20660 - He intended divorce but he did not speak the words out loud. Did divorce take place?

the question

If someone announces the intention to divorce his wife to anothe male. Does the divorce goes into effect?

He did not pronounce it definitively he only said it that he would or intended to. But He did not is the marriage still valid.

Detailed answer

Praise be to Allah.

This divorce has not taken place, so long as the husband did not utter the words of divorce, because intention on its own is not enough for divorce to take place.

This is the view of the majority of scholars, as mentioned by al-Haafiz in al-Fath (9/394), and as quoted by Ibn Qudamah in al-Mughni (7/121) from the majority of scholars. They quoted as evidence for that the hadith narrated by al-Bukhari (2528) and Muslim (327) from Abu Hurayrah (may Allah be pleased with him) who said: The Messenger of Allah (peace and blessings of Allah be upon him) said: “Allah has forgiven my ummah for whatever crosses their minds, so long as they do not act upon it or speak of it.” Qutaadah – one of the narrators of this hadith – said: If it said the words of divorce to himself, without uttering it, it does not mean anything.

Shaykh Ibn Baz said:

If there is merely the intention of divorce, that does not mean that divorce has taken place. Rather

divorce takes place when the words are spoken or written. He quoted as evidence the hadith mentioned above."(Fatawa Islamiyyah, 3/279).

And Allah knows best.