



## Imaam Muqbil Replies: Intercourse During the Waiting Period of Divorce

Transcribed by Umm Ismaa'eel as-Salafiyyah for Salafi Publications (Jumaada al-Ulaa 1422H, August 2001)

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This tape is available from Salafi Publications - translated by Aboo Talha Daawood, translation spoken and presented by Aboo Khadeejah (1997). What follows is a transcript of **Question 3 only**.

Question number 3 to the Shaykh:

**O Shaykh! Is it permissible for a man who has divorced his wife, with the first or the second divorce, such that she is in a state of lesser removal - due to the first and second divorce, does he have the right in Islaamic law that he may have sexual intercourse during the waiting period, before the divorce comes to its end? Is it permissible for a man to have sex with his wife during this waiting period?**

The Shaykh's response:

"Yes, if he intends to return her back to being his wife, then that is allowed for him. And Allaah the Perfect and the Most High says: **"And bring two just men to witness to it."**

And that's the end of the aayah.

"i.e. bring two witnesses to that, from amongst you. That is, when you take her back, bring two just witnesses that you have taken her back. Then the scholars say that this is something recommended. So if the man intends by this sexual intercourse which he has with the woman, that he is returning her as his wife, and he wants to return her by it, then he may have intercourse with her.

"But, if he does not intend to take her back as his wife, then it is not allowed for him to have intercourse with her. If he does not intend to take the woman back in the *iddah* (waiting) period, then it is not allowed for him to have intercourse with his wife. And she will be treated as if she is other than his wife.

And Allaah is the One Who Aids".<sup>1</sup>

(End of Question 3)

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<sup>1</sup> May Allaah the Most High reward the noble Shaykh with the greatest of rewards, the Imaam, Shaykh of Islaam, Allaamah, Muhaddith, rahimahullaahu Ta'aala, Aameen.