Q: We are a tribe in the south of the Kingdom of Saudi Arabia. Some people were so ignorant that they used to fight and dispute, to the extent that even brothers do not visit each other, even on the days of the `Eid (Feast). However, with Allah's Favor, and thanks to the encouragement of their sons to love each other and do good, they agreed to become united and consult each other. Having reconciled, they decided to hold a meeting in one of their houses to discuss some matters. The meeting was held after the attendance of the majority, and they agreed upon the following:

First

The Mahr (mandatory gift to a bride from her groom) should be 30,000 Riyals for a virgin, and less than that for a previously-married woman. Walimah (wedding dinner) should be served according to the need, with a maximum limit of four slaughtered animals.

Second,

Quitting their previous customs at the time of death; they used to slaughter animals and feed everyone. Now they only offer condolences for three days without slaughtering animals, and there is no harm in giving a Sadaqah (voluntary charity) after three days.

Third,

They have agreed to raise a fund, such that each one pays fifty Riyals every month, in case an emergency happens, such as an accident that occurs to one of the tribe or is caused by one of them, that results in deaths or injuries. In such a case, the damages are paid from the fund. In case it is not enough to pay the damages, the rest is paid by the tribe in installments. However, if the dead or the injured is one of the members of the tribe, it is their own business; they can either forgive or accept the damages. If a fight erupts between one of the members of the tribe and another person, and blood is shed, indemnity is paid from the fund after making attempts to solve the conflicts.

If the fight is between two members of the tribe, they have to forgive each other. If someone's house is set on fire, people help him and give him a sum of money to find shelter for himself. What is the opinion of Your Eminence on such matters? Please advise, may Allah reward you.

A: The mentioned items agreed upon by the members of the tribe are all valid.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The third question of Fatwa no. 20229

Q 3: Is there a certain limit for a woman's Sadaq (Mahr, dowry to a bride from the groom)? What is meant by the phrase "the easiest in their dowry" mentioned in the honorable Hadith?

A: A Woman's Sadaq has no definite limit. Whatever is permissible to own, whether a large or small amount, is permissible to be given as a Sadaq for women. As for the Hadith narrated by **Abu Hurayrah** (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) stated:

The most blessed marriage is the easiest in costs and dowry. (Related by Ahmad)

It means that paying the dowry should be made easy.

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The first question of Fatwa no. 21003

Q 1: A man here in Kashmir has to spend huge sums of money on his daughter's wedding; he has to give gifts, home appliances, and a car or a refrigerator, for example, to the groom, based on what they ask for. These have become almost a custom. The father also has to willingly give him jewelry and expensive clothes sometimes, and bear the costs of the wedding, which can amount to hundreds of thousands of Rupees. This man may also face problems if he does not offer these requirements, as engagement or marriage break-up. The question is: Can the money spent on a daughter's wedding be deducted from her share in the inheritance, and is it lawful for a woman's share in inheritance to be relinquished?

A: In marriage contract, it is obligatory for the Mahr (mandatory gift to a bride from her groom) to be paid by the husband, as Allah addresses husbands saying:

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful).

Allah also says:

...so with those of whom you have enjoyed sexual relations, give them their Mahr as prescribed.

Anything paid by the bride's family to their daughter's groom comes under the heading of gifts to incline his heart to her, and it is not an obligation. It is not permissible to calculate this expenditure as part of her inheritance from the testator who paid for these gifts when he dies, unless she willingly agrees to it, according to the saying of the Prophet (peace be upon him):

"The property of a Muslim is not Halal (lawful), unless they give it willingly."

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Bakr Abu Zayd Salih Al-Fawzan `Abdullah ibn Ghudayyan `Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The first question of Fatwa no. $3113\,$

Q 1: Is it permissible for the father or the Waliy (a legally accountable person acting for a woman regarding marriage) of a woman to take from her Mahr (mandatory gift to a bride from her groom)?

A: It is permissible for her father to take whatever he wants from her Mahr, or other money, by her consent. It is also permissible for him to take from her Mahr in a way that does not cause her loss provided that he does not give it to any of his children. With regards to her Waliy in the marriage contract, it is not permissible for them to take from her money, whether from her Mahr or other money, unless it is she who gives it to him willingly and she is grown-up. Likewise, it is not permissible for guardians, other than the father to take from his daughter's money except by her consent.

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Q: I would like to tell Your Eminence that while they were still young, I decided to marry off my daughter to my nephew without receiving Mahr (mandatory gift to a bride from her groom). When my nephew reached the suitable age of marriage and I wanted to contract his marriage to my daughter, my wife objected. I tried to convince her but she wanted my nephew to pay sixty thousand riyals, although I had intended to marry them without receiving any Mahr, regardless of the amount. Is it permissible for me to marry the two without Mahr, against my wife's will? Is she entitled to this money or not? Would you please forward the answer to the judge of Al-Mahany court, as I insist on contracting this marriage without a Mahr? May Allah grant you success and reward you good. He is All-Hearer and Responsive.

A: It is impermissible to force your daughter to marry your nephew. Moreover, Mahr is one of the rights of a girl.

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Q: A man married a woman promising to give her a golden anklet, two camels, and two rings as Mahr (mandatory gift to a bride from her groom). Then his wife died. He says that the value of these golden items has changed. Should he pay their value according to their price at the time of concluding the contract or according to today's price?

A: If the reality is as mentioned, that he promised to give his wife golden anklets, two camels and two rings, he must fulfill the promise regardless of the value of these items before or after the time of fulfillment. He has to hand them to the rightful inheritors of his wife or to their authorized agents. If they agreed upon estimating the value justly according to today's price, there is no harm in that.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The second question of Fatwa no. 3823

Q 2: Is it permissible to pay part of the dowry in advance, such as paying 10,000 Riyals, and 10,000 deferred if he divorces her without a legal excuse from her side?

A: It is permissible to pay the whole amount of Mahr (mandatory gift to a bride from her groom) in advance or deferred, or part of it in advance and the other deferred for a fixed term.

