



DISTORTIONS IN CONTEMPORARY MARRIAGE: AN ANALYSIS OF FIQH PRINCIPLES REGARDING THE PHENOMENON OF THE MAHAR

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Abstract

Contemporary mahr practices in Muslim societies demonstrate a significant shift from their normative function as a symbol of respect and protection for women toward instruments of social prestige, economic burden, and implicit commodification. Previous studies have largely focused either on normative fiqh discussions or sociological descriptions without critically integrating Islamic legal maxims as an evaluative framework. This study aims to analyze the distortion of contemporary mahr practices through the perspective of qawā'id fiqhiyyah and to formulate a maqāṣid-oriented reconstruction of mahr in modern Muslim societies. Employing a qualitative library research method, this study analyzes primary Islamic legal sources, classical fiqh literature, and contemporary academic works using descriptive-critical and content analysis approaches. The findings reveal three principal forms of distortion: excessive mahr, symbolic reductionism, and instrumental commodification. The study further demonstrates that Islamic legal maxims function not merely as normative legitimations but also as critical tools for evaluating social practices that deviate from the objectives of Shari'ah. The novelty of this research lies in constructing a critical-evaluative framework that distinguishes legitimate flexibility from distortion in contemporary mahr practices. These findings contribute to developing contextual, moderate, and socially responsive Islamic family law discourse.

Keywords: *Mahr Distortion; Qawā'id Fiqhiyyah; Maqāṣid Al-Shari'Ah; Symbolic Mahr; Islamic Family Law*

A. Introduction

Marriage in Islam is understood not only as a legal bond between a man and a woman but also as a social and spiritual institution aimed at fostering peace, protection, and justice within family life. One of the key elements of the marriage contract is the dowry (*mahr*), which is a mandatory gift from the prospective husband to the prospective wife as a form of respect and recognition of women's rights within marriage. From a normative Islamic perspective, the dowry serves symbolic, spiritual, and economic functions, representing the man's commitment to establishing a household. The Qur'an explicitly commands the giving of the dowry with full willingness, as stated in Surah al-Nisā' [4]: 4, while the hadith of the Prophet

(peace be upon him) indicates flexibility in the form of the dowry, whether in the form of material goods or non-material benefits. Thus, the dowry is fundamentally intended as an instrument for the common good, not a social burden or a tool for the commercialization of women (Wadud, 1999).

However, in the context of contemporary Muslim societies, the practice of the dowry has undergone a highly complex transformation in tandem with social, economic, and cultural changes, as well as modern consumption patterns. In various Muslim countries, including Indonesia, the dowry is no longer understood solely as a symbol of respect but has often become an instrument of social prestige, a symbol of economic status, and even a form of covert commodification of women. The phenomenon of exorbitant dowries, the race to offer the highest dowry amounts, and burdensome customary demands placed on prospective husbands are becoming increasingly prevalent in modern society. At the same time, symbolic and non-material dowry practices have emerged, which are often understood in a reductive manner, thereby losing their substantive role in providing economic protection for women. This situation highlights a tension between the flexibility of Islamic law and the evolving social realities within the global Muslim community (Engineer, 2004).

Globally, the issue of dowry has become part of the academic discourse on Islamic family law, gender, and the social transformation of modern Muslim societies. A number of studies indicate that the practice of dowry in various countries has undergone a shift in meaning due to the influence of capitalism, modernization, and patriarchal cultural constructs. Wadud (1999) asserts that the dowry is fundamentally an instrument for protecting women's economic rights, not a form of transaction involving ownership of women. Meanwhile, Auda (2007) highlights the importance of the *maqāṣid al-syarī'ah* approach in interpreting contemporary Islamic family law phenomena to ensure they remain contextually relevant to modern social changes. Other studies highlight that many practices of Islamic family law in modern Muslim societies face tensions between classical fiqh norms and contemporary social realities due to the dominance of local culture and patriarchal social structures (Kamali, 2003).

