

Question 1352) - If one of the parties dies does the contract remain?

A: The contract is nullified.*

* Al-Quduri has left it in those general terms. According to al-Jawharah that is if the he dies before crops grow. If the landowner dies after the crops grow then the land will be left for the labourer to tend and upon harvest it will be divided as agreed. If it was the labourer who died his heirs will work on his behalf. The landowner may not prevent him as he will not be harmed, but if the crops are uprooted the heirs will suffer. They will not receive a fee for their work. If they want the crops uprooted they cannot be forced to work on the crops instead. The landowner will be told, "Uproot it and share it between you/ Give them the price of their share and the crops are all for You/ spend on their share and you can be reimbursed from their share."

~ al-Quduri ~