

## The Marriage Gift (Mahr) in Islam

The mahr is a gift given to the women for the purpose of marriage. The mahr is a requirement of marriage based on the Qur'anic verse 4:4, "and give to the women their **mahr**." The Qur'an orders that the mahr be given to the women since in pre-Islamic Arabia the money was usually taken by the guardian (wali).[i] There are also many Prophetic hadiths that confirm the importance of the mahr. For instance, in a famous hadith a woman came to the Prophet Muhammad for purpose of getting married. The Prophet asked his Companions if anyone of them would like to marry her. A man responded that he did but he did not have anything to give her. The Prophet then ordered him to give her a mahr "even if it is ring [made] of iron." [ii]

The amount of the mahr should not be symbolic but rather should be decided by the two parties and should reflect the women's social status, expectations and needs. [iii] The mahr should be paid before the consummation of the marriage unless there is a legal agreement that defers the amount.

In terms of divorce (talaq), the full mahr is required to be paid to the women. However, if a woman initiates the divorce (khul'), then the woman is obliged to return the mahr to the man. Additionally, if a man divorces his wife before the consummation of the marriage then he is still required to pay half the mahr based on verse 2:237. As the verse explains, the woman may forgive the half that he is mandated or the man may pay full amount in order **to mend relations**.

In the case that a man passes away before paying his mahr, the amount should be subtracted from his wealth before his inheritance is distributed since the mahr is considered a debt.

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[i] **Qurtubi**. The mahr should be given to the women directly, not to the family. Mahr should further not be used on wedding expenses or for basic necessities, but rather should be left to the discretion of the wife.

[ii] Versions of this hadith are reported in al-Bukhari, al-Muslim, al-Nasa'i, Abu D