

Assalato Wasallaamo 'Alaika Yaa Rasool Allah & Wa 'Alaa Aalika Wa As Haabika Yaa Noor Allah

Reality of Dowry

Compiled by:

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(Ameer - Sunni Dawat e Islami)

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رس ولم لكوكم ي على نحي دونصل

Nahmaduhu Wa Nusalli 'Alaa Rasoolihil Kareem, Amma Ba'ad!

Allah Ta'ala has stated:

"...and do not waste needlessly. Indeed those who needlessly waste are brothers of the devils; and the devil is very ungrateful to his Lord." (Surah Bani Israel Verses 26-27)

At another point He states:

"...and whoever obeys Allah and His Noble Messenger - Allah will admit him into Gardens beneath which rivers flow - abiding in it forever; and this is the great success. And whoever disobeys Allah and His Noble Messenger and crosses all His limits - Allah will put him in the fire (of hell), in which he will remain forever..." (Surah Nisaa Verses 13-14)

كُنْتُمْ خَيْرَاُمَّةٍ ٱخْرِجَتْ لِلنَّاسِ تَامُرُوْنَ بِالْمَعْرُوْفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ، وَتُؤْمِنُونَ بِاللهِ اللهِ

"You are the best among all the nations that were raised among mankind - you enjoin good deeds and forbid immorality and you believe in Allah..."

(Surah Aal e Imran Verse 110)

The Beloved Prophet of Allah, Sayyeduna RasoolAllah stated, "The person who does things in moderation Allah Ta'ala has made him carefree. The person who needlessly spends is made dependent (on others) by Allah Ta'ala. The person who is humble in order to please his Lord is elevated by Allah Ta'ala." (Kanzul A'amaal)

"Those marriages are more blessed in which the least amount of money is spent." (Masnad Imam Ahmed)

"Whoever of you sees an evil should stop it with his hands and if he does not have the strength to do that he should stop it with his words. If he does not have the strength to even do that then he should think of it as evil in his heart and this is the weakest level of faith." (Sahih Muslim Vol 1 Page 69)

I swear by Him Who controls my life! You people should definitely continue to command people to good and forbid then from evil. If you do not do that then before too long Allah Ta'ala will inflict His punishment on you. Then you will supplicate for this punishment to end and your supplications will not be accepted." (*Tirmidhi Hadith 2129*)

The above mentioned verses of the Qur'an give strict warnings against needless spending, going against the limits set by Allah Ta'ala and being disobedient to Him. It has also been said that you are the best of nations and the reason for

this is that you command people to do good deeds and forbid them from evil.

The Ahadith mentioned above advises Muslims to be moderate in everything, avoid needless spending and the benefits that this will bring and also that the most blessed marriage is the one in which the least amount of money is spent.

When we look at our society today it is very clear to see that we have become victims of excessiveness and extravagance. Specifically, the excessiveness that is displayed when acting upon the Sunnah of Nikah and marriage and the damage that is done by this is not hidden on anyone with intellect and a conscious. The custom of giving a dowry has become a terrible sore on the Muslim community which has decimated and destroyed hundreds of thousands of individuals and families. We will mention the damages that are caused by it in the following pages. May Allah Ta'ala guide us all to act upon and follow the Sunnah of His Beloved Prophet , Aameen.

Islamic Viewpoint on Dowry

The Urdu word for dowry (Jahaiz) come from the Arabic word 'Jahaaz' which means equipment and items which a traveller may need during his journey, or a bride may need to set up her home, or equipment that is needed in order to get a deceased person to his grave.

Dowry is a Hindu custom; in Islam, the custom is to distribute dry dates or sweets at the time of marriage and then to organise a wedding feast (Walima) according to one's means. As far as dowry is concerned, it has no connection or association with Islam whatsoever. Therefore, the dowry that is given to a girl at the time of marriage is a Hindu custom that has been adopted by Muslims and we are now paying the price of this evil custom. If you study the Holy Qur'an and Ahadith you will see that there is no concept of dowry either

of them. We cannot find any reference or mention of the dowry that is given in any of the authentic books of Ahadith either.