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The second question of Fatwa no. 5812

${\bf Q}$ 2: Is it permissible for a woman to take an amount of money from a man who wants to marry her daughter in return for allowing him to marry her?

A: It is permissible for her to take the money paid to her by the husband whether she takes it before or after concluding the marriage contract.

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The second question of Fatwa no. $9808\,$

Q 2: I owe my wife 5,000 Ryials from her Mahr (mandatory gift to a bride from her groom). I bought her gold with 1,500 Riyals and delayed the rest of the money. She accepted to delay the rest of the debt. Am I committing a sin this way?

A: If the reality is as mentioned; that she accepts that you postpone the rest of her Mahr which you owe her, there is no harm on you.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Q: Allah, the Most Truthful (Exalted be He), says:

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart.

Muslim scholars say that Mahr is one of the conditions of marriage, without which a marriage contract is not valid. The minimum amount of Mahr is one quarter of a Dinar (old Arab coin that equals 2.975 grams of gold). Please tell me what this amount is in US dollars, and may Allah grant you success.

A: Recording the Mahr is not one of the conditions of concluding a marriage contract. If someone concludes a marriage contract without recording the Mahr, the contract will still be valid. A woman should receive an amount of Mahr similar to what is given to women within her social class and this has no minimum. Any amount that can be considered of value is a valid Mahr, according to the most authentic opinion of scholars. It is related in a Hadith reported on the authority of Sahl ibn Sa`d (may Allah be pleased with him) who narrated that the Prophet (peace be upon him) said:

"Give her anything, even if it is only an iron ring."

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The first question of Fatwa no. 9535

Q 1: A man married our daughter who is eleven years old. He paid one-third of the Mahr. The girl died before she was fifteen before the consummation of marriage. I hope you will give me the legal opinion whether the Waliy (guardian) of the girl should return the money (one-third of the Mahr), or what should he do? May Allah reward you the best.

A: If the case is as you mentioned, the entire Mahr should be paid. It should go to her heirs, including her husband according to Islamic law after repaying all of her debts and carrying out her bequest, if there was any.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The third question of Fatwa no. 1275

Q 3: A man who worships Allah alone gave his beautiful daughters in marriage without receiving a Mahr (mandatory gift to a bride from her groom). He did not even receive clothing, money or anything else. Is this marriage valid?

A: Mahr is a prerequisite for marriage. The texts of Qur'an and Sunnah and Ijma` (consensus of scholars) indicate that it is required and obligatory. Allah (Exalted be He) says:

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart

which means: give them their dowry out of free will according to the obligation prescribed on you by marrying them.

Allah (Exalted be He) also says:

All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property, desiring chastity, not committing illegal sexual intercourse, so with those of whom you have enjoyed sexual relations, give them their Mahr as prescribed; but if after a Mahr is prescribed, you agree mutually (to give more), there is no sin on you.

It was authentically narrated that:

A woman came to the Prophet (peace be upon him) to offer herself to him (in marriage), but he had no need of her. A companion of the Prophet (peace be upon him) wanted to marry her, so the Prophet (peace be upon him) demanded from this man to give her Mahr. The man was too poor to give her anything. The Prophet (peace be upon him) said, 'Look for something, even if it is an iron ring.'

Then he searched but he could not find anything. The Messenger of Allah (peace be upon him) refused to give this woman in marriage to this man unless he gave her something beneficial to her. The Prophet (peace be upon him) eventually gave her to him in marriage in return for what he had memorized of the Qur'an. The scholars unanimously agree that a Mahr is an essential prerequisite for marriage and it is not permissible for anyone to marry a woman from her Waliy without naming the Mahr. If a man marries a woman without maintaining that he will pay her Mahr, some scholars said that the marriage is invalid and others said that the marriage is valid but the condition is Batil (null and void). Moreover, the bride is entitled to a Mahr similar to that of her peers when the marriage is consummated or her husband dies; this is for close similarity to the case of the woman in the previously mentioned Hadith who authorized the Prophet (peace be upon him) to give her in marriage and he insisted that she should be paid Mahr. The preponderant view is the second one. On the other hand, if a man marries a woman for a Mahr but without specifying it, the marriage is valid and the wife is entitled to a Mahr similar to that of a woman whose marriage has been consummated or has been widowed. Allah (Exalted be He) says:

There is no sin on you, if you divorce women while yet you have not touched (had sexual relation with) them, nor appointed unto them their Mahr (bridal-money given by the husband to his wife at the time of marriage).

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Q: My brother married a Lebanese woman with a 7,000 Liras Mahr (mandatory gift to a bride from her groom); 2,000 Liras in advance and 5,000 Liras to be paid to her 20 years after their marriage. But it was Allah's will that my brother died two years later. They did not have children during this period. The wife took her share of inheritance like other inheritors. Is it permissible for her to take her inheritance and her delayed Mahr? It should be noted that the established convention is that delayed Mahr is paid to the wife in the case of divorce yet this has not been mentioned in their marriage contract. I need your advice.

A: The wife deserves to take the entire Mahr if the marriage has been consummated. What is mentioned by the questioner here that the husband died, that the delayed Mahr has to be paid 20 years after marriage, that the wife took inheritance with other inheritors and the convention of paying delayed Mahr in the case of divorce does not affect the basic rule mentioned above.

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Member Member Deputy Chairman `Abdullah ibn Sulayman Ibn Mani` `Abdullah ibn `Abdul-Rahman ibn Ghudayyan `Abdul-Razzaq `Afify

My son proposed to a daughter of a man who accepted his proposal. The marriage contract was concluded and we paid him twenty-five thousand Saudi Riyals - an amount the father of the girl laid as a condition. According to our customs, before consummating the marriage the man has to prepare all the necessary furniture and other things the wife needs. Five months or so after the conclusion of the marriage contract, Allah's (Glorified and Exalted be He) decree of my son's death was fulfilled. We therefore went to the father of the girl and asked him to marry her to my second son after her mourning period expired. He requested us to report this case to the scholars and judges to answer the following questions:- Does the woman whose husband dies still have dues on him, given that the husband did not leave any money as his father used to assist him financially? He did not have any money of his own, even the money requested from him was paid by his father. Should the woman observe a mourning period? Is she entitled to Mahr (mandatory gift to a bride from her groom), which is usually paid upon the consummation of the marriage; which in this case did not take place?

