225333 - Her husband gave her a mahr of a car that he bought by means of riba; now he wants to take it back so he can buy another car by permissible means

the question

For my mahr, I asked for a family car. My husband obtained this 5 months into our marriage. The car we got has interest on the payments, so now he wants to take the car back and get a different one with halal payments. Is he allowed to take back my mahr without my permission?

Detailed answer

Praise be to Allah.

So long as your husband gave you this car as a mahr and you took possession of it, it has become your property, so it is not permissible for him to take it back from you against your wishes. Allah, may He be glorified, has forbidden husbands to take anything of their wives' mahrs except that which the wives give willingly. Allah, may He be exalted, says (interpretation of the meaning):

"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, but if they, of their own good pleasure, remit any part of it to you, take it, and enjoy it without fear of any harm (as Allah has made it lawful)"

[an-Nisa' 4:4]

"But if you intend to replace a wife by another and you have given one of them a Cantar (of gold i.e. a great amount) as Mahr, take not the least bit of it back; would you take it wrongfully without a right and (with) a manifest sin?"

[an-Nisa' 4:20].

But… If your husband wants to get out of this riba-based transaction by selling this car and paying off the remaining riba instalments, then buying another car for you by permissible means, then our advice to you is to help him to do that, and seek reward for that from Allah, may He be glorified. Let your intention be to help him in repenting and to get out of this prohibited transaction, for Allah has decreed kindness in all things, and the most deserving of people of your kindness is your husband.

And Allah knows best.