In terms of family law, Islam talks about the following subjects in detail:

- 1. Nikah
- 2. Divorce
- Maintenance allowance
- 4. Share of property
- 5. Mehr and various rights of women

But there is no mention of dowry in Islamic family law. Whether a wife is Muslim or from the people of the Book, it is compulsory for the husband to pay all her expenses and requirements if she leaves her home and moves into his home. These expenses include food, clothing and a home to live in. The basis of this order is the following verse from the Holy Qur'an:

"Accommodate them where you also reside, according to your means, and do not harass them to make it difficult upon them; and if they are pregnant, give them the provision till they deliver their burden; then if they suckle the child for you, pay them its due; and consult with each other in a reasonable manner; and if you create hardship for one another, the child will get another breast feeding nurse." (Surah Talaaq Verse 6)

It is compulsory for men to fulfil and provide for the basic and fundamental needs of women and men are using the dowry that the woman brings to fulfil this basic need.

Marriage is a Sunnah of RasoolAllah and is a blessed and pure union. This is not simply the joining of a man and a woman in marriage but is the means of uniting two families. Islam has made the process of marriage an easy one and there is no place for wasteful spending or dowry in Islam. The whole life of our Beloved Prophet is a living example of Islam. With his actions he has stated that the practice of giving a dowry is wrong.

The question arises, 'Did Rasool Allah give Hazrat Fatimah a dowry? Did he give a dowry to his other daughters Hazrat Zainab, Hazrat Ruqaiyya and Hazrat Umme Kulthum?' These three daughters passed away during the lifetime of RasoolAllah a . Hazrat Zainab was married to her cousin Abul Aas bin Rabi bin Laquet. Hazrat Ruqaiyya was married to Hazrat Uthman and after she passed away Hazrat Uthman married Hazrat Umme Kulthum in Rabi-ul-Awwal.

During the era of RasoolAllah there is no example which can be found of the bride's family giving goods as dowry except during the marriage of Hazrat Fatimah . The only reason there was a need to give some items to Hazrat Fatimah was because RasoolAllah was the guardian of Hazrat Ali and he did not have his own home or possessions or furniture etc. None of the other three daughters of RasoolAllah received any such gifts and neither did any of the blessed wives of RasoolAllah receive a dowry when they were married. At the time of her wedding, RasoolAllah gave Hazrat Fatimah , who was given the good news by Allah Ta'ala of being the leader of the ladies of Paradise, a prayer-mat, a pillow and some clay pots. Hazrat Ali sold his armour in order to pay the Mehr. Islam has made marriage an easy deed to act upon which has no need or requirement

for excessive or wasteful spending. Nowadays weddings are a big issue and have become like a business. The groom's parents attempt to reclaim the money they have spent on educating and bringing up their son through the dowry and think this is their right as they should be paid for their efforts. Those parents, who educate and raise their daughters through great difficulties, teach them well and fulfil all their requirements, not only have to bear the pain of separating from their daughters forever, but also are forced to pay for this separation. Some unfortunate parents even fulfil the (monetary) requirements of the groom's family after marriage as well.

Evil Results of Modern Day Dowries

The generation is one of wealth and success. Life is passing by very quickly and in this speed we are becoming victims of numerous issues and concerns. Instead of the community, everyone is concerned about themselves. We have become so embroiled in our own (self created) issues that we cannot see anyone else or their issues.

There are a number of issues within our community that have become a burden on society as a whole which need to be focused on. Large seminars and conventions are held in order to discuss and address these issues but as soon as the food and drink is finished, the hands are wiped clean and the participants leave the hall all the issues are forgotten and ignored. One of the important issues is the introduction of dowries into Islamic culture and society. Dowry is an issue that we are all aware of but all turn a blind eye to it and refuse to accept that it is a major issue. Dowry is not a temporary issue but is something that has taken root in our society and has started sprouting branches, meaning other evils are increasing because of it. Amongst the evils being bred as a result of dowries are:

- 1. Stealing and looting
- 2. Divorce
- 3. Cruelty and Abuse
- 4. Suicide
- 5. Fraud and deceit
- 6. Alcohol and substance abuse

Stealing and looting: As a result of not having enough money for dowry, either no enquiries are made about daughters or engagements are broken off. In order to ensure that their daughters and sisters find good homes to be married into, some fathers and brothers resort to stealing and looting in order to meet the dowry demands of prospective in-laws.

