

Giving the woman half the Mahr if she is divorced before consummating the marriage

Q 3: Someone married a woman but did not consummate the marriage for four years, after which he divorced her and married another. It should be noted that he did not pay the entire amount of Mahr (mandatory gift to a bride from her groom) and did not consummate the marriage. Is it lawful for the wife and her guardian to take their rights from the husband after divorcing the wife and marrying another? Note that the man did not wait for a month before marrying the other wife. Please enlighten us on this matter.

A: Anyone who divorces his wife before consummating the marriage is obligated to pay her half the designated Mahr, unless she gives up this right. If the man has not designated a Mahr and has not consummated the marriage, the woman is entitled to the Mut`ah (a suitable gift), based on his financial abilities. The case is not affected by whether the man marries another women or not, or remains married to a woman for a long or short period. Whatever the disagreement, the final decision is with the Shari`ah court.

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

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