

Fatwa no. 6191

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.

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