Should the father of the girl return the money that he has taken, even if he marries his daughter to my second son? Please advise and mention the relevant proof.

A: First, if a man contracts a marriage then dies before consummating it, it will be obligatory on the widow to observe `Iddah (woman's prescribed waiting period after widowhood) and mourn during it. This period is four months and ten days.

Second, the woman in question deserves Mahr; if it was specified, she would take it; otherwise, she should be given Mahr that is equal to what is usually paid to her female relatives and peers.

Third, the woman in question inherits one-fourth of the estate of her husband if he does not leave a child. If he leaves children, she will receive one-eighth of his estate. The distribution should be made after repaying his debts and fulfilling his legal will.

Fourth, it is permissible for her to marry the brother of her dead husband or any other man after her `Iddah expires. Her father is not to return the money he took, even if he marries her to the man's second son.

May Allah grant us success. May peace and blessings be upon our Prophet, his family and Companions.

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The first question of Fatwa no. 20879

Q 1: A man married the daughter of his paternal uncle. Before contracting the marriage, his father and paternal uncle agreed upon a Mahr (mandatory gift to a bride from her groom) and specified it in the contract. After a period of time, the husband discovered that his father and paternal uncle set a Mahr just to let the people and Ma'dhun (marriage registrant) know there is a Mahr, yet it was not paid. That happened with the consent of both parties. The husband is asking whether this is permissible or not and what should he do now?

A: Mahr is the woman's right; if she claims it, the husband will have to pay an amount that one of her peers would accept as Mahr. This is because the Mahr is a return for allowing the husband to have the pleasure of sexual intercourse with his wife. If a woman willingly waives her right to the Mahr or part of it, it will be permissible and does not affect the validity of the contract. This is because Allah (Exalted be He) says:

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful).

May Allah grant us success. May peace and blessings be upon our Prophet, his family and Companions.

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Bakr Abu Zayd Salih Al-Fawzan `Abdullah ibn Ghudayyan `Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

$\textbf{Fatwa no.}\ 17440$

Q: A woman asked a man to give her 800 Riyals, so he gave her it, and said: "Consider this sum an advance on your betrothal." The woman agreed just to get the money, even though she was not convinced due to the big difference between their ages. The man subsequently died and she would now like a Fatwa (legal opinion issued by a qualified Muslim scholar) as to whether she has to pay the money back to the man's heirs - bearing in mind that they did not fulfill their duties towards him and look after him as they were obligated to do for him - or pay it as Sadaqah (voluntary charity) on his behalf, or it is Halal (lawful) for her to keep it for herself?

A: If the reality is as mentioned in the question, and the man gave the woman the money as an advance on her Mahr (mandatory gift to a bride from her groom), but he died before contracting the marriage, it is obligatory for the woman to repay the amount mentioned to the man's heirs. This is because no contract of marriage was concluded between them and she therefore has no right to keep the money.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Zayd	Shaykh	Fawzan	Ghudayyan	Baz

Q: A married man got married for the second time. His first wife asked him to give her as much jewels as he gives the second wife. Is it obligatory on him to do that?

A: He is not required to give his first wife as much as he gives his second wife with regard to dowry and other things. But if he gives her things similar to that which he gives his second wife in order to satisfy her, it will be good. Moreover, it will be better for him to do this if he desires to deal leniently with her in the future.

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Q: It is an old custom of some villages in the south of the Kingdom to take a sum of money from the father of the bride when she gets married outside the village. The money is taken in return for the participation of the people of the village in the wedding and accompanying the father of the bride to the village of the groom. This sum is accumulated by some trustworthy people of the village who are known for their honesty. The money is to be spent as they say on solving the problems which may face the village, protecting some important properties, cultivating the agricultural areas of the village, entertaining the village guests and giving some help in opening new roads, marriage aids and suchlike. The people of the village do not know exactly how much was collected, as no statement of accounts, of expenditures and balance left, was given for several years. This does not mean that we doubt the honesty of those who collect this money, but we would just like to know the matter. Your Eminence, if the father of the bride refuses to pay the sum, the people of the village refuse to accompany him to the wedding place, i.e., to the village of the groom. He will be embarrassed and become in a critical situation which forces him to pay the sum in order that it will not to be said about him that he has no family or he is an undesired person.

Some people threaten him not to visit him or attend his funeral if he does not pay the sum.

The question here is: What is the validity of this? Is there any sin on the people who collect this money? Is this money illicit?

We hope that Your Eminence will kindly answer these questions. May Allah make the answer in your balance of good deeds. May Allah benefit Muslims with your knowledge and make it for the sake of Allah.

A: This is a bad habit which contradicts the Shari`ah. Mahr (mandatory gift to a bride from her groom) is the right of the woman. It is not permissible to take something from it except with her consent.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Zayd	Shaykh	Fawzan	Ghudayyan	Baz

The second question of Fatwa no. 9416

Q 2: When someone helps his son pay the marriage expenses while part of the Mahr (mandatory gift to a bride from her groom) is ill gotten money such as gained from stealing; will it annul the contract? It is worth mentioning that the person who paid the Mahr is the father of the groom.

A: If the reality is as you have mentioned, the marriage contract is valid. It is obligatory on the person who stole the money to return it to its owners or their heirs. He must repent and seek forgiveness, and may Allah forgive him.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Q: A widespread practice these days is that when a man gives his daughter or sister in marriage, he fixes an advance amount of Mahr (mandatory gift to a bride from her groom) and another deferred amount payable by the husband in case of divorce, which is called a debt. Is it permissible to stipulate this amount? If it is permissible; in the instance when the husband dies without divorcing his wife, does it remain a debt or not?

A: The entire Mahr or part of it can be paid in advance or deferred. The deferred amount should be paid when it becomes due. If no time is set for paying the Mahr, it must be paid when the husband divorces his wife. If he dies before paying it, it is to be paid from the deceased's inheritance.

