



## Principles and Practices of Dowry in Law Islamic Marriage: Between Tradition and Modernity

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Info Articles	Abstract
<b>Article History</b> Received : 2025-08-5 Revised: 2025-08-19 Published: 2025-09-30  <b>Keywords:</b> <i>Dowry; Islamic Sharia; Marriage</i>	<p>This study examines the dynamics of dowry in Islamic marriage law, considering both traditional and modern aspects that influence its practice in contemporary society. Dowry, as a mandatory gift from a prospective husband to his prospective wife, has undergone various interpretations and adaptations over time. This study analyzes the legal basis of dowry in Islamic law, including the provisions of the Quran, Hadith, and the opinions of scholars, and explores how dowry practices have evolved in different socio-cultural contexts. The discussion covers the various forms of dowry, from traditional property to modern assets, and their implications for women's rights and gender equality in Islamic marriage. The results demonstrate flexibility in determining dowry, allowing for adaptation to contemporary socio-economic conditions while maintaining its spiritual essence as a symbol of commitment and respect for women. This study also identifies challenges in balancing traditional values with the demands of modernity and provides recommendations for harmonizing dowry practices in accordance with Sharia principles and the contemporary context.</p>

### I. INTRODUCTION

The Islamic religion has special characteristics, including paying attention to and upholding the position of women. (Syarkawi nd) This respect is given to women in the form of the right to exercise authority, namely to receive a dowry. During the Jahiliyah era, women's rights were removed and neglected. As a result, guardians could arbitrarily exploit their wealth without giving the women under their guardianship the opportunity to manage and exercise their own property. (Nusi, Kasim, and Dunga 2023) Then came Islam, which brought mercy to the entire universe. Thus, for women, the presence of Islam removed the shackles of that tradition. Women were given the right to receive a dowry, not the right to their guardians. Marriage in Islam is considered part of worship. Marriage means carrying out half of worship and completing part of the teachings of religion. In addition, the purpose of marriage is to form a harmonious family, full of love, so that a family is created that is *sakinah*, *mawaddah*, and *warohmah*. Islam regulates the provisions related

to marriage in detail, including the obligation to provide a dowry. As contained in the Qur'an, there are several verses that explain the dowry in marriage. Such as Qs. An-Nisa' Verse 4, Qs. Al-Baqarah Verses 236 and 237. The dowry is the right of the prospective wife at the time of marriage as explained in the Qur'an.

Dowry is an obligation of the prospective husband to the prospective wife which must be given either during or after the marriage contract is carried out. (Maki 2022). This obligation has no limits in amount, in the Qur'an and Hadith it is explained that women should not complicate or simplify the dowry or dowry that will be given by the husband, why women in Islam are prescribed not to complicate the dowry, so as not to be a burden for men to marry them, and to facilitate the marriage itself, because the main purpose of marriage in Islam is not the dowry (Maki 2022).

The dowry given to a prospective wife is not a purchase transaction or a price for the woman from her parents. It is a consequence of marriage, legitimizing the relationship between husband

and wife. It also represents a reciprocal interaction based on love and affection. It symbolizes the husband's leadership position within the family. The prospective husband's obligation to provide a dowry also reflects his willingness and responsibility to provide for the family's needs.(Nimah 2018).

To carry out a marriage, there are several conditions and pillars that must be met. According to Islamic law, the pillars of marriage include the presence of a prospective husband, prospective wife, a guardian, two witnesses, and a marriage contract or *ijab kabul* (contract of marriage). In addition to these pillars, there are also other requirements that must be met for a marriage to be valid and recognized both religiously and legally. One important element in marriage is the dowry. Although not included in the pillars of marriage, its presence is very significant. The dowry is a gift from the husband to the wife as a symbol of seriousness and commitment to the marriage. This is a recognized and respected right of the wife in Islam and must be fulfilled as part of the marriage contract.(Malisi 2022).

Traditionally, dowry is seen as an obligatory gift from husband to wife as a form of appreciation and financial security.(Khairuddin 2024)This practice is rooted in the teachings of the Quran and Hadith, which emphasize the importance of the dowry as an absolute right of the wife. Over time, the concept and implementation of the dowry have evolved along with social and economic changes in society. In the modern era, the interpretation of the dowry has become more flexible, with some Muslim communities interpreting it not only in material terms but also as a symbol of love and commitment. Some couples even choose a dowry in the form of education, skills, or a promise of fidelity.

