74321 - What is permissible for a husband after doing the marriage contract with his wife and before announcing the consummation of the marriage?

the question

I have understood from the answers on this website that there are no restrictions between a man and a woman after the nikah, even though the marriage has not been consumated yet. I have read some answers to this question on your website, but i have not been able to find a satisfying answer to the general statement that some people make that one should follow the way of the Prophet Muhammad (peace and blessings of Allaah be upon him) and the man and the woman should not meet alone, as he (peace and blessings of Allaah be upon him) did not meet with Hadrat Ayesha (RA) till their marriage was consumated a few years after the nikah. So if the Prophet (peace and blessings of Allaah be upon him) didnt meet with her alone during the time between the nikah and consumation of marriage, then what is the daleel on which the scholars have based their justification that allows a man and woman to meet with each other after nikah and before the consumation of marriage?.

Detailed answer

Praise be to Allah.

The man remains a stranger to the woman and it is not permissible for him to look at her, shake hands with her or be alone with her. If he wants to marry her, then he should propose marriage – and in this case it becomes permissible for him to look at her only; not shake hands with her or be alone with her. If her family agree and give her in marriage to him, then he becomes her husband and she becomes his wife, and it is permissible for him to do everything – looking, being alone with her, touching her, shaking hands and being intimate, because Allaah says (interpretation of the meaning):

“And those who guard their chastity (i.e. private parts, from illegal sexual acts)

6. Except from their wives…”

[al-Mu’minoon 23:5]

Marriage is established as soon as the marriage contract is done, hence if one of the spouses dies after the marriage contract has been done, the other one inherits from him or her, even if that is before consummation.

This is the evidence that was quoted by the scholars with regard to this issue.

But it has become customary among people to announce the marriage contract separately from the consummation, not because consummation is haraam after the marriage contract, but rather because the husband’s circumstances may not allow him to take his wife to the marital home, so there is what is known as “announcement of consummation” or “the wedding night”. As this is the case, the husband should not consummate the marriage with his wife until after the consummation has been announced, because if he consummated the marriage with her before that, it may cause serious problems for both of them. He may divorce her or die, and she may be a virgin who then loses her virginity, and she may become pregnant, thus the woman exposes herself to suspicion and she and her family may be the subject of unending gossip. See the answer to question no. 52806.

As for the questioner saying that the Prophet (peace and blessings of Allaah be upon him) was not alone with ‘Aa’ishah during the period between the marriage contract and the consummation, this is just conjecture. Who can be certain about that? That period lasted for three years, during which the Prophet (peace and blessings of Allaah be upon him) used to come to Abu Bakr’s house twice a day, morning and evening, as is proven in Saheeh al-Bukhaari (476).

So who can say that the Prophet (peace and blessings of Allaah be upon him) was never alone with ‘Aa’ishah during that period?

However, it may be that this is true, but that does not mean that this is haraam, because it is proven that it is permissible, based on evidence from the Qur’aan, as quoted above.

And Allaah knows best.