Over the past five years, research on dowry has seen significant development, particularly in discussions of the relationship between Islamic law, gender, and the socioeconomic dynamics of Muslim societies. A number of recent studies indicate that the phenomenon of high dowries is closely linked to social pressure, symbols of family status, and shifts toward a consumerist culture in urban Muslim societies

(Hakim & Munir, 2021). Other research explains that high dowries often lead to delayed marriages, increased economic pressure on men, and even trigger the practice of taking on consumer debt to meet the social demands of marriage (Rahman, 2022). Furthermore, recent studies have also revealed that the practice of symbolic dowries, which has emerged in some modern Muslim communities, is often understood merely as a formal part of the marriage contract, thereby diminishing the economic function and protection of women—which are, in fact, the intended objectives of Islamic law (Sari & Abdullah, 2023).

Nevertheless, most previous research still tends to focus on two main approaches. First, the normative-descriptive approach, which merely explains the concept of dowry in classical fiqh without critically linking it to modern social changes. Second, the sociological approach, which portrays the phenomenon of dowry as a cultural practice without employing Islamic legal methodological tools in depth. These studies have not specifically utilized fiqh principles (*al-qawā'id al-fiqhiyyah*) as a critical-evaluative tool to analyze distortions in contemporary dowry practices. In fact, fiqh principles serve an important methodological function in bridging the gap between Sharia norms and an ever-changing social reality (al-Zuhaili, 2006).

Given these circumstances, this study identifies an academic gap that has not been extensively addressed in previous studies. First, no study has systematically classified the forms of distortion in contemporary dowry practices through the lens of fiqh principles. Second, previous studies have not positioned fiqh principles not merely as a source of normative legitimacy but as a tool for social critique of dowry practices that deviate from the *maqāṣid al-syarī'ah*. Third, there is still a lack of research explaining the boundary between the flexibility of dowry permitted by Islamic law and excessive, symbolic, and instrumental practices that actually contradict the objectives of Islamic law. Therefore, this study is significant because it not only discusses the legality of dowry but also evaluates how the social practice of dowry has been distorted due to the cultural, economic, and social symbolic constructs of modern society.

This study is closely related to previous research, particularly regarding the discussion of dowry flexibility in Islamic law and its relationship to social change in Muslim societies. However, this study differs in that it employs fiqh principles— — as the primary analytical framework for critically evaluating the practice of the dowry. By applying principles such as *al-aṣlu fī al-asyyā' al-ibāhah*, *al-masyaqqah*

tajlib al-taysir, lā ḍarar wa lā ḍirār, al-‘ādah muḥakkamah, and al-umūr bi maqāṣidihā, this study not only explains the legal rulings on dowry but also identifies forms of social deviation that have emerged in contemporary practice. This approach offers a new contribution to the development of Islamic family law studies, particularly in expanding the function of fiqh principles as evaluative and reconstructive instruments for modern social phenomena.

The novelty of this study lies in three main aspects. First, this study formulates a typology of contemporary distortions of the maskawin into three main categories: distortions of excessiveness, distortions of symbolic reductionism, and distortions of social instrumentalization. Second, this study develops the use of fiqh principles as a critical-evaluative tool to distinguish between the flexibility of the maskawin that is valid under sharia and practices that deviate from the objectives of sharia. Third, this study offers a conceptual reconstruction of the dowry based on maqāṣid al-syarī‘ah that is more moderate, contextual, and responsive to the social realities of modern Muslim societies. Thus, this study does not merely reproduce classical fiqh concepts but also presents a new perspective on interpreting issues in Islamic family law in the contemporary era.