Divorce: Divorces are increasing in number daily. One of the big reasons for this increasing number of divorces is the inability to arrange a large dowry. If the demands of a large dowry by the groom's family is not met, they perform the marriage ceremony due to pressure from family members and the community but later on create such an unhealthy environment that it leads to divorce.

Cruelty and physical abuse: These incidents are also becoming very common in our society nowadays. As a result of only bringing a small dowry, a woman's husband and inlaws constantly taunt and abuse her verbally and do not hesitate to abuse her physically either. In the past these incidents were only found in rural areas amongst illiterate and uneducated people but nowadays many educated people who appear to be very respectful are also committing this cruel act.

Suicide: Suicide is not only a crime but it is also a major sin. The constant verbal and physical abuse inflicted on her by her husband and in-laws as a result of not bringing a large dowry makes life unbearable for them and some unfortunate women feel that their only option is suicide.

Deceit and dishonesty: One of the worst evils that the disease of dowry has created is the increase in deceit and dishonesty. In order to obtain a large dowry, the groom's family lies about their wealth and social status and publically display a very loving and peaceful home. The bride's family see this and are extremely pleased that their daughter will be going into such a respectful, loving and rich family. However, only a few days (after the wedding) the daughter is divorced and back at her parent's home and becomes a great burden and problem for her family.

Alcohol and substance abuse: Alcohol abuse and drunkenness is also a societal problem and it would be correct to say that one of the ways to forget the issues mentioned above is alcohol and substance abuse. When a person finds himself completely alone and helpless, he starts to drown himself in alcohol and drunkenness. As a result of dowries many people are not able to marry off their daughters. These poor people either commit suicide or become victims of alcohol and substance abuse and push themselves closer to death each day.

Consequences of Dowries

As a result of trying to fulfil the demands of large dowries:

- Loans are taken out
- 2. Fathers and brothers go abroad (to earn money) and the women are left alone
- 3. Men are forced to offer bribes, steal or embezzle funds in order to raise the required amount of money

If a wife does not bring a large enough dowry:

- She is taunted and abused
- 2. She is sent back to her parent's home
- She is divorced.
- 4. She is driven to the brink of death

- 5. Sometimes the situation becomes so unbearable she commits suicide
- 6. Money is wasted through wasteful spending and displays of extravagance

Searching for Dowry

Muballig-e-Islam, Hazrat Allama Syed Sa'aadat Ali Qadri writes:

'Out of the Hindu customs that have made their way into our weddings and marriages, the worst one is the curse of the dowry which has made the lives of girls and their parents extremely difficult and burdensome. No one is willing to accept a girl if she will not bring with her a large dowry. Even girls families are not willing to marry off their daughters without giving them a dowry for fear that if she does not take with her a large dowry she will be subjected to lifelong taunts and will be looked down upon by her in-laws and especially by her mother-in-law and sisters-in-law. The reality is that this curse has reached such a level that people are not searching for life partners for their sons but rather they are searching for large dowries. Right from the start their expectation is that the prospective daughter-in-law will bring a large dowry which will fill our home with goods and assets. There are now actual demands made for dowries and specific items are requested. For example they say, 'Along with the air-conditioning unit and other items you are going to give her, you should also buy your daughter a car so that she can easily come to your home to visit.' What a polite and cultured manner of begging this is! They have no shame.

An acquaintance of mine had a beautiful and large new home built and invited me to perform the opening ceremony and recite Fatihah etc. When I saw that the home was furnished with furniture that was quite old I suggested that he should buy new furniture to go with the new home. He said, 'The reason I have not bought new furniture and other items is that

I have two sons whose marriages I will soon be arranging. There will be so much dowries that the girls will bring that my home will be filled and I will tell (my future in-laws) to ensure that they give their daughters furniture and goods based on the status of my home."

It is because of greedy people like this that it has become difficult for us to find suitable relations for our daughters. It is because of people like this that those with daughters spend their whole lives in debt so that they can marry off their daughters regardless of what it takes and how much it costs. However, their own lives are ruined and their whole live is spent trying to repay the debt. (*Yaa Ayyohal Latheena Aamanu*)

Dowry is Owned by the Woman

Let us look at the ruling given to a question by Faqih-e-Millat, Hazrat Allama Mufti Jalaluddin Amjadi in order to further clarify the reality of dowry.

