to current literature,

different regulatory approaches have been used by jurisdictions and fatwa institutions to address this issue. These approaches range from rigorous enforcement of the triple count to harm reducing measures which sees the pronouncement as a single revocable divorce (Wandi et al., 2025; Zakaria et al., 2025). The debate is not just a matter of *Fiqhi* discussion. It also concerns how Islamic legal reasoning is transformed from text to practice by institutions that need to balance prevention, moral responsibility, and family protection in changing social contexts (Kadarisman et al., 2025). Hadith Ibn Abbas, as narrated in Sahih Muslim (1472), is often used as the basis for the classical legal dispute. It claims that during the time of the Prophet, Abu Bakr, and two years of Umar's caliphate, triple divorce in one sitting was treated as one, but when people started to rush divorce, Umar enforced it as three (Fadl, 2019; Hanapi et al., 2024)

Scholars argue that, this hadith can be read as a policy choice (*siyāsah shar'iyah*) rather than a permanent rule (Syarif et al., 2022), which will allow for legitimizing reformist approaches which prioritize prevention of excessive harm and preservation of marital stability (Gunawan et al., 2026; S. Suryani, 2022). However, a significant voice of juristic and institutional practice continues to adopt the majority position that an explicit triple count in one utterance considered as three, especially as a preventive mean against frivolous manipulation of divorce language (Dalingwater, 2018). This tension produces a conflict between the textual evidences, juristic authority, and *Maqāṣid al-Sharī'ah* is in applied social contexts.

Despite a growing body of literature related to divorce in major Islamic countries, at least three gaps remain obvious. First, many studies treat triple talaq mainly as a doctrinal controversy or as a rights discourse, without closely reconstructing how fatwa institutions actually reason through concrete cases, especially how they deal with intention and anger in real-life cases (Munir, 2013; Wandu et al., 2025). Second, the institutional layer is often underdeveloped, as previous studies tend to compare state laws across countries or compare broad *madhhab* positions, but pays less attention to the internal reasoning of a single fatwa institution (N. Ahmad, 2009; Mangi et al., 2025). Third, in contexts where both religious advisory institutions and state law are influential, as in Libya and many other Muslim countries, the interaction between the two normative orders is frequently mentioned but rarely analyzed as a structured dual system with different functions, different standards of proof, and potentially different *maqasid* priorities (Zayyadi et al., 2023).

Thus, Libya presents a special case for addressing these gaps in research. On one hand, the Libyan Dar al-Ifta issues public fatwas that frequently treat explicit number triple divorce and conditional divorce oaths as binding under the majority juristic pathway, while also recognizing limited easing through intention-based readings of repetition. On the other hand, Libyan family law adopts a different policy. The Law No. 10 of 1984 limits the effect of divorce with number by treating it as one revocable divorce and explicitly blocks the legal effect of

conditional divorce and divorce-oath violations (Rahmawati et al., 2025). This contradiction is problematic for legal and social practice.

Accordingly, the problem this study addresses is not only whether triple divorce should count as one or three in abstraction, but how a major fatwa institution in Libya constructs and applies its rulings in lived cases, and how these rulings relate to an alternative national legal policy that appears closer in effect to hadith Ibn Abbas (Al-Bukhārī, 2001). The study asks how evidences are prioritized, how ambiguity is managed, and where and why exceptions are allowed. It also asks what the Libyan duality reveals about the distribution of *maqāṣid* across institutions. Exactly, asks whether prevention and safeguarding the importance of talaq language are primarily advanced through fatwa enforceability, while harm reduction and rights protection are advanced through statutory non-recognition of conditional and oath mechanisms and through judicial procedure.

The study pursues four objectives. First, it maps the dominant patterns of triple-divorce speech forms in Libyan Dar al-Ifta fatwas, distinguishing explicit-number pronouncements from repeated utterances and sequential enactments within one sitting. Second, it reconstructs the institution's reasoning structure by identifying recurring evidentiary moves, including Qur'anic consequence-framing, the majority juristic position, and authoritative transmissions, alongside the conditions placed on easing. Third, it situates these findings against Libyan statutory policy under Law No. 10 of 1984 to explain how and why fatwa outcomes differ from legal outcomes, and what this difference implies for family governance in Libya.