May Allah grant us success. May peace and blessings be upon our Prophet, his family, and Companions.

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The fourth question of Fatwa no. 17332

Q 4: Is it permissible to marry with a small amount of Mahr (mandatory gift to a bride from her groom), such as a ring?

A: There is no minimum or maximum limit for Mahr. It might be a ring, its value or more. However, it is impermissible to exaggerate in the value of Mahr, as it leads to many evils.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Zayd	Al-Shaykh	Fawzan	ibn Baz

The second question of Fatwa no. $10580\,$

Q 2: Someone paid half of the Mahr (mandatory gift to a bride from her groom) at the time of marriage and deferred the other half. He later had a son and a daughter from his wife, then he divorced his wife without paying the deferred amount of Mahr. Must he pay this amount to the wife?

A: He must pay the deferred amount of Mahr because the marriage was consummated.

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Q: My brother concluded a marriage contract with a woman, but he died before consummating the marriage or even seeing her. Is she entitled to the Mahr (mandatory gift to a bride from her groom) or not? It should be mentioned that he died leaving nothing behind, but he had previously paid her 7000 (seven thousand Riyals) of her dowry in advance, which is what he had at that time. Is she entitled to take the rest of her Mahr and her other rights, even though my brother did not leave behind any children nor was he previously married?

A: If the matter is as you mentioned, that your brother died after concluding the marriage contract with a woman to whom he paid a sum of seven thousand Riyals of her Mahr, she should be paid the rest of the Mahr and she has a right in his inheritance. Moreover, she has to observe `Iddah (woman's prescribed waiting period after divorce or widowhood) in which case is four months and ten days and nights, on the basis of the general meaning of Allah's Words (Exalted be He):

And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days, then when they have fulfilled their term, there is no sin on you if they (the wives) dispose of themselves in a just and honourable manner (i.e. they can marry). And Allâh is Well-Acquainted with what you do.

In addition, it is confirmed that the Prophet (peace be upon him) said:

"It is not lawful for a woman who believes in Allah and the Last Day to observe Hidad (prescribed mourning period during which a widow does not adorn herself and keeps to the home of her deceased husband) for more than three days, except for her husband (for whom the mourning period is) four months and ten days."

Further, the Prophet (peace be upon him) said:

a woman whose husband died before giving her a dowry or consummating the marriage, that she should receive the dowry paid to women of the same social status, no more, no less, and she should observe `Iddah and she has a right in his inheritance."

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Q: My brother married a woman and we paid the bride's father 13,000 Riyals as Mahr (mandatory gift to a bride from her groom). Allah willed that my brother died before consummating the marriage. Does she deserve half of the Mahr or not? It should be noted that the husband's father is still alive.

A: If the reality is as mentioned, that is the husband married a woman then died before consummating the marriage, the entire Mahr goes to her once the husband dies; because a wife deserves her entire Mahr, whether paid before the contract or after it, once her husband dies or consummates marriage with her. It is not permissible for the husband's father or mother to take anything from the wife's Mahr.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Member Member Deputy Chairman Chairman `Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

Q: Is it permissible for the person to give his daughter in marriage to someone in return for 1000 Riyals as a Mahr (mandatory gift to a bride from her groom) then take this money and spend it on himself? His name is Bas-shlaq and he is from Turkey where many Muslims do this. Is the father of the daughter considered a Fasiq (someone flagrantly violating Islamic law)? Does this make him lose his guardianship for his daughter according to the view of Al-Shafi`y? If the woman's father repents to Allah; is it permissible for him to act as her guardian in other marriages or not? We would like your Eminence to explain this issue to us. May Allah be merciful to you.

A: It is permissible for the father to accept 1,000 Riyals as Mahr for his daughter's marriage and it is permissible for him to take whatever he wants from her Mahr or other money, acting upon the saying of the Prophet (peace be upon him):

You and your property belong to your father.

However, it is better for him to take from it if he needs money, and he cannot be considered a Fasiq for taking all of his daughter's Mahr or lose his guardianship for his daughter according to the evidence indicating this.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

Q: A man married his daughter to the son of another man for a specified Mahr (mandatory gift to a bride from her groom); half of which was paid in advance. After the marriage was consummated the wife became pregnant. The husband then died in a car accident before his wife gave birth to a son. Is the unpaid half of the Mahr considered as a debt that is still owed to the wife, and should it be paid before the distribution of his estate or is it not considered as a debt so that all the blood money can be distributed among the heirs? Please advise us.

A: If the situation is as described, the remaining half of the Mahr remains a debt on the husband for his wife, as he consummated the marriage.

As he did not give it to her during his lifetime, it is obligatory that it should be paid to her from the estate he left after his death, before the inheritance is distributed among the heirs who are entitled to the blood money or any other property that he may have owned.

May Allah grant us success. May peace and blessings be upon our Prophet, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Deputy Chairman Chairman
`Abdullah ibn Mani` `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify Ibrahim ibn Muhammad Al Al-Shaykh

Q: Is it permissible for a person to give a copy of the Qur'an as a Mahr (mandatory gift to a bride from her groom) to his wife? What should be done if he divorces her in this case?

A: First: It is permissible for the person to make teaching the Qur'an to a woman her Mahr (mandatory gift to a bride from her groom) at the time of concluding the marriage contract if he does not have money. It is authentically reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of **Sahl ibn Sa'd** (may Allah be pleased with him) that:

A woman came to the Messenger of Allah (peace be upon him) and said: O Messenger of Allah! I have given myself to you. She stood for a long time, and then a man stood and said: O Messenger of Allah! Give her to me in marriage if you have no need for her. The Messenger of Allah (peace be upon him) said: Do you have anything to give her as a dowry? He said: I possess only this lower garment of mine. The Messenger of Allah (peace be upon him) said: If you give it to her you will not have a garment to wear so look for something else. He said: I have nothing else. He (peace be upon him) said: Look for something else even if it is an iron ring. He searched, and found that he had nothing. Then, the Messenger of Allah (peace be upon him) said: I have married her to you for what you memorize of the Qur'an. (Agreed upon by Al-Bukhari and Muslim)

Also it is permissible for a man to give a copy of the Qur'an as Mahr to his potential wife; because a copy of the Qur'an can be purchased and sold according to the soundest of scholars' views.

