96604 - He said to his wife: Consider yourself divorced after your period ends

the question

I had an argument with my wife when she was menstruating, so I said to her: Consider yourself divorced after your period ends. Of course, my intention was to divorce her after her period ended, but after her period ended, I did not divorce her and I was not intimate with her, and I said to myself: If I did divorce her, then I have taken her back. Does divorce with this wording count as such?

Detailed answer

Praise be to Allah.

So long as your intention was to divorce her after her period ended, and you did not do it, then the divorce with this wording does not count as such.

We put your question to Shaykh Dr. Khalid al-Mushayqih (may Allah preserve him) and he replied:

Praise be to Allah. In this case the divorce does not count as such, because the man’s intention was to do it in the future, then he did not do it. End quote.

And Allah knows best.