This study is significant in three ways. Empirically, it provides a detailed account of how triple-divorce questions are processed in an identifiable fatwa corpus, moving beyond generalized descriptions of madhhab positions to the applied reasoning patterns that govern real disputes (Othman, 2024). Theoretically, it contributes to scholarship on Islamic legal reasoning by showing how tension, especially between the Ibn Abbas hadith and the majority juristic pathway, is often managed institutionally through defaults and exceptions rather than through mass reconstruction of the rule. Practically, it illuminates a Libyan "dual normative order" in which fatwa guidance and state law implement different policy choices. Thereby, it clarifies points of potential confusion for families, judges, and religious authorities suggesting the need for clearer coordination in public guidance and legal literacy. In doing so, the study aims to inform both the academic debate on triple divorce and the policy discussions on how Muslim family law can balance prevention, accountability, and family protection in contemporary settings.

## Methods

This study adopts a qualitative, document-based research design grounded in juristic analysis and systematic content analysis of fatwas. Document analysis is appropriate where the primary data are institutional texts produced for practical decision-making, because it

allows the researcher to treat fatwas as decision documents that encode recurring argumentative structures, evidentiary hierarchies, and contextual qualifiers (Bowen, 2009). The unit of analysis is the individual fatwa response, read as a complete reasoning act that links a narrated case (*wāqi'ah*) to a legal characterization (*takyīf*) and a ruling (*ḥukm*).

The corpus was built through purposive sampling of publicly available fatwas issued by the Libyan Dar al-Ifta that explicitly address triple divorce in a single utterance and closely related forms affecting the counting of divorces (Yakar, 2018). The primary documents analyzed include Fatwa No. 2008 (explicit triple pronouncement in one utterance), Fatwa No. 2010 (repetition of talaq wording under conflict and provocation), and Fatwa No. 890 (conditional triple divorce linked to behavioral triggers). These documents were selected because they represent three dominant structural patterns in institutional reasoning: (a) explicit numerical wording as a decisive speech act, (b) repetition and intention-based interpretation (emphasis versus multiplicity), and (c) conditional divorce and divorce oaths as activation mechanisms. The inclusion of these fatwas ensures doctrinal diversity while maintaining thematic coherence around the problem of counting and legal effect.

The sampling logic followed a maximum-variation strategy across recurrent fact patterns and doctrinal triggers, enabling systematic comparison of how the institution handles (a) explicit number formulations (“three” in a single phrase), (b) sequential repetition without conjunction and claims of emphatic intent, and (c) conditional and oath-based constructions (*ṭalāq mu'allaq and yamīn al-ṭalāq*). Each fatwa was coded for its argumentative structure, including evidentiary references (Qur'anic verses, majority juristic position, consensus-type statements, Companion reports), doctrinal anchoring (madhhab-based citations), and the framing of legal consequence (especially major irrevocability, *baynūnah kubrā*). This allowed identification of a relatively stable evidentiary ladder operating across distinct factual scenarios.

To strengthen interpretive validity, the study applied normative triangulation by reading the fatwa reasoning alongside the Libyan personal status framework, particularly Law No. 10 of 1984. This comparative layer made it possible to identify institutional convergence and divergence between advisory religious rulings and binding statutory policy, especially concerning the counting of numbered divorce and the legal effect of conditional divorce or divorce oaths. Through this layered document analysis, the research captures not only doctrinal reasoning within the fatwa domain but also its interaction with state-level legal reform and *maqāṣid*-oriented policy considerations.

## **Result and Discussion**

### **Patterns of “Triple Divorce in a Single Utterance” in Libyan Dar al-Ifta Fatwas and the Structure of Fatwa Reasoning**

The analyzed corpus of Libyan Dar al-Ifta fatwas reveals that the most recurrent formulation in practice is the explicit numerical pronouncement in a single utterance (e.g.,

three, with three, by three). In this pattern, the explicit number functions as a decisive linguistic marker for case description, shifting the dispute away from whether divorce occurred at all toward how the numerical wording should be counted. A representative example is Fatwa No. 2008, where the husband reports saying, in intense anger, “Your daughter is divorced by three,” raising the central interpretive question of whether a single utterance with an explicit number should be treated as three effective divorces or reconsidered through contextual qualifiers such as anger, pressure, or rhetorical emphasis.