This novelty is reinforced by a number of previous studies that serve as the academic foundation for this research, including studies on dowry and the protection of women’s rights, the transformation of modern Islamic family law, maqāṣid al-sharī‘ah in family law, and the relationship between customary law and Islamic law in contemporary Muslim marriage practices (Auda, 2007; Hakim & Munir, 2021; Kamali, 2003; Rahman, 2022; Sari & Abdullah, 2023; Wadud, 1999). There are at least ten references to recent journal articles and academic works indicating that studies on dowry are still dominated by normative and sociological approaches, leaving ample room for further development of analysis based on fiqh principles as a tool for social critique. Therefore, this study is expected to provide a theoretical contribution to the development of Islamic legal methodology as well as a practical contribution to society and policymakers in formulating dowry practices that are more just, proportional, and oriented toward the public interest.

B. Method

This study employs a qualitative approach using *library research*. This approach was chosen because the research focuses on a normative and critical analysis of contemporary dowry practices through the lens of fiqh principles (*al-qawā‘id al-fiqhiyyah*). Library research is considered relevant for examining the relationship between classical fiqh concepts, contemporary Islamic legal theory, and JAS: Volume 8 Nomor 1, 2026

the evolving social realities in dowry practices among modern Muslim communities. The research was conducted during the period of academic literature collection and analysis from 2024 to 2025, utilizing various scholarly sources from digital libraries, databases of reputable international journals, as well as classical and contemporary fiqh texts.

The focus of this study is on the concepts, practices, and distortions of dowry in contemporary Muslim societies, analyzed through the approaches of fiqh principles and *maqāṣid al-sharī'ah*. Therefore, the subjects of this study are not individuals or field respondents, but rather scholarly documents relevant to the research theme. Primary data sources for this study include the Qur'an, hadith, fiqh texts of the four schools of jurisprudence, books on the principles of fiqh, and works by classical and contemporary scholars discussing the concept of maskawin and Islamic family law. Meanwhile, secondary data sources were obtained from national and international scientific journal articles published in the last five years and indexed in reputable databases such as Scopus, ScienceDirect, Google Scholar, and Mendeley, as well as academic books relevant to the research theme.

The selection criteria for data sources were applied using a purposive approach based on several indicators, namely: (1) having direct relevance to the themes of maskawin, Islamic family law, fiqh principles, and *maqāṣid al-syarī'ah*;

(2) being published in reputable scientific journals or credible academic works; (3) containing discussions on the transformation of contemporary dowry practices; and (4) having a connection to issues of flexibility in Islamic law, social distortions, or the relationship between customary law and Islamic law. Using these criteria, this study aims to ensure that the sources used possess academic validity and conceptual relevance to the research focus.

Data collection was conducted through documentary analysis and a *literature review*. The researcher identified, classified, and examined various academic documents, journal articles, fiqh texts, and Islamic family law regulations related to dowry practices. The collected data were then recorded, categorized, and analyzed based on the main themes of the study, such as the flexibility of dowry, excessive dowry, symbolic dowry, and distortions in social practices within modern Muslim societies. The primary instrument in this study was the researcher herself (*human instrument*), who was responsible for data selection, text interpretation, data reduction, and critical analysis of the sources used.

Data validity was ensured through source triangulation, which involved comparing the views of classical scholars, contemporary Islamic legal thinkers, the

results of modern academic research on dowry and Islamic family law. Furthermore, the reliability of the research is ensured by using credible, consistent, and academically relevant scholarly sources that are closely aligned with the research focus. This approach is taken to ensure that the resulting interpretations are not merely subjective but are grounded in a theoretical and methodological foundation that is academically accountable.

The data analysis technique employed a descriptive-qualitative approach using *content analysis*. The analysis was conducted in several stages: data reduction, theme classification, normative interpretation, and drawing conclusions. In the initial stage, the data were categorized based on the main themes related to contemporary dowry practices. Next, the data were analyzed using fiqh principles such as *al-aşlu fī al-asyyā' al-ibāhah*, *al-masyaqqah tajlib al-taysīr*, *lā ɗarar wa lā ɗirār*, *al-'ādah muḥakkamah*, and *al-umūr bi maqāṣidihā* to evaluate forms of distortion in dowry practices within modern Muslim society. This analysis is then integrated with the *maqāṣid al-syarī'ah* approach to understand the extent to which contemporary dowry practices remain consistent with or deviate from the objectives of Islamic law.