Second: If the spouses get divorced before the husband gives his wife the Mahr he promised her as written in the marriage contract, she will have the right to claim half of the Mahr if he divorces her before the consummation of the marriage and the entire Mahr if divorce occurs after the consummation of marriage unless she gives up her right in one or both cases. They may also agree upon a permissible compensation.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

Q: I intend to marry but I do not have enough money to pay for the marriage expenses. I am a student in the secondary stage and going to join university this year. Is it permissible for me to borrow some money for marriage? It should be noted that I have the intention to repay this debt after I graduate from university.

A: There is no harm in a man, who can not afford the expenses of marriage, to borrow some money or get a loan through legal means as long as he has the intention to repay his debt.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The first question of Fatwa no. 12354

Q 1: I married one of my daughters to a man whom I did not ask to pay a Mahr (mandatory gift to a bride from her groom). One year after their marriage my son-in-law gave me a Toyota (car) though I did not ask him to do so. What is the ruling on this?

A: It is permissible for you to take the car from your son-in-law. If he gave it to you as a Mahr, it should go to your daughter. However, if he gave it to you as a gift; you may take it for yourself but your son-in-law has to pay a proper Mahr to your daughter if he did not do so at the time of the conclusion of the marriage contract.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The second question of Fatwa no. 21039

Q 2: I wish that Allah blesses me with performing `Umrah (lesser pilgrimage) or Hajj. Since the financial conditions of my family do not allow me to perform Hajj or `Umrah, I had an idea; namely to stipulate for the man who may propose to me and whom I hope will be a righteous man to make my Mahr (mandatory gift to a bride from her groom) enough money to allow me to perform `Umrah if possible. Is this condition against any of the rulings of the Shari `ah pertinent to marriage?

A: There is no harm if you stipulate for the potential husband to make your Mahr enough for your performance of `Umrah. It is authentically reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) that:

The Prophet (peace be upon him) gave a woman in marriage to a man for what he memorizes of the Our'an.

May Allah bless you with a righteous husband and bless us and you with adherence to the Truth; truly Allah is All-Hearing, Close and Answering invocations!

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Deputy Chairman Chairman

Bakr Abu Zayd Salih Al-Fawzan `Abdullah ibn Ghudayyan `Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Q: Is it permissible for the woman's Waliy (a legally accountable person acting for a woman regarding marriage) to take from her Mahr (mandatory gift to a bride from her groom)? Is it permissible for him to stipulate taking some of it in return for acting as her Waliy?

A: The basic ruling is that Mahr (mandatory gift to a bride from her groom) is in return for having sexual intercourse with her, and is her own property. It is not permissible for her Waliy (a legally accountable person acting for a woman regarding marriage) to stipulate to take some of it for himself. Also it is not permissible for him to take anything from her Mahr except by her consent unless he is her father; because it is permissible for the father to take from his daughter's Mahr without causing her losses acting upon the saying of the Prophet (peace be upon him):

The most pleasant of what you eat is that out of what you earn; and your children are from your earnings.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 606

Q 1: Is Mahr (mandatory gift to a bride from her groom) regarded as a debt which has to be paid?

A: The wife is entitled to the stated Mahr when the marriage is consummated or her husband dies. She is entitled to half of it if she gets divorced before the marriage is consummated. In all cases, this amount is regarded as a debt which has to be paid by the husband. If she willingly waives all or part of it, the waiver is acceptable. Allah (Exalted be He) says:

And if you divorce them before you have touched (had a sexual relation with) them, and you have appointed unto them the Mahr (bridal-money given by the husband to his wife at the time of marriage), then pay half of that (Mahr), unless they (the women) agree to forego it, or he (the husband), in whose hands is the marriage tie, agrees to forego and give her full appointed Mahr. And to forego and give (her the full Mahr) is nearer to At-Taqwa (piety, righteousness). And do not forget liberality between yourselves. Truly, Allâh is All-Seer of what you do.

He (Exalted be He) also says:

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful).

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Deputy Chairman `Abdullah ibn Sulayman Ibn Mani` `Abdullah ibn `Abdul-Rahman ibn Ghudayyan `Abdul-Razzaq `Afify

Q: Please be advised that I am a young man about to graduate. I proposed to a girl six months ago, and her father agreed to our marriage. I agreed with them to pay her 100,000 Rupees as Mahr (mandatory gift to a bride from her groom). Our customs are that the mentioned sum of money is written in the contract, but only half of it is paid in the form of jewels and clothes. Due to my financial situation, I do not have this sum of money, so I cannot pay it. I have read in some books that if a man marries while owing part of the Mahr (mandatory gift to a bride from her groom), while he does not intend to pay it, he will be resurrected on the Day of Judgment as an adulterer. Please advise concerning the following:

First:

Is this Hadith Sahih (authentic)?

Second:

If it is Sahih, what should I do? Should I break the engagement or continue? Please note, that the marriage has not yet taken place.

Third:

Given the situation, does the previously-mentioned Hadith apply to my case?

Please advise. May Allah guide you.

A: First, it was mentioned by **Al-Mundhiry** in his book entitled "Al-Targhib wal-Tarhib", on the authority of **Suhayb Al-Khayr** (may Allah be pleased with him) that he said, "The Messenger of Allah (peace be upon him) said:

Any man who marries a woman while he intends not to give her part of the Mahr will die as an adulterer. Any man who buys an item while he intends not to give the seller part of its price will die as a traitor, and traitors are in Hellfire.

Narrated by Al-Tabarany in his book entitled "Al-Kabir". Al-Mudhiry said that its Sanad (chain of narrators) includes `Amr ibn Dinar who is Matruk (a narrator whose transmission of Hadith was discarded due to unreliability). Thus, the Hadith is considered Da`if (weak). **Second,** Mahr is one of the wife's rights that should be fulfilled, according to Allah's saying (Exalted be He):

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful).