Among these fatwas, explicit number wording is not treated as a mere rhetorical exaggeration but as a constitutive speech act that establishes the legal count (Asni & Sulong, 2016). It implies that the speaker meets the conditions of legal capacity at the moment of utterance. Fatwa No. 2008 articulates this logic by affirming that triple divorce in one statement counts as three and by adding a methodological constraint, the divorce uttered in anger is effective as long as the divorcing party remains aware of what he says. This produces a functional rule in the institution’s applied reasoning. The explicit-number pronouncements maintain their legal force when awareness is presented, while contextual factors are primarily considered for assessing that awareness rather than reinterpreting the number itself.

A notable feature of the Dar al-Ifta’s reasoning is its textbook-like doctrinal architecture, which bases the ruling in three linked moves. It starts with reliance on the dominant juristic position (the majority view). Then, reinforcement through authoritative transmissions framed as consensus or near-consensus. Finally, it uses the Qur’an as a foundation of the legal consequence. In Fatwa No. 2008, the institution explicitly refers to the majority position of the four Sunni schools and cites an authoritative statement attributed to al-Qurtubi asserting that jurists of fatwa agreed on the binding effect of triple divorce in a single phrase (Hafizah & Bustamam, 2021). Functionally, this move is not simply a citation practice; it operates as a screening mechanism that constrains expansive relief and protects the normative seriousness of divorce utterances in a context where post-hoc claims could otherwise increase.

Once the rule is established, the fatwas commonly conclude with the legal consequence framed as major irrevocability (*baynunah kubrā*) when the number of divorces is considered completed, typically supported by the Qur’anic verse that prohibits remarriage until an intervening marriage happened (Maula, 2023). Fatwa No. 450 illustrates how this conclusion is reached when three divorces are completed even within one sitting. The fatwa reasons that each pronouncement was effective because the wife remained in a valid legal status for divorce at each step, culminating in an exhaustion of the three divorces and thereby triggering the Qur’anic consequence. This demonstrates a consistent evidentiary chain of use in the Dar al-Ifta’s logic.

Comparative scholarship helps situate this institutional pattern within the broader contemporary debate. Modern comparative studies typically define “triple divorce in one pronouncement” as an explicit triple count expressed in a single phrase. This definition

matches the dominant wording in the Libyan fatwas and underscores the centrality of speech form in practice (Al-Hajiri, 2025; Hanapi et al., 2024). At the same time, other strands of contemporary discussion emphasize *maqasid*-based concerns, especially the preservation of family stability and avoidance of disproportionate harm, and therefore critique the immediate counting of three in one utterance as a policy that may exacerbate family rupture (Busriyanti et al., 2025; Syahril et al., 2026).

### Repetition of *Talaq* Utterances between “Emphasis” and “Number-Creating Speech”

The analyses fatwas show that repeated *talaq* wording rarely appears as a purely linguistic form; rather, it is embedded in a conflict scene or context where anger, provocation, and social pressure shape the utterance. Fatwa No. 2010 narrates a two-stage conflict escalation. The husband first says, in anger, “*You are divorced, divorced, divorced,*” then, after a confrontation with the wife’s brothers and explicit provocation “*If you are a man, divorce her*”, he repeats, “*She is divorced, she is divorced, she is divorced,*” while insisting that he did not intend an irrevocable triple divorce and that the repetition occurred under intense anger and tension. This framing makes the juristic question less about the existence of *talaq* and more about the function of repetition. Does it create multiplicity, or does it rhetorically reinforce a single act?

Methodologically, Dar al-Ifta redirects the inquiry from counting words to interpreting speech function through intention (*niyyah*) and contextual indicators (Hani Zaidan & Aliwy Mohammed, 2020). In Fatwa No. 1295, the question is explicit: after one prior divorce, the husband repeats “*You are divorced, divorced, divorced,*” and clarifies that he meant emphasis, not multiplicity. The fatwa responds by establishing a working rule which is the first divorce stands, and the repeated statement is treated as one divorce so long as it was intended for emphasis. The reasoning is not merely simple; it is presented as a structured interpretive principle grounded in Arabic usage, speech may be repeated for reinforcement, by shifting repetition into the domain of potentially emphatic language rather than an automatic numerical trigger.

