36722 - Can a Husband Be Intimate With His Wife During Menstruation and Nifas?

the question

Can I have romance with my wife while she is in the state of impurity (menses and after child birth)?

Summary of answer

A husband cannot have intercourse with his wife in the vagina when she is menstruating or in nifas. But he can be intimate by kissing, embracing, touching etc., parts that are above the navel and below the knee. Scholars differed on being intimate with regard to the area between the navel and the knee, apart from the front or back passage.

Detailed answer

Praise be to Allah.

A man can be intimate with his wife when she is menstruating or in nifas ; this falls into three categories:

- Being intimate and having intercourse with her in the vagina. This is haram according to the consensus of the Muslims and the text of the Quran. Allah says (interpretation of the meaning):

“They ask you concerning menstruation. Say: that is an adha (a harmful thing for a husband to have a sexual intercourse with his wife while she is having her menses), therefore, keep away from women during menses and go not unto them till they are purified (from menses and have taken a bath).” [Al-Baqarah 2:222]

- Being intimate by kissing, embracing, touching etc. parts that are above the navel and below the knee. This is permissible according to scholarly consensus. (See Sharh Muslim by al-Nawawi, and al-Mughni, 1/414)
- Being intimate with regard to the area between the navel and the knee, apart from the front or back passage. The scholars differed as to whether this is permissible. Imam Abu Hanifah, Imam Malik and al-Shafi`i were of the view that this is haram, and Imam Ahmad was of the view that this is permissible; the latter view was also shared by some Hanafis, Malikis and Shafi`is. Al-Nawawi said: "The evidence for this view is stronger and it is the preferred view."

Those who say that it is permissible quoted evidence from the Quran and Sunnah.

With regard to Quranic evidence, they quoted the verse mentioned above (interpretation of the meaning):

"...therefore, keep away from women during menses and go not unto them till they are purified (from menses and have taken a bath)." [Al-Baqarah 2:222]

The phrase fi'l-mahid (translated as during menses) refers to both the time of menstruation and the site of menstruation, which is the vagina. So long as the woman is menstruating, having intercourse with her in the vagina is haram.

Ibn Qudamah said in al-Mughni, 1/415:

"The fact that the site of bleeding is mentioned specifically indicates that it is permissible to be intimate in other areas."

With regard to the Sunnah, Muslim (302) narrated from Anas that the Jews, if any of their women was menstruating, would not eat with them or meet with them in their houses. The Companions of the Prophet (peace and blessings of Allah be upon him) asked the Prophet (peace and blessings of Allah be upon him) about that, then Allah revealed the verse (interpretation of the meaning):

"They ask you concerning menstruation. Say: that is an adha (a harmful thing for a husband to have a sexual intercourse with his wife while she is having her menses), therefore, keep away

from women during menses and go not unto them till they are purified (from menses and have taken a bath). And when they have purified themselves, then go in unto them as Allah has ordained for you (go in unto them in any manner as long as it is in their vagina). Truly, Allah loves those who turn unto Him in repentance and loves those who purify themselves." [Al-Baqarah 2:222]

The Messenger of Allah (peace and blessings of Allah be upon him) said: "So do everything except intercourse." News of that reached the Jews and they said, "What does this man want? He does not leave any of our affairs but he differs from it!"

What is meant by "they would not meet with them in their houses" is that they would not mix with them or stay in the same room with them. This was the view of al-Nawawi.

Abu Dawud (272) narrated from `Ikrimah from one of the wives of the Prophet (peace and blessings of Allah be upon him) that when the Prophet (peace and blessings of Allah be upon him) wanted to engage in any intimacy with one of his wives when she was menstruating, he would put a piece of cloth over her private part. Al-Hafiz said: "Its isnad is strong; it was classed as sahih by al-Albani in Sahih Abi Dawud, 242."

It says in Fatawa al-Lajnah al-Daimah, 5/395:

"It is haram for the husband to have intercourse with his wife in her vagina when she is menstruating , but he may be intimate with her everywhere else."

It is better for the man, if he wants to be intimate with his wife when she is menstruating, to tell her to wear something to cover her between the navel and the knees, then he may be intimate with her in any other area.

Al-Bukhari (302) and Muslim (2293) narrated that 'Aishah said: "If one of us was menstruating and the Messenger of Allah (peace and blessings of Allah be upon him) wanted to be intimate with her, he would tell her to wear an izar (waist wrapper) at the peak of her menstruation, then he would be intimate with her."

Muslim (294) narrated that Maymunah said: The Messenger of Allah (peace and blessings of Allah be upon him) would be intimate with his wives above the izar (waist wrapper) when they were menstruating.

“The peak of her menstruation” means at the beginning when the flow is heaviest. This was the view of al-Khattabi.

Ibn al-Qayyim said in Tahdhib al-Sunan, commenting on hadith no. 2167 from ‘Awn al-Ma’bud:

“The hadith “Do everything except intercourse” clearly indicates that what is forbidden is only intercourse in the site of menstruation, which is intercourse in the vagina, but everything else is permissible. The hadiths which speak about the izar (waist wrapper) do not contradict that, because that is a precautionary measure and is better.”

It may be that a distinction is made between the beginning of the period and the end, so that it is mustahabb to cover the area between the navel and the knee when the bleeding is heaviest, which is at the beginning of the period.

Al-Hafiz said:

“This is supported by the hadith narrated by Ibn Majah with a hasan isnad from Umm Salamah, that the Prophet (peace and blessings of Allah be upon him) would avoid intimacy with her for three (days), then he would be intimate with her after that.”

It should be noted that the rulings mentioned above apply to both menstruating women and women in nifas (bleeding after childbirth).

Ibn Qudamah (may Allah have mercy on him) said, after mentioning the rulings on a man being intimate with his wife when she is menstruating:

“The woman in nifas is like the woman who is menstruating in this regard.” (Al-Mughni, 1/419)

And Allah knows best.