Question: 'When the (future) husband specifically demands the dowry why is he not the owner of it?

Answer: All the items given as dowry belong to the woman and no-one else has any right to it. This is because the woman is the permanent owner of it as is mentioned in Radd-ul-Mukhtar, volume 2, page 319. When Sayyeduna A'ala Hazrat was asked a similar question he answered, 'Jewellery etc given by Zaid to his daughter is specifically the property of the daughter. The husband has no right to claim ownership of it nor can he use it without the wife's permission. (*Fatawa-e-Razvia Vol 5 Page 529*)

Additionally he writes, 'There is no doubt that the unanimous verdict of the Arab and non-Arab Scholars and the general view of the masses is that the dowry given to a bride is her property and the fact is that dowry is the name given to presents given to the bride and sent with her to her new home at the time of her marriage. (Fatawa-e-Razvia Vol 5 Page 529)

Therefore, the owner of the dowry is the woman and not the man regardless of the fact that he demanded that she bring a dowry just as the trustee of the Masjid asks for donations but he does not become the owner of the donations. However, clothes, money etc given as gifts by the wife to the husband at the time of marriage do become his property. A similar answer is also given in Fatawa-e-Razvia, volume 5, page 561. Allah Ta'ala knows best.'

Demanding Money is a Bribe and is Unlawful

Demanding money is a bribe and is unlawful and it is necessary to return it. If the girl's family have taken anything the married couple should take it back as it is considered a bribe. It is stated in Radd-ul-Mukhtar that 'If the bride's brothers or other family members refuse to allow the bride to leave without receiving something then whatever is given should be taken back regardless of whether it is still available or has been spent because this is considered a bribe.' (Radd-ul-Mukhtar Vol 2 Page 366)

If a father-in-law gives money to his son-in-law in return for his willingness then this is considered unlawful earnings. Any money taken from the bride's family before marriage should be returned because this money is considered a bribe as is mentioned in Radd-ul-Mukhtar – 'The money given by a woman in return for her marriage is wasted because payment in exchange for marriage is not the responsibility of the woman.' In our country this payment is called 'Kankoor' and the translation of this in Arabic means bribe. Therefore it is necessary to take this money back regardless of whether it is still available or has been spent because possession of a bribe does not prove ownership. It states in Durr-e-Mukhtar that giving and receiving bribes are both unlawful.

In short, demanding payment in exchange for marriage is a bribe and those who give, receive or arrange bribes are all cursed by Allah Ta'ala.

Explanation of a Bribe and It's Order

Bribe means 'Taking money or possessions for ensuring that any work that needs to be done is not done or any work that does not need to be done is done.' Allama Shaami clarifies the reality of bribes in the following manner by stating, 'A bribe is that which a person gives to a ruler or anyone else so that they rule in favour of him or convince them to agree with him,'

It is essential to return bribes as no one owns the bribe just as Allama Ibne Aabideen Shaami has stated quite clearly in his famous book Radd-ul-Mukhtar that 'It is essential to return this as no one is the owner of it.' (Radd-ul-Mukhtar Vol 4 Page 304)

Prior to this section Allama Shaami has written in detail about the definition of a bribe and all its various forms. In light of his research it can be stated quite categorically that accepting a bribe is not permissible in any situation whatsoever. If the girl's guardians try everything possible in order to complete the marriage rights without having to pay a (cash) bribe then on the basis of this compulsion the giving of the bribe is permissible.

Demanding Dowry is Unlawful

A man or his family demanding items as dowry from a woman or her family is unlawful and impermissible. Anything given by the woman or her family is considered a bribe and must be returned. Ibne Hajam Andalusi writes in his book 'Al-Muhli' that 'It is not permissible to compel or force a woman to bring a dowry to her husband either with the money she receives as Mehr from her husband nor from any other money she or her family may have. The Mehr belongs to her completely and she can do with it as she pleases. The husband has no right to it nor can he dictate

where and how it is spent. This is the ruling of Imam-e-A'azam, Imam Shaf'i, Abu Sulaiman and others.' (Al-Muhli by Ibne Hajam Andalusi Vol 9 Page 108, published in Beirut)

It is also clear from the following excerpt from Radd-ul-Mukhtar that Islamic law has not placed any financial responsibility on a woman in return for marriage. If a woman accepts any financial responsibility herself it is not necessary to fulfil it. All the financial responsibility of conducting the marriage rests on the man and it is against his sense of honour and prestige that he should demand anything from the fairer sex.