A phenomenon occurring in several regions shows that some people give unreasonable amounts of dowry. This even gives the impression that they are underestimating Islamic law, as if they are playing around with its implementation. In fact, giving a dowry is a crucial element of marriage. As a result, problems arise regarding the giving of dowries. Some people give dowries

that are considered too trivial, such as flip-flops, a glass of water, Rp 1,000, and so on.

Sometimes, there are also cases where the dowry requested is too high, causing problems for certain parties. For example, a sum of Rp 500,000,000, hundreds of hectares of land, and so on. One complaint often expressed by the community, especially by men before the marriage ceremony, is the issue of the dowry. High dowry demands from the prospective bride often lead to delays or even cancellations of the wedding. Furthermore, the dowry amount is often determined by the status and education of the woman to be married. The higher the woman's education, the higher the dowry demand from the prospective groom.

Nevertheless, the basic principle of the dowry as the wife's right remains. Contemporary Islamic law continues to emphasize the importance of mutual agreement in determining the form and amount of the dowry.

This paper will examine the principles and practices of dowry in the Quran, as envisioned by Islamic law. It is hoped that this will reveal relevant principles and practices that can be applied to various levels of society, reflecting both tradition and modernity.

## II. RESEARCH METHODS

This research method uses a literature study approach (*literature review*) as the primary basis for data collection and analysis. A literature study was conducted by exploring various relevant written sources, particularly scientific journal articles discussing the topic of dowry in Islamic marriage law.(Muhadjir 2000)The entire data collection process was systematically structured following a thematic structure, which involves grouping and discussing research sources based on specific themes or topics. This thematic approach was chosen to highlight key issues related to dowries and to strengthen the analytical rigor of the research.

The data collection process was carried out continuously. The process began with a search for articles relevant to the research topic using relevant keywords, such as "dowry in Islamic marriage law," followed by selection of articles

based on their theme's relevance and relevance to the research focus, as well as consideration of the year of publication to ensure they remained up-to-date.

The research subjects focused on the study of dowry in Islamic marriage law in Indonesia, considering the dynamics between tradition and modernity. Subjects were selected using a purposive sampling technique, which intentionally selects samples based on their suitability to the research objectives. Three identified articles served as the primary objects of study, as they were deemed most representative and relevant. All data obtained from these three sources were analyzed in depth to explore the concept of dowry, both from an Islamic legal perspective and its relevance within the contemporary Indonesian social and cultural context.

### **III. RESULTS AND DISCUSSION**

A dowry is an obligation that must be fulfilled in a marriage. It is a gift from a prospective husband to his prospective wife as a sign of the man's commitment to marrying the woman he loves.(Nusi et al. 2023)In Islam, there is no rule regarding the minimum or maximum amount of dowry that must be given to a prospective wife. However, it is based on an agreement between the man and the woman, according to the man's ability, provided that it does not demean the woman or burden the man. The relevance of the dowry in the current context is open to access between the man and woman and the agreement between them. The man may provide the best dowry he can to his prospective wife, and the wife may not burden the prospective husband who will marry her.(Fahmi 2021).

The obligation to provide a dowry to a prospective wife, without specifying a specific amount or form, emphasizes that the dowry must be beneficial and lawful. However, in Lombok, the amount and type of dowry are strongly influenced by the prospective bride's social status and education. Noblewomen typically request a high dowry, accompanied by pisuke and Gantiren (a gift of land, livestock, or a house).(Akbar 2024).

This tradition also applies to highly educated non-noble women, even if they don't request a dowry. A concrete example is the wedding of a woman of noble descent in Lombok, where the groom's family is required to provide a land certificate as part of the dowry. This places a heavy burden on the prospective groom, especially those from lower economic backgrounds, who can prevent the marriage from taking place if they cannot meet this requirement.(Akbar 2024).

This tradition of setting high dowries reflects the strong social stratification in Lombok society, contradicting the principles of Islamic law, which encourages ease in marriage. Islamic law encourages a reasonable dowry based on the man's means to avoid financial hardship for the newlyweds.(Khairuddin 2024)Awareness of the importance of dowry as a religious obligation in Lombok is influenced by a deep understanding of Islamic teachings, taught from an early age through formal and informal education.

Therefore, it is crucial for the people of Lombok to understand Islamic principles regarding dowries so that the tradition does not become a burden but strengthens family ties without harming any party. Understanding and respecting religious values can help reduce the social pressures caused by high dowry demands and encourage fairer marriage practices in accordance with Islamic teachings.