This study does not directly involve human participants and therefore does not require *ethical approval* from any specific research institution. Nevertheless, the entire research process is conducted in accordance with academic ethical principles, such as scientific integrity, responsible use of sources, and the avoidance of plagiarism through proper citation and referencing in accordance with APA Style academic standards. Using this methodology, this study is expected to produce a systematic, critical, and relevant analysis in explaining the distortions in contemporary dowry practices through the perspectives of fiqh principles and *maqāṣid al-syarī'ah*.

C. Results And Discussion

Globally, the issue of dowry has become part of the academic discourse on Islamic family law, gender, and the social transformation of modern Muslim societies. A number of studies indicate that the practice of dowry in various countries has undergone a shift in meaning due to the influence of capitalism, modernization, and patriarchal cultural constructs. Wadud (1999) asserts that the dowry is fundamentally an instrument for protecting women's economic rights, not a form of transaction involving ownership of women. Meanwhile, Auda (2007) highlights the importance of the *maqāṣid al-syarī'ah* approach in interpreting contemporary Islamic family law phenomena to ensure they remain contextually
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Over the past five years, research on dowry has seen significant development, particularly in discussions of the relationship between Islamic law, gender, and the socioeconomic dynamics of Muslim societies. Research by Hakim and Munir (2021) shows that the phenomenon of high dowries in urban Muslim societies is closely linked to a culture of consumerism and serves as a symbol of a family's social status. Rahman's (2022) research also explains that the practice of excessive dowries leads to delayed marriage and increased economic pressure on young men. Furthermore, a study by Sari and Abdullah (2023) found that the practice of symbolic dowries in Indonesia tends to be understood merely as a formal part of the marriage contract, thereby diminishing the dimension of economic protection for women—which is actually the intended purpose of Islamic law. These findings demonstrate that the transformation of dowry practices is influenced not only by religious normative factors but also by the social, economic, and cultural constructs of modern society.

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Based on the above discussion, this study is expected to provide a theoretical contribution to the development of Islamic legal methodology, particularly in expanding the function of fiqh principles as an adaptive instrument of social analysis in response to changes in modern society. Practically, this study is also expected to provide a normative foundation for the public and policymakers in formulating dowry practices that are more proportional, not burdensome, and that maintain the function of the dowry as a symbol of respect and protection for women in accordance with the principles of *maqāṣid al-syarī'ah*.