'A woman wants to re-marry a man who had previously divorced her. The man states that he will not marry her until his previous responsibility (Mehr) is not forgiven. The woman forgives him this responsibility on the condition that he marries her but then the man refuses to marry her. In this condition the opinion and ruling of Scholars is that the original Mehr must be paid by the man regardless of whether he re-marries this woman or not because he has made that money a condition for marriage but a woman has no financial responsibility in the cost of arranging or organising a marriage.'

Unlawful Money and Goods Ruin Both Worlds

Bribes and dowry are unlawful in the same manner that the giving and receiving of interest is unlawful. It is unlawful to participate in this in any way whatsoever. At many places in the Qur'an there is strict condemnation of the Jews because of their practice of dealing in interest and it is described as being an act that deserves punishment. Paradise is prohibited on those who use unlawful money or goods as is mentioned in a Hadith narrated by Hazrat Jabir in which RasoolAllah aid, "The body which is nourished and raised with unlawful things will not enter Paradise and a more appropriate place

for a body raised with unlawful things is the fire of Hell." (Mirqat Sharhey Mishkaat Vol 6 Page 43)

Hazrat Abu Bakr anarrates that RasoolAllah said, "The body nourished with unlawful things will not enter Paradise." Our Prayers and supplications do not have the same effect that the Prayers and supplications of the companions and our pious predecessors had. Maybe the reason for this is the following:

"Hazrat Ibne Umar stated, 'If a person buys a cloth for 10 Dirhams and one of those Dirhams was unlawfully obtained then his Prayers will not be accepted as long as that cloth is on his body.' He then placed his fingers in his ears and said, 'May I become deaf if I did not hear RasoolAllah say that.'" (Mirqat Sharhey Mishkaat Vol 5 Page 51)

Something to Ponder: Money or goods received as bribes or dowry are unlawful and it is essential to return them or else we should be prepared for disgrace and despair in both worlds. The Ahadith mentioned above makes it clear that the abode of such a person is Hell. Are we going to give preference to a few moments of worldly pleasure over the punishment of Hell? We are all well aware of the evils and issues that bribes and dowries have spread in our society like fraud, deceit, divorces, robbery, looting, suicide, assault, murder, masturbation, adultery etc. The result of this is that disobedient children are born and it is essential to try and find a solution for ending this evil and unlawful practice.

Pledge Against Dowries

We are aware that:

Asking for a dowry is a crime.

Dowry is cruelty against men as well as females.

Dowry is legalised looting.

Dowry is an uncivilised custom

Those who demand dowries are ignorant, disrespectful and greedy.

Dowry is one of the main causes of cruelty to women.

Therefore, in order to alleviate the helplessness and despair of the parents whose daughters are ordered to bring a dowry:

We sincerely pledge that:

When it is time to arrange a marriage we will not ask for a dowry and neither will we help our elders in keeping this useless custom alive.

We consider demanding a dowry as an insult to our masculinity and our self-respect and confidence is demanding that we do not ask for a dowry.

We refuse to accept dowries.

We refuse to accept dowries.

We refuse to accept dowries.

The curse of dowries can only be stopped by us and us alone. This practice can be stopped on an individual level but it is necessary that we start from our own homes first.



SUNNI DAWAT E ISLAMI Aims and Objectives

- Bringing people closer to the Qur'an and Rasool
 Allah
- Reformation of faith and deeds.
- Strive & struggle to act upon the teachings of the Qur'an and the Blessed Sunnahs of Sayyedina Rasool Allah
- Populate and keep the Mosques full through Salaah.
- Tackling and finding a solution for the increasing non-performance of religious duties.
- Creating awareness of the requirements of the religion of Islam
- Loving the young, respecting the elders, and serving humanity.
- Eliminating illiteracy and ignorance through education and reformation of characters.

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