

Intercourse with a Menstruating Woman

Q: Ilm-11: I have recently come across a Hadith stating that a person ought to give half a Dinaar in charity when he has intercourse with a menstruating woman (Mishkaat). Does this mean that by giving half a Dinaar (half a gold coin) in charity, one will be able to have intercourse with a menstruating woman? Please clarify.

Answer: The meaning of the Hadith that you understood is incorrect. The half Dinaar is not a fee for having intercourse with a menstruating woman, but a penalty for doing so to protect oneself from the wrath of Allaah. When the books of jurisprudence state that one must fast for two consecutive months for having intercourse while fasting during Ramadhaan, it does not mean that if one wants to have intercourse at the time, he should fast for two months and then do as he wants.

The fact is evident that intercourse with a menstruating woman is Haraam and an act of filth. Allaah says in the Qur'aan: "They ask you (O Muhammsd SAW.) concerning menstruation. Say, it is impure so leave (intercourse with) women during (their period of) menstruation and do not go unto them (do not have sexual relations with your wives) until they are cleansed (until the menstrual cycle is complete and they have taken a bath)."

The Ahadeeth have also sternly prohibited intercourse with a menstruating woman. Rasulullaah SAW. mentioned that the person who has intercourse with a menstruating woman or indulges in anal sex has rejected the Deen of Muhammad SAW.

The books of jurisprudence clearly define the act as being Haraam. Maa Laa Budda Minhu (Pg.17) states: "Intercourse in the state of Haidh or Nifaas is Haraam." In fact, it is even inappropriate to look at or to touch any part of the woman's body from the navel to the knees during this time. Furthermore, to regard having intercourse with a menstruating woman as permissible is an act of Kufr.

The person guilty of this crime must turn humbly in repentance to Allaah and then also give half a Dinaar in charity to protect oneself from the wrath of Allaah. There is also a Hadith stating that if the menstrual blood is red, the person should give a Dinaar in charity and if it is yellowish, he should give half a Dinaar in charity. And Allaah knows best what is most correct.

Fatawa Rahimiyyah (Vol.1)