22850 - He said to his wife, “I don’t want a woman who is like this.” Is this regarded as a divorce (talaaq)?

the question

A man was arguing with his wife and blaming her for her attitude, and said that she was acting like a man in her dealings with him. He said to her, “If you carry on being like this it is difficult to live together. I do not want a girl who is like this.” We asked him about his intention when he said these words and he said that he did not know what his intention was at that moment.

Detailed answer

Praise be to Allah.

The scholars regard these words as words that are hinting at divorce. The ruling is that divorce does not take place unless that was his intention. If he did not intend to divorce her or he does not know what his intention was at the time when he spoke these words, then divorce does not take place.

Shaykh Ibn Baaz (may Allaah have mercy on him) was asked about a man who said to his wife, “I don’t want you” a number of times. He said: These words do not constitute divorce if that was not his intention. This is a hint but is not divorce. His wife is still his wife, and he does not have to do anything.

Fataawa al-Talaaq by Shaykh Ibn Baaz, p. 68.