‘Abdullāh ibn Mas‘ūd was asked about a man who had married a woman without specifying a dowry for her and then died before consummating the marriage with her. ‘Abdullāh said: Ask if they can find any report (from the Prophet) regarding that. They said: O Abu ‘Abdur-Rahmān, we cannot find (any report about that). He said: Then I will state my personal opinion, and if it is correct then that is from Allah

‘Alqamah and Al-Aswad reported: ‘Abdullāh ibn Mas‘ūd was asked about a man who had married a woman without specifying a dowry for her and then died before consummating the marriage with her. ‘Abdullāh said: "Ask if they can find any report (from the Prophet) regarding that." They said: "O Abu ‘Abdur-Rahmān, we cannot find (any report about that)." He said: "Then I will state my personal opinion, and if it is correct then that is from Allah. She should have a dowry similar to that of her peers, neither less nor more; she is entitled to inheritance (from the deceased husband); and she has to observe the ‘Iddah." A man from Ashja‘ stood up and said: "The Messenger of Allah passed a similar judgment among us concerning a woman called Birwa‘ bint Wāshiq. She married a man who died before consummating the marriage with her, and the Messenger of Allah ruled that she should be given a dowry similar to that of her peers, that she should inherit, and that she had to observe the ‘Iddah." ‘Abdullāh raised his hands and said: "Allah is the Greatest!"

[Authentic hadith] [Narrated by Ibn Majah - Narrated by At-Termedhy - An-Nasaa’i - Narrated by Abu Daoud - Narrated by Ahmad]

This Hadīth indicates that if a woman’s husband dies after marriage has been contracted but before the dowry has been received, then she deserves her dowry in full, even if marriage has not been consummated, and even if they had not been in seclusion with each other. If the husband had not specified a dowry, the woman's due dowry should be estimated at a value similar to that which is given to her peers from her relatives. The Hadīth also indicates that the woman has to observe the waiting period because the marriage had already been contracted. Therefore, if a woman’s husband dies, she must observe the waiting and mourning period even if seclusion or consummation has not occurred. Moreover, she has the

right to inherit from her deceased husband because she is a wife who is legally tied to her husband.

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