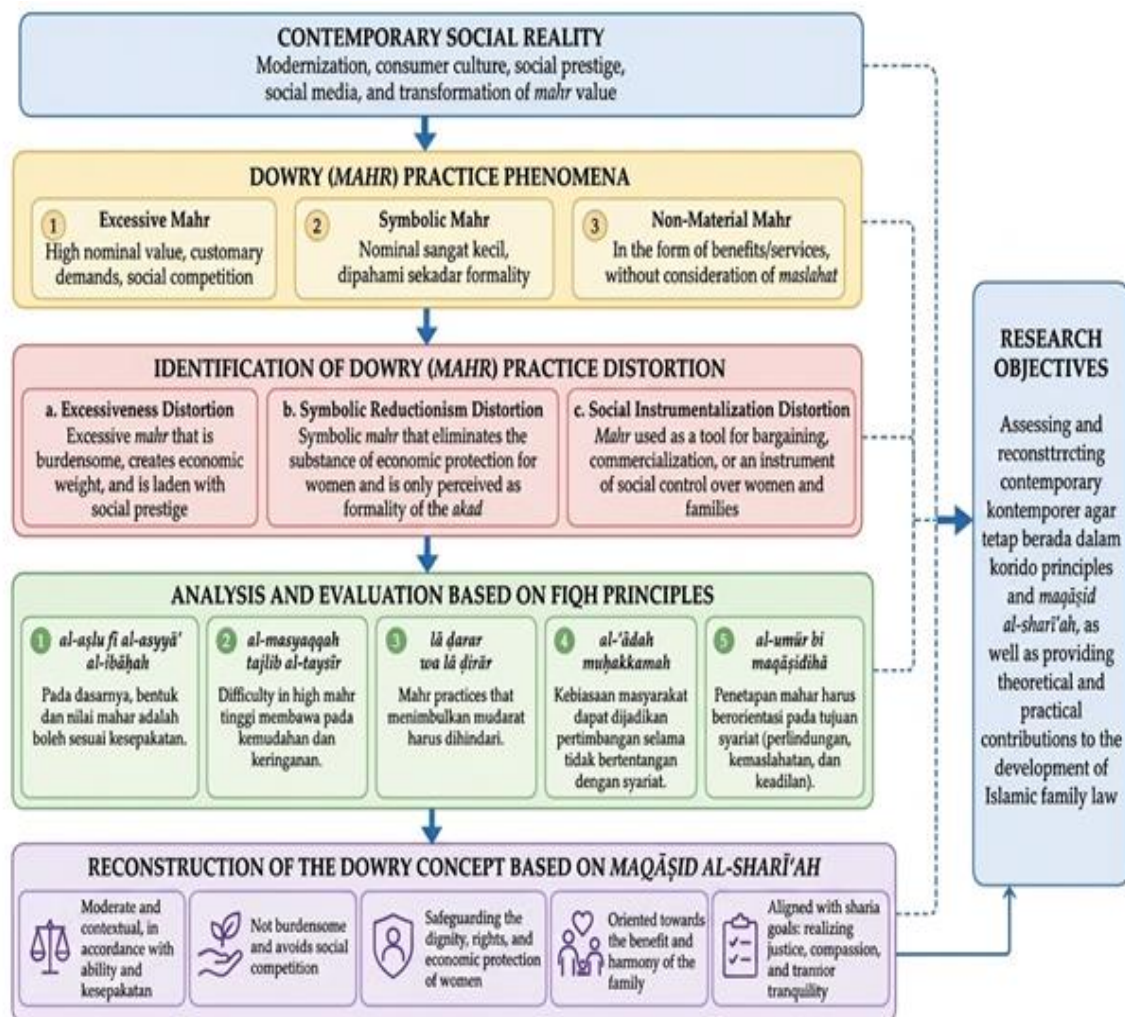


Figure 1. Framework For The Analysis Of Cotemporary Mahr Distortion Based On Fiqh Principles

1. The Transformation of Dowry Practices in Contemporary Muslim Societies

Developments in contemporary Muslim society have brought about significant changes in the perspectives on and practices of the dowry (*mahar*) in marriage. Whereas in classical times the dowry was understood primarily as a symbol of respect and a form of economic protection for women, in modern society this practice has undergone a highly complex transformation due to the influence of social modernization, cultural globalization, economic development, and changes in the patterns of social relations within Muslim communities. This transformation has not only affected the form and value of the dowry but has also altered the philosophical meaning embedded within it. In many cases, the dowry is no longer understood as part of religious devotion or the protection of women's rights, but rather as a symbol of social status, family prestige, and a representation of the prospective husband's economic capability (Hakim & Munir, 2021).

Social modernization has become one of the primary factors influencing the changing meaning of the dowry in contemporary Muslim societies. Modernization not only brings changes in the economic and technological spheres but also alters the structure of social relations, consumption patterns, and the cultural orientation of society. In the context of marriage, these changes have led to a shift in orientation from values of simplicity toward a more materialistic culture of social representation (Giddens, 1992). Research published in *the Journal of Family Issues* indicates that the modernization of urban Muslim societies has fostered the emergence of new social standards in marriage, including rising expectations regarding the amount and form of the dowry as a symbol of a family's economic success (Rahman, 2022).