Third, if you intend to pay her Mahr and the rest of her rights later, you may continue and marry her. May Allah guide you in your marriage.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The third question of Fatwa no. 10618

Q 3: I am poor and cannot afford marriage. A man offered to give me his daughter in marriage provided that I work for him for a one month period, and this shall be her Mahr (dowry to a bride from the groom).

The man's daughter agreed to this offer, is this permissible in Islam? Could this be a valid marriage?

A: If the matter is as mentioned, it is permissible to work for this man for one month and consider this the Mahr for his daughter; and the marriage would be valid.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The tenth question of Fatwa no. 9450

Q 10: A man got engaged to a girl and her father stipulated that the groom would give him additional money besides the Mahr (mandatory gift to a bride from her groom) and the fiancé accepted this; is the money which the father of the bride takes considered illicit? Does the following saying of the Prophet (peace be upon him) apply to it:

If anyone sells a free slave and takes its price, I will be his opponent on the Day of Resurrection?

A: Mahr is the right of the woman. As for the money stipulated by her father, it has to be paid by the groom if he accepts this condition. It is authentically reported on the authority of `Aishah (may Allah be pleased with her) that the Prophet (peace be upon him) said:

The most pleasant of what you eat is that out of what you earn; and your children are from your earnings.

The condition which her father stipulated does not come under the meaning of the mentioned Hadith of the prohibition of consuming the price of a free slave because her father did not sell her but he concluded a permissible marriage contract for her.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

The first question of Fatwa no. 3582

Q 1: I witnessed the contracting of a marriage by a Ma'dhun (marriage registrant). When he asked the bride's Waliy (a legally accountable person acting for a woman regarding marriage) about the Mahr (mandatory gift to a bride from her groom) to record it in the marriage contract document, the Waliy said that they were relatives and there were no conditions between them, and asked him to contract the marriage based on what they had mutually agreed on. The contract was concluded based on what they had agreed on. What is the religious opinion on the lawfulness of this contract?

A: The contract is valid. It is not a condition of the contract that an amount of money has to be recorded in it. It suffices for the groom and the Waliy to agree on the amount, even if it is not mentioned at the time of concluding the contract.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 16045

Q 1: Some people have the habit of giving the Mahr (dowry) to the parents of the bride without giving their daughter anything. Is it legally valid to do that?

A: It is permissible for the father to take a portion of the Mahr of his daughter if she is not in need for it and doing so causes her no harm. The Prophet (peace be upon him) said:

"You and your property belong to your father." (Related by Ibn Majah)

The Prophet (peace be upon him) also said:

"The most pleasant of what you eat is that out of what you earn; and your children are from your earnings."

This Hadith was reported by the Five Compilers of Hadith (Imams Ahmad, Abu Dawud, Al-Tirmidhy, Al-Nasa'y and Ibn Majah).

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Bakr Abu	`Abdul-`Aziz Al Al-	Salih Al-	`Abdullah ibn	`Abdul-Razzaq	`Abdul-`Aziz ibn
Zavd	Shavkh	Fawzan	Ghudavvan	`Afify	`Abdullah ibn Baz

The fourth question of Fatwa no. 1943

Q 4: Is it permissible for a person to marry his daughter off to a person as a type of charity, without a Mahr (mandatory gift to a bride from her groom)?

A: It is impermissible for a person to marry off his daughter to a person without Mahr, as this will not be considered a valid marriage for whoever concludes the marriage contract for his daughter with the intention of not taking Mahr. The girl deserves the same amount of Mahr paid to her peers, because she is not a possession of her father (i.e. to give her in charity. Trans.) and the Mahr is one of her rights. The Qur'an and the Sunnah have denoted the obligation of paying Mahr in marriage, as Allah (Exalted be He) says:

All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property, desiring chastity, not committing illegal sexual intercourse, as stated in the Ayah of Surah Al-Nisa'.

Moreover, the marriage that depends on the bride offering herself without a Mahr to her husband is one of the special privileges only for the Prophet (peace be upon him), and it is clarified in Allah's Saying (Glorified and Exalted be He):

...and a believing woman if she offers herself to the Prophet, and the Prophet wishes to marry her —a privilege for you only, not for the (rest of) the believers. As mentioned in the Ayah of Surah Al-Ahzab.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Chairman
`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-`Aziz ibn `Abdullah ibn Baz

Q: My brother assigned his wife 340,000 Riyals as Mahr (mandatory gift to a bride from her groom). He paid 82,000 Riyals in advance and delayed the rest of it to be paid at fixed times later on. He consummated the marriage and had a child but the child died. Now, his wife is pregnant. It was Allah's Will that my brother died in a car accident and we thank Allah for His Divine Decree. My brother's father-in-law claims the rest of Mahr which is around 258,000 Riyals. It should be noted that my brother did not leave behind except 10,000 Riyals. He also has a share in a piece of land but we have not distributed it until now. His share of the land is worth approximately 10,000 Riyals. I wonder if there will be any sin on him if we give his father-in-law his entire estate including the money and the land. It is worth mentioning that the money and the land together are worth 20,000 Riyals. If there will be a sin on my brother after we give his entire estate to his father-in-law, I am ready to pay the rest of the Mahr from my own money. It should be noted that my monthly salary is 5,000 Riyals. I hope you will explain things to me so if there is no sin on my brother, I can stop worrying or if there is a sin on him, I will do my best to repay the remaining money of Mahr.

