

Perceptions of Married Muslim Women Regarding *Mahr* (Dower)

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ABSTRACT

In Muslim marriages, *mahr* (dower), which represents love, financial stability, and a woman's rights, is very important. The study discussed regarding incidence, durability, and difficulties associated with *mahr* among married Muslim women in Delhi are investigated in this study. The sample consists of 30 women participants, ages 25 to 40, from two communities Ansari Road and Minto Road Basti were selected for the present study. The study was done with using qualitative research techniques, using tools and techniques such as focused groups and interviews guide. The finding of the study shows that although *mahr* is generally considered a fundamental right, there are differences based on income, with middle-class women being more likely to get it. The study also revealed that misconceptions, legal obstacles, and social pressures are among the difficulties noted. The study highlights the need for greater awareness and policy initiatives to protect women's rights related to *mahr*.

Keywords: *Mahr* (Dower), Muslim women, Islamic marriage, Gender rights, Socioeconomic status, Legal awareness

INTRODUCTION

Marriage is a universal institution, with approximately 90% of individuals marrying at least once in their lifetime (Carroll and Wolpe, 1996; Ember *et al.*, 2015). It is not only a social and legal contract but also an emotional and economic partnership where both spouses share rights and responsibilities equally. Social Exchange Theory suggests that individuals maintain relationships, such as marriage, when perceived rewards like emotional and financial support counterweigh the costs such as compromise and adjustment. Cultural dimensions of marriage vary widely, shaped by community traditions, values, and religious beliefs (Rashid *et al.*, 2004). In Islam, marriage (Nikah) is both a sacred act and a legal contract. It is considered *Sunnah* following the practices of Prophet Muhammad (PBUH) and a form of worship (Orakzai, 2014). Islamic marriage places strong emphasis on mutual consent, respect, and equality between the spouses. Both men and women are spiritually equal (Qur'an 4:125) and entitled to express their choices in

marriage (Faiz-us-Din, 2008). The main idea in Islamic marriage revolves around *Mahr*, which people call the 'dower'. This means the groom must give a required gift to the bride. It represents respect and affection for her, along with some financial protection down the line. 'Sharia' law treats this as the woman's own right, something just for her. She has the option to take it whenever she wants, right in the middle of the marriage or even long after it ends (Ahmadi, 1992).

The Qur'an explicitly states: "And give the women (on marriage) their dower as a free gift..." (Qur'an 4:4).

'Mahr' can take many forms money, property, or even non-material gifts such as knowledge. Its amount is mutually agreed upon, typically considering the groom's financial status and socio-economic factors like education, assets, or ethnicity. There are two types of *mahr* (dower): Prompt (payable immediately upon demand) and Deferred (payable in case of divorce or death) (Hashmi and Sohail, 2013). The right to *mahr* is non-negotiable, and no relative, including the bride's father, can claim it.

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Despite its religious importance, many Muslim women especially in South Asia face challenges in accessing their *mahr* (dower). Often, the ‘*dower*’ is ignored or treated as a ritual rather than a right (Hussain, 2020). Research studies from Pakistan, India, and Bangladesh show that a significant number of educated Muslim women do not receive their *mahr* due to lack of awareness, improper documentation, or fear of marital conflict (Dalmia and Lawrence, 2005). Internationally, Islamic and national legal systems often clash over *mahr*-related cases. For example, countries like Germany and Denmark interpret *mahr* within their own legal frameworks, sometimes complicating its enforcement. In Pakistan, family courts often can’t help women who want their deferred dower after divorce, especially when the divorce happens through *Khula* (Munir, 2022).