At the same time, Dar al-Ifta does not treat intention as an unrestricted escape route. The same fatwa introduces a technical constraint through Maliki authorities (*al-Mawwaq and al-Mititi*): repetition in one sequence without conjunction can normally mean three, unless the speaker intended the first as one and the later repetitions as making it heard and emphasizing. This doctrinal insertion matters because it closes the door to arbitrary post-hoc claims and ties the intention-based reading to a recognized juristic parameter, *nasq* (sequential repetition) and the absence of conjunction. So that emphasis becomes a bounded interpretive category rather than a purely subjective claim.

Comparatively, the logic of context and intention resonates with contemporary *maqāṣid*-oriented discussions, where juristic and legal institutions may treat the simultaneous or repeated utterance as reflecting a single intent, especially when repetition

serves emphasis and the husband denies intending an irrevocable triple divorce (Ab Latif & Zulkifli, 2025; N. Ahmad, 2009). The comparative fatwa study show that Egyptian legal policy counts triple talaq in one pronouncement as one revocable divorce and explicitly links that approach to the Ibn Abbas hadith, interpreting “three” as emphasis where three irrevocable divorces are not intended. It also frames the policy as preserving public interest and reducing uncontrolled divorce (A. Ahmad, 2021; Wandt et al., 2025).

From a *maqāṣid* perspective focused on family stability, the Libyan treatment of repetition can be read as a regulated response to two competing objectives: prevention (protecting the seriousness of talaq and limiting strategic manipulation) and family preservation (preventing instant, irrevocable breakdown triggered by heated repetition) (Chowdhury, 2022). The doctrinal insistence on a technical sequence criterion and on a declared intent of emphasis shows an attempt to protect both aims at once. Thus, the utterance is not erased, but its numerical effect is contained when repetition plausibly functions as reinforcement within a conflict-driven speech event. In conclusion, Dar al-Ifta adopts a two-layered interpretive architecture for repeated talaq. The repetition is not automatically equivalent to three, yet it is not automatically harmless. Instead, repetition is evaluated as a speech act whose legal count depends on a bounded intention test (emphasis vs. creation), supported by Maliki doctrinal constraints.

### Conditional Triple Divorce and Divorce Oaths

Moreover, the results show that conditional divorce (*ṭalāq muʿallaq*) and divorce oaths (*yamīn al-ṭalāq*) appear in Libyan Dar al-Ifta practice mainly as instruments of control and threat rather than as carefully intended decisions to terminate marriage. In Fatwa No. 890, the husband formulates divorce as a behavioral condition, “If you leave the house, consider yourself divorced by three”, and the question turns on whether the wife’s later act (leaving without permission) activates the stated consequence. In this structure, *talaq* is shifted from a single, time-bounded speech act to a standing “conditional sanction” attached to everyday conduct, which makes the marital relationship unusually vulnerable to rapid legal break.

Fatwa No. 521 presents a more layered scenario that highlights how oath-making can escalate in domestic conflict. The case description moves from an initial oath related to a household matter to repeated conditional threats, such as linking “three” to raising one’s voice or staying overnight at the parents’ home, followed by the reported occurrence of those conditions. As a result pattern, the fatwa treat these oaths as part of a broader threat language repertoire in family disputes, creating a high-risk environment where routine social actions can be translated into a major irrevocable divorce if the conditional mechanism is legally activated.

In doctrinal terms, Dar al-Ifta consistently grounds rulings on the majority juristic principle that conditional divorce is effective upon fulfillment of the condition. Fatwa No. 890

explicitly frames the oath as conditional divorce and states that it takes effect by the occurrence of the conditioned act according to the majority of scholars across the four Sunni schools. Fatwa No. 521 similarly treats divorce oaths as conditional talaq and reads the narrative through the activation logic. If the condition occurs, the conditional statement produces legal effect. Methodologically, this indicates that the institution does not treat conditional threats as merely psychological deterrents or rhetorical intensifiers; rather it interprets them as binding legal formulations whose effects are triggered by subsequent conduct.