The dowry is a manifestation of sincerity, responsibility, respect, and honor for women in Islam, granting them the right to own property. Islam does not stipulate the amount, type, or form of the dowry. It stipulates that the dowry must be beneficial, valuable, sacred, not be a stolen item, and the condition of the item must be clear.(Sahron 2021). The unique dowry trend that is widely practiced by society is driven by several factors:

1. Having a Certain Meaning;
2. Creating moments;
3. Symbolic Representation;
4. Keeping Up With the Times.

Dowry with unique items or objects is permitted, if it is in accordance with Islamic law and it can make things easier for the prospective

husband and bring benefits.(Winario 2020)However, it can be haram if the unique dowry violates Islamic law.

The principles and practices of dowry in Islamic marriage law reflect the complex relationship between tradition and modernity. The dowry, a mandatory gift from a prospective husband to his prospective wife, serves as a symbol of respect and commitment within the marriage bond.(Khalil, Kuswendi, and Kusmawaningsih 2025)In traditional contexts, the dowry is often determined by mutual agreement, taking into account local social and cultural norms. For example, a musammah dowry is a dowry whose amount and form are predetermined, while a mitsil dowry is determined based on the amount commonly accepted by the wife's family.(Kafi 2020).

However, with the advent of modernity, there has been a shift in society's perspective on dowries. Many couples now prefer to adjust the dowry amount to the prospective husband's financial capabilities, so as not to burden him. This aligns with Islamic teachings, which encourage simplicity and ease in marriage. In this regard, the dowry is not limited to money or goods, but can also include services or benefits beneficial to the wife.

On the other hand, challenges arise when the practice of dowry is viewed as a burden or even a commodity in marriage. Some believe that the high value of the dowry can be a barrier for young couples to marry, especially in difficult economic times.

Therefore, it is crucial to find a balance between respecting tradition and adapting dowry practices to remain relevant to current socio-economic conditions. Therefore, an analysis of dowry in Islamic marriage law must consider the dynamics between traditional values and the evolving demands of modernity.

#### **IV. CONCLUSION AND SUGGESTIONS**

##### **A. Conclusion**

The dowry is a crucial element of Islamic marriage, reflecting a blend of traditional values and modern demands. The basic principle of the dowry in Islamic law emphasizes a voluntary gift

from a husband to his wife as a symbol of commitment and respect. However, its practice in various Muslim societies has evolved along with social and economic changes.

On the one hand, local traditions often influence the form and amount of the dowry, creating diversity in its application. On the other hand, modernity has brought changes in perceptions and expectations regarding the dowry, including emerging debates about gender equality and financial burdens. In conclusion, the dowry in contemporary Islam reflects the dynamic between maintaining traditional values and accommodating modern realities, requiring thoughtful and contextual interpretation to ensure its relevance in contemporary marital life.

This article examines the balance between traditional principles and modern practices in the provision of dowry as part of an Islamic marriage. The dowry, a mandatory requirement for marriage under Islamic law, plays an important role, both symbolic and practical. Islamic tradition emphasizes dowry as a form of respect and protection of the wife's rights, while in the context of modernity, dowry is often adapted to suit the values and needs of contemporary society. Therefore, this discussion covers how the principles of dowry are interpreted and applied in modern situations, and how these dynamics reflect the social and cultural changes occurring in contemporary Muslim societies.

##### **B. Suggestion**

Several points need to be considered. First, there is a need for more intensive public outreach and education regarding the nature of the dowry in Islam, emphasizing that the dowry is not a financial burden but rather a symbol of appreciation and commitment. Second, the government, through the Ministry of Religious Affairs, needs to develop practical guidelines for determining a dowry in accordance with Sharia law while also considering current socio-economic conditions. Third, Islamic educational institutions and community organizations are expected to play an active role in providing a balanced understanding of traditional values and modern demands in dowry practices. Fourth,

there is a need for regular discussion or study forums involving Islamic scholars, academics, and practitioners to continuously examine and formulate a dowry concept that is relevant to current developments. Fifth, it is important to raise public awareness so that the dowry does not become a means of social prestige that can burden the groom. Sixth, further documentation and research are needed on innovative dowry practices that are still in accordance with Sharia law, so that they can serve as a reference for future generations. Seventh, the role of the Office of Religious Affairs is needed to strengthen in providing guidance and consultation on determining the ideal dowry for prospective brides and grooms.

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