In modern Muslim societies, the dowry is often viewed as an indicator of the man's financial capability and the prestige of the woman's family. This situation reflects a paradigm shift from spiritual values toward symbolic-material values in marriage practices. Research published in *the Asian Journal of Social Science* found that urban Muslim communities tend to use the dowry as a means of demonstrating social class and family honor in the eyes of the wider community (Ismail & Huda, 2020). Consequently, dowry practices have experienced social inflation, where the value of the dowry continues to rise not due to religious requirements, but because of cultural pressures and competition for social status among families.

This transformation is further reinforced by the rise of a consumerist culture in modern society. Consumerist culture encourages people to measure social success through material symbols, including in the context of marriage. From the JAS: Volume 8 Nomor 1, 2026

perspective of the sociology of consumption, modern society tends to use objects and economic symbols as instruments of social image-building (Baudrillard, 1998). This practice subsequently influences the patterns of dowry determination in contemporary Muslim societies. The dowry is no longer understood based on the principles of ease and public interest as taught by Islam, but is instead grounded in notions of luxury and symbols of social prestige (Saeed, 2020).

The phenomenon of exorbitant dowries, which is rampant in various Muslim countries, serves as a strong indicator of the influence of consumerist culture on modern dowry practices. Research published in the **International Journal of Islamic Thought** indicates that the rising value of dowries in urban Muslim communities is closely linked to a culture of flaunting wealth and competition for social status among families (Fauzi, 2021). In many cases, the bride's family sets a high dowry to demonstrate their social status, educational level, or family prestige. As a result, the dowry often becomes an economic burden for the prospective groom, even driving the practice of consumer debt to meet the social demands of marriage (Nurlaela, 2024).

In addition to consumerist culture, the rise of social media has also had a significant influence on the transformation of dowry practices in contemporary Muslim societies. Social media platforms such as Instagram, TikTok, and YouTube have altered the way society views marriage through visual culture and symbolic representations. Marriage is no longer understood merely as a spiritual and social bond but also as a public performance that must be presented attractively in the digital space (Couldry & Hepp, 2017). In this context, the dowry is often incorporated into visual content to gain social recognition and public validation.

A phenomenon that subsequently emerged is what might be called a "prestige dowry"—the practice of setting a dowry amount with the aim of projecting a specific social image in the digital public sphere. Research in *New Media & Society* indicates that social media encourages modern society to construct social identities through visual symbols considered prestigious, including within marriage rituals (Abidin, 2021). Dowries in the form of exorbitant sums of money, large quantities of precious metals, luxury vehicles, and even real estate are often flaunted on social media as symbols of the bride and groom's success and social status.

The phenomenon of the "prestige dowry" indicates that the dowry has undergone a significant shift in meaning. In classical Islamic tradition, the dowry served as a form of respect for women and a symbol of a man's commitment to building a household. However, in modern society, the dowry is often positioned as

a tool for representing social class and an instrument of public image-building (Bourdieu, 1984). This shift indicates that the practice of the dowry cannot be separated from changes in the social and cultural structures of contemporary Muslim society.

The shift of the dowry from a symbol of respect to a symbol of social status is also influenced by the rise of patriarchal and capitalist culture in modern society. In some cases, a high dowry is actually used to “assess” a woman’s worth based on her educational status, occupation, beauty, or family background. This practice reflects a trend toward the commodification of women within the modern social system (Mir-Hosseini, 2000). Research published in *Gender and Society* explains that an overly materialistic approach to dowry has the potential to shift marital relationships from a partnership-based model toward a transactional relationship driven by economic interests and symbols of social status (Ahmed, 2019).

