

How is it for a man to do Nikah with the paternal niece of his wife with whom his Nikah still exists?

## Darulifta Ahlesunnat

(Dawateislami)

### Question

What do respected scholars say about the following issue, how is it for a man to do Nikah with the paternal niece of his wife with whom his Nikah still exists?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

If the Nikah of a man still exists with his wife, it is Haraam for him to do Nikah with her paternal niece [i.e. the daughter of his wife's brother]. Here is its rule: Let's suppose there are two women. If any of them is supposed to be a man, so the other woman will be Haraam for him. In such case it is not permissible for a man to do Nikah with any of these women when the other is already his wife. For example, there are two sisters. If one of them is supposed to be a man, so they will be related to each other as a brother and a sister. Or there is a paternal aunt and a paternal niece. If the aunt is supposed to be a man, so they will be related to each other as a paternal uncle<sup>[1]</sup> and a paternal niece; or if the paternal niece is supposed to be a man, so they will be related to each other as a nephew and a paternal aunt<sup>[2]</sup>. Similarly, for instance, there is a maternal aunt and a maternal niece. If the aunt is supposed to be a man, so they will be related to each other as a maternal uncle<sup>[3]</sup> and a maternal niece; or if the maternal niece is supposed to be a man, so they will be related to each other as a maternal nephew and a maternal aunt<sup>[4]</sup>. Therefore, it is Haraam for a man to do Nikah with anyone of these two women when the other woman is already his wife.

Let's suppose two women who are related to each other. If the first one is supposed to be a man, the other will be Haraam for him; and if the other is supposed to be a man, the first one will not be Haraam. In such a case, there is no harm for a man to marry any of them when the other is already his wife. For example, there is a woman who has a stepdaughter, i.e. the real daughter of her husband. If the daughter is supposed to be a man, so the woman will be Haraam for him for the reason that she will be his stepmother. And if the woman is supposed to be a man, so no relationship will be established. The same ruling applies to a woman and her daughter-in-law.

وَاللَّهُ أَعْلَمُ عَزَّوَجَلَّ وَرَسُولُهُ أَعْلَمُ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

**Answered by: Mufti Fuzail Raza Attari**

<sup>[1]</sup> i.e. the brother of a girl's father

<sup>[2]</sup> i.e. the sister of a boy's father

<sup>[3]</sup> i.e. the brother of a girl's mother

<sup>[4]</sup> i.e. the sister of a boy's mother



## *Dar-ul-Ifta Ahlesunnat (Dawat-e-Islami)*



[www.daruliftaahlesunnat.net](http://www.daruliftaahlesunnat.net)



[daruliftaahlesunnat](https://www.facebook.com/daruliftaahlesunnat)



[DaruliftAhlesunnat](https://www.youtube.com/DaruliftAhlesunnat)



[Dar-ul-Ifta AhleSunnat](https://play.google.com/store/apps/details?id=com.daruliftaahlesunnat)



[feedback@daruliftaahlesunnat.net](mailto:feedback@daruliftaahlesunnat.net)