Significance of the Study:

In metropolitan cities, people now treat *mahr* (*dower*) less like a spiritual or ethical promise and more like a symbol of social standing. You can see a similar trend in Dhaka, Bangladesh, where research found that families sometimes ask for such high *mahr* that engagements fall apart or marriages get postponed altogether (Islam and Hogue, 2015). Why does this study matter? It digs into the gap between what Islam says about *mahr* (*dower*) and what actually happens for married Muslim women in India. By listening to women from all sorts of backgrounds, the research shows how traditions, patriarchy, and just not knowing the law often chip away at women’s rights to *mahr*. This isn’t just a legal or religious issue it’s about women’s financial security and power. The findings add something new to gender and legal studies and give policymakers, legal aid groups, and community leaders the insight they need to help women claim what’s already theirs.

Objectives :

1. To investigate the prevalence and sustainability of *Mahr* (*dower*) in Islamic marriages
2. To document the challenges faced by Muslim women regarding the *Mahr* (*dower*)

METHODOLOGY

The study was done keeping in mind with qualitative approach to dig into how married Muslim women in Delhi see and experience *mahr*, or *dower*. Thirty women

between 25 and 40 year of age were participated in the study. The purpose of selecting sample from two different neighborhoods Ansari Road, which is more middle-income, and Minto Road Basti, where families usually from lower class. All the women had been married for at least a month. The sample didn’t include anyone unmarried, just married, widowed, or divorced.

The tools and techniques used for study was semi-structured interviews and focused group discussions to collect and have an open discussion with everyone. Afterward, the data transcribed and a thematic analysis was done. This study enables us to understand women’s perspective on *mahr*, its financial significance for them, and what rights the held with the same. Throughout the study, researcher made sure everyone’s information stayed confidential and that all the women participants well explain exactly what they were agreeing to during the course of the study.

RESULTS AND DISCUSSION

Understanding of *Mahr* (*dower*) :

The finding of the present study revealed that majority of the participants saw ‘*mahr*’ as something a husband absolutely has to give in Islam a mix of spiritual meaning and legal responsibility. Still, how much people really understood about it depended a lot on their education and background. Participants indicated that *Mahr* is an important aspect of their marriage, marriage isn’t complete until it is determined.

A lot of people talked about *mahr* as a *Sunnah*, pointing out that Prophet Muhammad (PBUH) gave *mahr* to his wives, especially Hazrat Fatimah (A.S). They often brought up the Qur’an too: “And give the women (upon marriage) their bridal gifts graciously...” (Qur’an, 4:4). For many, that’s the core reason behind the practice.

The research found that *mahr* play a very vital role in Muslim marriages. It stands for financial security, respect, and a real sense of commitment between partners (Siddique and Rao, 2019). It is not just a religious tradition, it’s also a woman’s legal right in Islam (Ahmad, 2016; Afaq and Chhaya, 2020).

The present study stated that more than 80% of people in the survey revealed *mahr* should be part of the *Nikahnama*. Still, a most of participants was not aware how much it was, or if they had actually received it at time of their marriage. *Mahr* considered to be tangible or enforceable it’s just a customary practice mentioning

at the time of marriage but not typically given to brides in actuality. Afaq and Chhaya (2020), saw the same thing. *Mahr* is supposed to give women power, but in practice, culture and confusion get in the way, revealed by majority of lower-income women. Instead of seeing *mahr* as their right, many focused on keeping peace at home or felt asking for money was wrong. Some didn't really understand what *mahr* is for, how to claim it, or what they're owed. It just shows that there are still big gaps in awareness and access to information, especially for women who don't have many resources.

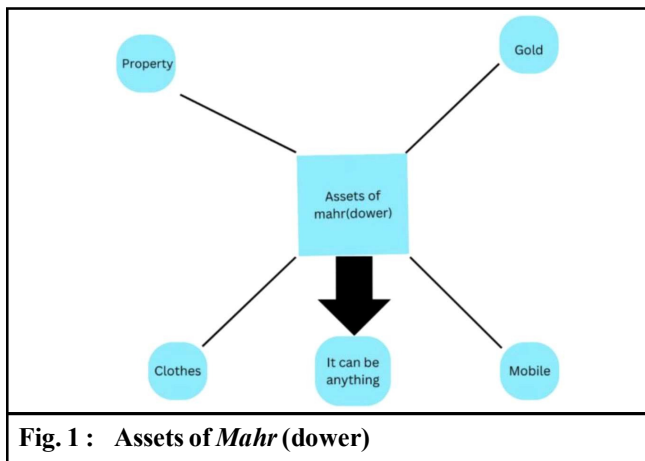
Significance of *Mahr* (dower):