A: If the reality is as mentioned, your brother's wife deserves to receive her entire Mahr once your brother consummated marriage with her. So, it is a debt for her like any other debt that has to be repaid before distributing your brothers' estate. If any dispute arises, it should be referred to the legal court for settlement. If you repay the remaining debts of your brother, you will free him from responsibility and you will be rewarded greatly by Allah.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member `Abdullah ibn Ghudayyan Deputy Chairman `Abdul-Razzaq `Afify Chairman
`Abdul-`Aziz ibn `Abdullah ibn Baz

Q: As a father, I have arranged for my son to be engaged to a girl. After she and her father accepted, we agreed upon the Mahr (dowry to a bride from the groom) and all the conditions of the marriage contract. After a period of time, our village and a neighboring one decided upon the Mahr and set its conditions with less than what I decided with my son's father-in-law. Indeed, my son proposed to his fiancée before setting this agreement and the people in the village want me to abide by the conditions of their agreement. However, I am taking care not to violate any of the conditions stipulated in the marriage contract lest it should be rendered invalid. Kindly give me your Fatwa in this regard. Should I abide by the terms of the marriage contract, or the agreement between the two villages, bearing in mind that it stipulates that the waliy of the bride and the bridegroom should take an oath?

A: If the case is as you mentioned, the bridegroom should abide by the conditions of the marriage contract, for Allah (Glorified be He) states:

O you who believe! Fulfil (your) obligations.

The Prophet (peace be upon him) stated:

The stipulations most entitled to be abided by are those with which you are given the right to enjoy the (women's) private parts (i.e. the stipulations of marriage contract).

PMay Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Deputy Chairman Chairman
`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

Q: Your Eminence, I have concluded my marriage contract with a girl from Somalia. I promised to give her 10 camels as delayed Mahr (mandatory gift to a bride from her groom) but she died before the consummation of marriage. I live in Saudi Arabia. Now her father wants the entire Mahr. I told him that I do not have to pay the entire Mahr but he insists. I could not find a person to give me a Fatwa according to the Islamic Shari`ah to end this dispute. I hope your Eminence will tell me if I have to pay them the entire Mahr and how much I should pay them? How much do I deserve from the inheritance of my dead wife?

A: If the reality is as mentioned, she deserves the entire Mahr as mentioned in the marriage contract. The Mahr and the money she left behind is considered property and should be inherited after repaying her debts and executing her legal will. You deserve half of her estate if she has no children. If she had a child, you deserve a quarter of the estate according to the Saying of Allah (Glorified and Exalted be He):

In that which your wives leave, your share is a half if they have no child; but if they leave a child, you get a fourth of that which they leave after payment of legacies that they may have bequeathed or debts.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Deputy Chairman Chairman
`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-Razzaq `Afify `Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: A husband wants to formally pay the deferred Mahr (mandatory gift to a bride from her groom) he agreed to pay to his wife as is stated in the marriage contract, so he will not be held accountable for it on the Day of Resurrection. What should he do? May Allah reward you with the best.

A: It is Wajib (obligatory) on a husband to pay the deferred Mahr to his wife at its appointed time, if a fixed time was set, or if his wife requests it, if no fixed time was set, unless the wife willingly waives it, as Allah (Exalted be He) says (what means):

And give to the women (whom you marry) their Mahr (obligatory bridal-money given by the husband to his wife at the time of marriage) with a good heart; but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allâh has made it lawful).

Payment of the deferred Mahr does not have to be done in a formal manner; if a husband gives it to his wife in a usual way, he has fulfilled his obligation. However, if he is afraid that she may deny having received it, he can document it in a formal manner.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu	`Abdul-`Aziz Al Al-	Salih Al-	`Abdullah ibn	`Abdul-`Aziz ibn `Abdullah ibn
Zayd	Shavkh	Fawzan	Ghudayyan	Baz

Q 2: Is it permissible in Islam for a man to marry his daughter off without receiving a Mahr (mandatory gift to a bride from her groom)?

A: The basic principle is that the Mahr is a compulsory part of an Islamic marriage contract. We know of no proof indicating that it is a fixed amount. Rather, the incidents that occurred during the Prophet's lifetime indicate that it varies according to the circumstances of the husband. It was narrated in Musnad (Hadith compilation) **Ahmad** and Sunan **Al-Tirmidhy** that the Mahr can be a pair of shoes. It was reported in Musnad **Ahmad** and Sunan **Abu Dawud** that the Prophet (peace be upon him) said:

If a man gives a woman a handful of food as Mahr, she becomes his lawful wife.

It was reported in the Two Sahih (authentic) Books of Hadith Al-Bukhari and Muslim) and in other books on the authority of Anas (may Allah be pleased with him):

The Prophet (peace be upon him) saw traces of yellow (color) on the hand of `Abdul-Rahman ibn `Awf. The Prophet (peace be upon him) asked, "What is this (color)?" He replied, "I got married, paying a gold piece equal to the weight of a date-stone as Mahr. The Prophet said, may Allah bless you! Give Walimah (wedding dinner), even if with one sheep.

It also was narrated in the Two Sahih and in other books on the authority of Sahl ibn Sa`d that:

A woman came to the Messenger of Allah (peace be upon him) and said, 'O Messenger of Allah, I have come to give myself (in marriage) to you.' The Messenger of Allah (peace be upon him) paused and thought for long time. A man from among the attendants said, 'O Messenger of Allah, if you are not interested in her, then marry her to me.' He said, Do you have anything to give her as Mahr?' The man said, 'I have nothing except my garment.' The Prophet said, 'If you give it to her, you will find nothing to wear'. He said, 'Go and see if you can find anything.' So the man went, then he came back and said, 'I could not find anything.' The Prophet said, 'Do you know any part of the Qur'an?' He said, 'Surah such-and-such and Surah such-and-such.' The Prophet said, 'Then go, you are married to her by what you know of the Qur'an.' (Agreed upon by Al-Bukhari and Muslim).

In another agreed upon narration:

I let you marry her for that much of the Qur'an which you know.

In another wording in the two Sahih of the Hadith reported by Sahl ibn Sa'd Al-Sa'idy (may Allah be pleased with him) that the Prophet (peace be upon him) said to the suitor of this woman:

See (if you can find anything), even if it is only an iron ring.

Accordingly, we know that Mahr, even if it is little, is essential for marriage. Proof is provided by Allah (Glorified and Exalted be He) who says concerning marriage:

All others are lawful, provided you seek (them in marriage) with Mahr (bridal-money given by the husband to his wife at the time of marriage) from your property.