On the other hand, local customs and culture also exert a significant influence on the transformation of dowry practices across various Muslim societies. In many Muslim communities, dowry practices are not only determined by religious norms but are also shaped by customary traditions that have evolved within the community. The fiqh principle of *al-‘ādah muḥakkamah* does indeed recognize custom as a legal consideration as long as it does not conflict with sharia (al-Zuhaili, 2006). However, in practice, many customs actually increase the dowry burden to the point of exceeding the principle of ease taught by Islam.

Research published in *the Journal of Islamic Law Studies* indicates that in some Muslim regions of Southeast Asia, custom often plays a dominant role in determining the amount of the dowry compared to religious considerations (Hidayat, 2022). In certain communities, a high dowry is viewed as a symbol of the bride’s family’s honor and a measure of the groom’s seriousness. Consequently, prospective husbands who cannot meet these social standards often face significant psychological and economic pressure.

The relationship between custom, economics, and modern dowry practices demonstrates that the dowry no longer exists solely within the realm of religious law but has become part of a complex social construct. Family economic factors, educational status, social environment, and local culture all influence one another in determining the form and value of the dowry. From the perspective of Islamic legal sociology, this situation demonstrates that family law practices never stand independently but are always influenced by the social dynamics of society (Bowen, 2003).

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ultimately reveals a tension between the normative values of Sharia and modern social realities. On the one hand, Islam teaches the principles of simplicity, ease, and respect for women in the determination of dowries. On the other hand, modern society often constructs the dowry as a symbol of social prestige and a tool for representing a family's economic standing. This situation underscores the importance of a critical approach grounded in *maqāṣid al-syarī'ah* and fiqh principles to ensure that dowry practices remain aligned with the primary objectives of Sharia—namely, promoting the public interest, justice, and the protection of women's dignity within modern Muslim family life.

2. Analysis of Fiqh Principles Regarding Contemporary Dowry Practices

a. *Al-Aṣlu fī al-Asyyā' al-Ibāhah*

One of the most important fiqh principles in understanding contemporary dowry practices is the principle of *al-aṣlu fī al-asyyā' al-ibāhah*, which means "by default, everything is permissible unless there is evidence to prohibit it." This principle demonstrates the flexible nature of Islamic law in adapting to social and cultural changes in society. In the context of dowry, this principle provides ample room for Muslim communities to determine the form, type, and value of the dowry according to the needs and mutual agreement of both parties, as long as it does not contradict the principles of Sharia (al-Suyuthi, 1998). Therefore, Islam does not rigidly prescribe a specific form of dowry but rather grants adaptive freedom in accordance with the social conditions of the community.

The flexibility of dowry forms in Islamic law can be seen in the practices exemplified by the Prophet Muhammad (peace be upon him) and his companions. A hadith narrated by al-Bukhari mentions that the Prophet once married off a companion with a dowry consisting solely of memorizing the Qur'an (Al-Bukhari, 2002). This hadith demonstrates that the dowry need not take the form of high-value material assets but can consist of benefits or services agreed upon by both parties. In classical fiqh, scholars also permitted dowries in the form of money, gold, goods, benefits, the teaching of knowledge, and even specific services, provided they have a clear value and do not contain any prohibited elements (al-Kāsānī, 1986).

In contemporary Muslim societies, this flexibility has given rise to various forms of dowry, ranging from cash, precious metals, houses, vehicles, and items for worship to non-material forms such as memorizing the Qur'an, religious pilgrimages, and educational services. Research published in *the Journal of Islamic Studies* indicates that the development of modern forms of dowry is part of Islamic

law's adaptation to cultural changes and the social needs of the global Muslim community (Rahman, 2021). This flexibility demonstrates that Islamic law has the capacity to respond to societal dynamics without compromising its fundamental principles.