Women were revealed that *mahr* (dower) as a kind of financial safety net for wives, a way to make sure that women have some type of support and security in marriage. It provides women financial power, so they can protect themselves if some unfortunate happens in their future regarding marriage. Participants considered it as the groom's (huaband's) clear promise to stand by the bride's rights and make sure she's taken care of financially (Hummudah, 1977).

Women described *mahr* as a shield, a source of economic security, and a sign of respect in marriage. They revealed that it helps to prevent divorce to some extent, as husband need to return this amount if they will get divorced with him or husband died in misfortune. Jahangir and Bulut (2023) call *mahr* a real tool for women's financial empowerment, as long as it's actually enforced. Scholars like Azahari and Ali (2015) say *mahr* isn't just about legal protection it has an emotional side too.

Types of *Mahr* (dower):

Here's how they see it: prompt *mahr* is the dower



given right after the wedding sometimes that night, sometimes a bit later but the key thing is, the wife doesn't have to ask for it. Deferred *mahr* works differently. The husband can give it to his wife any time during their marriage, and there's no deadline. A few people also brought up something called *mahr-fatmi*. It's named after Bibi Fatima, Prophet Muhammad's daughter, since that's what she received when she got married. The amount comes from the current price of silver when the marriage happens (Fig. 1).

Assets of *Mahr* (dower):

All women participants mentioned that *mahr* can cover a variety of things like property, clothes, gold jewellery, cell phones, cash, and even more. In the same vein, the bride can share what she wants for the *mahr* (dower), considering her personal finances and the cultural customs that matter to her. She might choose to receive a larger sum of money, a meaningful keepsake, or maybe even a mix of the two as her dower, even if it's something simple like an iron ring (Sahih Al-Bukhari, 2014).

Procedure and Practice of *Mahr* (Dower):

Participants talked about *mahr* (dower) as a serious, legally binding part of the marriage contract, the Nikahnama. It is not just a formality they actually write it down during the wedding. *Mahr* carries both religious weight and legal power in an Islamic marriage. When it comes to deciding the amount, two things matter most, one, the groom's financial situation and how the two families negotiate. If the groom's well-off, he usually offers more. If money's tight, the amount drops no one wants to put the groom in a tough spot. Ibn Taymiyyah (1991) even pointed out that giving an amount you can't afford isn't a good idea, even if it's allowed. Better to keep things reasonable and avoid showing off. *Mahr* is decided according to the groom's status.

Secondly, the bride's family suggests an amount, then both sides discuss and settle on a figure. They write it down with witnesses watching, making everything official. Fathima (2017), mentioned that doing it this way keeps things clear and fair, so both sides know their rights and responsibilities.

Mahr According to Shariah:

The most striking finding of this study was the huge deficit in awareness on the legal rights of women to *mahr*. Even though under Islamic law, *mahr* is recognized as a

woman's legal right that can be enforced, and it places an obligation upon the husband to provide it (Zahra, 2020; Nyazee, 2012), only few participants knew that women can approach the courts if they have not been given their mahr. This shows a major gap in the knowledge of legal mechanisms through which this right can be enforced.

Changing trends:

Participants said that mahr practices have changed a lot. Older generations typically agreed on much smaller amounts, but now the numbers are rising fast: what used to be around Rs. 5,000 has shot up to Rs. 200,000 or even Rs. 300,000 in some cases. A majority of participants revealed, that this jump and linked it to more awareness about women's rights and changing social attitudes. Tirkey (2020) also established the same thing-the mahr amount keeps on increasing.