However, the marriage is still valid even if the Mahr is not stated. In such a case, the woman is entitled to a Mahr like that of her peers, as indicated by the authentic reports.

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member Member Chairman
`Abdullah ibn Qa`ud `Abdullah ibn Ghudayyan `Abdul-`Aziz ibn `Abdullah ibn Baz

The fourth question of Fatwa no. 6045

Q 4: Is it Wajib (obligatory) on a husband to pay the deferred Mahr (mandatory gift to a bride from her groom)? It is worth mentioning that according to the `Urf (custom) of the society, a deferred Mahr is not considered a real part of the Mahr. Rather, it is regarded a financial punishment for the husband in case he proceeds with the divorce and as help to be given to the wife in such a case. Moreover, is it permissible for the Waliy (a legally accountable person acting for a woman regarding marriage) of the bride to insist on recording the deferred Mahr in the marriage contract and agree with the husband that the latter does not pay it after the consummation of marriage? Does the husband have to pay the Mahr even though this was not his intention at the time of the conclusion of the marriage contract?

A: It is Wajib to pay the deferred part of the Mahr upon the wife's request. However, if a definite date was assigned for its payment; the deferred Mahr has to be paid for the wife on that specific date if she requests it. Otherwise, it is to be paid to her in case of divorce or to her heirs when she dies.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

The Permanent Committee for Scholarly Research and Ifta'

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Chairman
`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: My husband paid me part of the Mahr (mandatory gift to a bride from her groom) in advance upon the conclusion of our marriage contract. The remaining amount is recorded in the contract to be paid in either of two cases; death or Talaq (divorce pronounced by a husband). Is it permissible for me to receive the remaining amount outside of these two terms, i.e. during the lifetime of my husband? My husband willingly wants to pay me that amount without Talaq taking place. Am I permitted to take such a deferred amount of the Mahr?

A: It is permissible for you to take the deferred amount of your Mahr before its due time if your husband willingly pays it to you.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Chairman
`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: But if you intend to replace a wife by another and you have given one of them a Qintâr (of gold i.e. a great amount as Mahr) take not the least bit of it back. What is the meaning of these two Ayahs (verses of the Qur'an)?

A: After Allah commands husbands to deal leniently with their wives and urges them to keep the bonds of marriage, He warns them against abusing their wives or causing them harm in order to compel them to waive any part of their dowry. Moreover, Allah forbids husbands when intending to divorce their wives to marry anyone other than them, to take anything from what they paid to their wives as dowry, even if what they paid was a large amount. Additionally, Allah confirms this prohibition by warning husbands against taking any of the dowry after consummating their marriage and enjoying each other. Husbands are not required to do this after pledging to be just, do their duties, deal leniently and to avoid evil and calumny.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Q 2: I gave my daughter in marriage for a Mahr (mandatory gift to a bride from her groom) that is estimated at one hundred and ten thousand Riyals. I gave ten thousand Riyals to my daughter and kept the rest. I spent the money in several channels. For instance, I performed Hajj on behalf of my parents, gave Sadaqah (voluntary charity) and contributed to building a Masjid (mosque) from it. Are these acts permissible?

A: A Muslim should not exaggerate in the amount of Mahr; as it complicates marriage and burdens people with what they may not be able to afford. The father is permitted to take from his daughter's Mahr as long as it does not entail harm on her and that she does not need it. The Prophet (peace be upon him) said:

You and your property belong to your father.

If the father takes money from his son or daughter that does not cause them harm, and which they don't need, he is allowed to dispose of it, perform Hajj from it or give Sadaqah out of it. The reason is that the money becomes the property of the father when he takes it.

May Allah grant us success. May peace and blessings be upon our Prophet, his family and Companions.

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Zayd	Shaykh	Fawzan	Ghudayyan	`Afify	`Abdullah ibn Baz

Q 2: I did not pay the rest of the dowry of my dead wife which is 1,000 Somali shilling (15 Saudi riyals). I asked a Shaykh in my country who told me that I should pay this money to her mother. Is this fatwa valid? What should I do if this fatwa is not correct?

A: The dowry of your dead wife is part of her property. You have to pay her debts if there are any first. Then you should execute her legal bequest if she made a bequest. The rest of her property should be divided among her heirs according to Shari`ah (Islamic law) rules. May Allah grant us success.

May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The ninth question of Fatwa no. 9507

Q 9: People usually write the postponed part of the Mahr (mandatory gift to a bride from her groom) though they do not mention it in the beginning of the contract. It is often different from what happens in reality, for example they write one pound to be paid immediately and the rest to be delayed. What is the ruling of Shari`h (Islamic law) on this?

A: There is no harm in writing the delayed part of Mahr in the marriage contract after agreeing upon this. If any dispute arises between the two parties, it has to be settled in the legal court.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Q: It is a widespread habit in some countries, especially Egypt, that part of the Mahr (mandatory gift to a bride from her groom) is to be paid at the time of the conclusion of the contract of marriage and the other is to be deferred and recorded in the document of the marriage contract. It is thus written in such a document: "The deferred Mahr is to be paid at any one of the two appointed times." This means in case of divorce or death. What is the ruling on such a deferred Mahr? Moreover, what is the ruling on the husband who consummates his marriage while intending not to pay the deferred Mahr except at one of the two appointed times mentioned above? It may be worth mentioning that a writer called Ahmad Idris gave a Fatwa that such a marriage is Fasid (void) in the sight of Allah (Exalted be He). Provide us with your beneficial answer please. May Allah reward you with the best.

A: It is permissible for the Mahr to be paid in advance. It is also permissible to pay some of it in advance and to defer the rest to the appointed times which are mentioned in the question. There is no impediment to do so for the generality of the Hadith of the Prophet (peace be upon him):

Muslims are on (i.e. Stick to) their conditions, except such which makes lawful unlawful and unlawful lawful.

And:

The stipulations most entitled to be abided by are those with which you are given the right to enjoy the (women's) private parts (i.e. the stipulations of the marriage contract). (Agreed upon by Al-Bukhari and Muslim)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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