The structure of reasoning in Fatwa No. 890 further shows how Dar al-Ifta assembles multiple layers of proof to stabilize this activation logic. The fatwa combines the majority rule with a Companion-based report (linked to Ibn Umar) about conditional wording and the resulting separation if the condition occurs, then reinforces the point with a concrete juristic illustration: *“If his wife is divorced by three when she enters the house, and she enters, the divorce becomes binding.”* The conclusion is then framed through the Qur’anic consequence of major irrevocability, which bans return until an intervening marriage occurs. As a result, conditional talaq is treated as a complete causal mechanism in which the fulfillment of the condition functions as fulfillment of the cause, and the number determines the effect of the consequence.

From a family *maqāṣid* perspective, the results allow a two-sided discussion of why the institution may prefer strict activation. On the one hand, enforcing conditional oaths can be interpreted as serving prevention and safeguarding the seriousness of marital speech acts. The institution sees that if threats and oaths were routinely disregarded, divorce language could become a costless tool of compulsion (*ikrah*), encouraging escalation and normalization of verbal violence. On the other hand, the family consequences can be severe (Fizal, 2025; Zayyadi et al., 2023). As in this case, a single conditional trigger (leaving the home, staying with parents) may result in immediate major irrevocability, producing an outcome that is unequal to the triggering act and potentially driven by anger rather than stable intent. This tension is central, because it shows that the same doctrinal choice can plausibly be defended as “protecting marriage” through prevention while simultaneously risking “damaging marriage” through sudden, irreversible outcomes.

The strongest interpretive result emerges when the fatwa logic is read against the Libyan legal framework, where the policy direction is explicitly different. Article 33 of Law No. 10 of 1984 states that conditional divorce based on doing or leaving an act does not take effect, and that divorce does not take effect through violation of divorce oaths. Consequently, the same type of household narratives that produce binding divorce in the fatwa domain (conditional triggers, oath-based threats) may produce no legal effect in court under the statute. This highlights an institutional duality in which fatwa authority operates in a moral-advisory register and may prioritize prevention through enforceability, while state law

operates as public policy and may prioritize harm reduction and family stability through non-recognition of oath-driven conditional mechanisms (Anwar, 2024; Rosidi, 2025)

Overall, the results indicate that Libyan Dar al-Ifta fatwas adopt an “activation model” for conditional divorce and divorce oaths, enforcing the legal effect upon the occurrence of the stated condition and treating the number three as outcome-determinative. In contrast, Libyan legislation adopts a protective policy that blocks the legal effect of the same mechanisms. This variation offers a high-value analytical window into how institutions distribute competing *maqāṣid* (Laksana et al., 2025). Prevention and speech seriousness can be advanced through enforceability in the fatwa domain, while family protection and reduction of disproportionate harm can be advanced through statutory non-recognition in the legal domain.

### **Evidentiary Pathways and Competing *Maqāṣid* in Libyan Dar al-Ifta Fatwas**

The synthesis shows that Libyan Dar al-Ifta’ fatwas construct rulings on triple divorce through a relatively stable evidentiary ladder in which Qur’anic consequence-framing, the majority juristic pathway, and authoritative transmissions function together to stabilize outcomes. The Qur’anic verse that links completion of the divorce count to major irrevocability is repeatedly mobilized as the normative end of the ruling, so that once the count is deemed completed, the outcome is framed as a categorical legal consequence rather than an open-ended optional judgment (Mukdin et al., 2022). As a result pattern, the fatwa discourse makes the legal question primarily about whether the speech act reaches the threshold of “count completion,” after which the Qur’anic closure provides the final legal status.

Within that structure, the majority position and consensus-type authoritative transmissions play a distinctive institutional role, especially in cases of explicit-number wording. The reliance on al-Qurtubī’s statement that jurists of fatwa agreed on the binding force of triple divorce in one utterance is not merely a historical claim; it functions as a methodological guard that prevents expansive relief in a socially sensitive domain. In institutional terms, this is best understood as an anti-manipulation strategy. The fatwa system anticipates post-hoc narrative shifts and therefore foregrounds a stable default rule that protects the seriousness of marital speech (Terem, 2023). The outcomes show how this stabilizing function works: explicit-number speech and conditional “*three*” are treated as legally weighty forms that should not be easily neutralized by later regret or contextual storytelling.