Mahr as a Right of Married Muslim Women:

Most of the participants responded that *mahr* is a right of the wife according to Islam. Many participants shared, that this right does not change if a man has more than one wife, every marriage requires its own *mahr*. Kanika and Suhag (2023), break it down, *mahr* is not merely a formality. It exists for financial security, as respect toward one's wife, and to guard against unfair behaviour from husbands.

Yet, despite all these regulations, much confusion and issues continue to arise. Many women reported never having received their *mahr*, even after many years of marriage. Some husbands claimed that the money spent on the wedding was sufficient to cover the mahr, while a few husbands threatened divorce if their wives asked for it. This is not an isolated incident, studies conducted in Bangladesh revealed that 88% of educated brides in Dhaka and 90% of rural women did not receive their mahr either (Rewana Karim, 2020; Nahid Ferdousi, 2020).

Another big mix-up is that some people equate *mahr* with dowry, which participants in the current study strongly clarified as not being the same. Dowry, they said, is a social issue, while mahr is a religious right of the wife that demonstrates love and respect from her husband (Dhar, 2018; Akter *et al.*, 2012). Most of the women refused the concept of waiving *mahr*.

Prevalence and Suggestions:

It also emerges from the study that *mahr* is way more common among middle-income women, usually in

the form of cash, gold, or sometimes property. Only about 20% of low-income women reported getting mahr at all. The amounts really varied, from as little as Rs. 1,500 up to Rs. 300,000 (Tariq, 2018). When asked what helps, women talked about being open with their husbands, getting family elders involved, or turning to the courts if needed.

There's legal backing for this, too. Cases like Abdul Kadir v. Salima and Bai Tahira v. Ali Hussein make it very clear that *mahr* is a right women can very well get enforced (Kanika and Suhag, 2023; Yadav, 2015). What actually matters, then? Awareness of one's rights, serious attention towards *Nikah* registration, and enforcement of laws already in existence, such as the Muslim Family Law Ordinance, 1961 are specifically called for in rural areas or where education is at a low level. Jalal and Zubair, 2023. This is how one's rights to mahr should be protected.

Conclusion:

This study offers insights into how married Muslim women view and experience *mahr* (dower). It highlights its deep religious and cultural significance. While *mahr* is often seen as a symbol of love, respect, and financial security, its actual use frequently falls short of its purpose. Many women encounter issues like a lack of awareness, confusion between *mahr* and dowry, and husbands not complying with or avoiding their responsibilities, especially in poorer communities.

These findings concluded the need for better community education, legal protections, and clear documentation during *Nikah* to protect women's financial and religious rights. Improving understanding of *mahr*'s appropriate role can help promote justice, fairness, and gender equality in Islamic marriage practices.

Based on the study's findings, the following recommendations are suggested:

Awareness and Education:

Hold community workshops and include *mahr*-related rights in madrasa and school programs to inform Muslim women about their religious and legal rights.

Collaborative Implementation:

Encourage collaboration among religious leaders, social workers, and legal professionals to ensure that *mahr* is discussed, documented, and implemented fairly during *Nikah* ceremonies.

Legal Enforcement and Accessibility:

Require proper documentation of *mahr* in the *Nikahnama* and create accessible legal options for women to claim unpaid *mahr*.

Ethical and Religious Sensitization:

Raise awareness among both men and women about the ethical and spiritual purpose of *mahr*, fostering mutual respect and fairness in Islamic marriages.

Suggestions for Future Research:

The areas in which further research can be done are:

- *Comparative Study across Socioeconomic and Regional Contexts:* Future research can compare perceptions and practices related to *mahr* (dower) within rural and urban Muslim communities, or among a variety of socioeconomic classes, to capture region-specific challenges and cultural influences on women's access to their *mahr* (dower) rights.
- *Inclusion of Male Perspectives and Community Leaders:* Research into the perceptions of husbands, religious leaders (*maulvis*), and also family elders could provide deeper insights into the negotiation and execution of the dower. Understanding their roles and attitudes is imperative for the development of effective awareness and intervention strategies.

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