

## Miun

### Ref: Sefer Nashim, Hilchot Gerushin, Chapter 11

A minor girl may refuse her husband and leave him without *get*. This is because a minor does not have the capability to establish a complete marriage.

It is a kind of divorce but the rules are more lenient.

There is however a procedure and a document.

A minor is usually up to age **12**, but it also depends on whether she has manifested signs of female maturity. This could take her to age **20** or even **35**.

#### Reminder:

Age Definitions. Ref *Sefer Nashim, Hilchot Ishut*, Chapter 2.



After she reaches maturity (generally age **12**) and has had marital relations after this time, she can no longer use *miun* to annul her marriage. She must have a *get* to achieve this.

A girl capable of understanding what *kidushin* is, and is between 6-10 years of age, she should perform the procedure of *miun* to leave the marriage. If she is less than 6, *miun* is unnecessary and if she is older than 10, *miun* is always necessary.

If she is between 6-10 years of age and is incapable of understanding what *kidushin* is, she merely returns to her mother's home as if she had never been married.

The legal recording of the *miun* (if it takes place) can be done in an informal manner in front of 2 witnesses. However, it has become a custom to have a document with a standard text.



A woman who is divorced may not remarry original husband, after she has married someone else<sup>2</sup>.

Before she remarries, she would be allowed to remarry her original husband.

However, a girl who left marriage through *miun* is not considered as divorced, and would be allowed to remarry original husband after marrying another man.



A woman must wait after being divorced / widowed = **90 days**. (This is to ascertain whether she may have been pregnant) *Derabanan*

A woman may not remarry if she is pregnant – *Derabanan*

Nursing mother must wait **24 months** before remarrying – *Derabanan*.

Again, these periods do not apply to a *miun* situation.