

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.

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