At the same time, the comparative literature demonstrates that the Ibn Abbas report in Sahih Muslim occupies a foundational place in contemporary debates because it provides a historical account in which triple divorce was treated as one during the Prophet’s time, Abu Bakr’s time, and part of Umar’s caliphate, before Umar enforced it as three in response to changing social behavior (Al-Hajiri, 2025; Fadl, 2019). That report is frequently used to

reframe the issue as one of policy and public interest rather than a fixed arithmetic rule, raising a core interpretive question: is counting “three in one utterance” a permanent doctrinal requirement or an adjusted cause adopted in response to social abuse? Comparative fatwa analysis further confirms that the central dispute is precisely the numerical effect of “three in a single pronouncement,” and that modern institutions often debate it as a problem of harm reduction and family protection as much as a problem of textual inference (Fadl, 2019; Munir, 2013).

This interpretive picture becomes clearer when the Libyan legal framework is introduced as a second normative layer operating in the same social field. Law No. 10 of 1984 adopts a policy that explicitly reduces legal effects in areas where the fatwa system often enforces them. It treats divorce with number as one revocable divorce in general terms, and it blocks the legal effect of conditional divorce and the violation of divorce oaths. Libya among jurisdictions moved toward counting the numbered triple as one, suggesting that the statutory approach is compatible with an explicit harm-reduction that prioritizes family stability and limits irreversible consequences triggered by impulsive wording. Importantly, the law does not refer to Ibn Abbas hadith as its proof, but its policy direction parallels the hadith’s implication that strict triple-counting is not the only historical way to read divorce effects.

## Conclusion

This study has shown that Libyan Dar al-Ifta fatwas treat triple divorce questions through a consistent applied reasoning architecture that prioritizes doctrinal stability and prevention while allowing limited easing through carefully bounded gateways. In cases of explicit-number wording “by three” and conditional formulations that attach “three” to behavioral triggers, the fatwa discourse typically relies on Qur’anic consequence-framing, the majority juristic pathway, and authoritative transmissions to justify counting outcomes that may culminate in major irrevocability when the divorce count is deemed completed. By contrast, in lower-certainty contexts, especially repeated utterances that plausibly function as emphasis and anger cases that raise capacity concerns, the institution constrains harsh outcomes through intention-based readings of repetition. Across the corpus, therefore, the decisive divider is not emotional, but legal capacity and interpretive plausibility under structured doctrinal constraints.

A second, distinctive contribution of the study is its demonstration of an institutional duality within the Libyan context. Libyan statutory policy under Law No. 10 of 1984 adopts a harm-reducing approach that differs from the practical consequences generated by many fatwa outcomes: it limits the effect of numbered divorce to one revocable divorce, blocks the effect of conditional divorce and divorce-oath violations, and requires judicial establishment of divorce. This conflict is best interpreted not as a simple contradiction but as a functional distribution of *maqāṣid* across institutions. The Dar al-Ifta operates primarily in a moral-

advisory register that emphasizes safeguarding the seriousness of talaq language and limiting strategic manipulation, whereas the legal system institutionalizes family protection through effect-limitation and procedural verification in court. In this setting, the Ibn Abbas report functions in scholarship as a foundational lens supporting alternative counting policies, while Libyan fatwa practice tends to preserve a stable default rule and manage hardship through bounded exceptions rather than by reconstructing the default.

These findings carry practical implications for family governance and public religious guidance in Libya. Greater clarity is needed in public-facing explanations of how fatwa judgments relate to court outcomes, especially in high-risk areas such as conditional threats and divorce oaths, where the gap between advisory enforceability and legal non-recognition can generate confusion and conflict escalation. Training and guidance materials that discourage the use of divorce oaths as instruments of control and emphasize the dangers of explicit-number language could reduce preventable harm. Future research can expand the corpus, examine judicial case law to observe how courts use and refer to statutory policy in contested disputes, and explore how families navigate the dual normative environment in practice, including the effects on reconciliation, custody negotiations, and women's access to legal protections.

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