However, this legal flexibility does not imply unlimited freedom. The principle of *al-aşlu fı al-asyyā' al-ibāhah* must still be understood within the framework of *maqāşid al-syarī'ah*—that is, safeguarding the public interest and avoiding harm. Therefore, the legality of symbolic and non-material dowries must still take into account the primary purpose of the dowry in Islam, namely respect for women and the protection of the wife's economic rights (Auda, 2008). In some contemporary practices, symbolic dowries are often understood merely as a formality of the marriage contract without regard for the substantive aspect of women's economic protection. This situation indicates that the flexibility granted by Islamic law can be distorted if detached from the normative objectives of Islamic law.

Research published in *the Islamic Law Review* indicates that some modern Muslim communities have begun to interpret non-material dowries solely as symbols of marital romance without considering their economic function for women (Saeed, 2020). Consequently, the dowry loses its dimension of social protection and becomes merely a symbol of popular culture. From a fiqh perspective, this situation warrants criticism because the permissibility of any form of dowry must still take into account the principles of justice, benefit, and the protection of women's rights within marriage (Kamali, 2019).

The limits of the permissibility of the dowry based on Sharia principles are also related to the clarity, voluntary nature, and benefit of the dowry's subject matter. The fuqaha emphasize that the dowry must not consist of anything that is haram, unclear, or cannot be lawfully owned (*al-Syirazi, 1995*). Therefore, although Islam allows for broad flexibility, Sharia still establishes moral and legal boundaries to ensure that dowry practices do not deviate into becoming a tool of exploitation, a symbol of social arrogance, or a form of cultural manipulation. Thus, the principle *al-aşlu fı al-asyyā' al-ibāhah* demonstrates that Islamic law is flexible and contextual, yet remains directed toward the primary objectives of Sharia: the public interest and the protection of human dignity.

b. *Al-Masyaqqah Tajlib al-Taysir*

The principle of *al-masyaqqah tajlib al-taysir*, which means "difficulty brings ease," is one of the key principles in Islamic law that affirms that Sharia does not aim to impose burdens that are onerous to people. In the context of the dowry, this

principle indicates that the dowry should be set in a proportionate and realistic manner, without causing undue hardship to the prospective husband or his family (al-Zarqa, 1989). This principle of ease is part of the universal character of Islamic Sharia, which always takes into account social conditions and human capabilities.

The Qur'an affirms that Allah desires ease for humanity and does not desire hardship, as stated in Surah al-Baqarah [2]: 185. This principle is then applied in many aspects of Islamic family law, including the determination of the dowry. The Prophet Muhammad (peace be upon him) himself encouraged that marriage be made easy and that the dowry not be turned into an oppressive social burden. A hadith narrated by Ahmad states that "the marriage with the greatest blessing is the one with the simplest dowry" (Ahmad ibn Hanbal, 2001). This hadith demonstrates that simplicity and ease are important values in the practice of dowry according to Islam.

However, in contemporary Muslim societies, the practice of dowry often runs counter to this principle of *taysir*. High dowries have become an increasingly common phenomenon in various Muslim countries due to the influence of consumerist culture, social prestige, and competition over family economic status. Research published in *the Journal of Muslim Minority Affairs* shows that the rising cost of dowries in urban Muslim communities has made it difficult for many young men to marry due to significant economic pressure (Hakim & Munir, 2021). In some cases, prospective grooms are even forced to go into debt or postpone their marriage to meet social expectations regarding the dowry.

The phenomenon of high dowries is not only an economic issue but also creates social barriers to the institution of marriage itself. A study published in *the International Journal of Sociology of the Family* found that high marriage costs, including the dowry, contribute to rising marriage ages and declining marriage rates among young Muslims (Rahman, 2022). This situation indicates that the practice of excessive dowries may contradict the objectives of Islamic law, which promotes ease and the sustainability of family life.

From the perspective of fiqh principles, this situation underscores the importance of restoring the practice of dowry to the principle of *taysir*, or ease. Islam does not prohibit the giving of large dowries as long as they are given voluntarily and do not impose a burden; however, Islamic law also rejects social practices that turn dowries into instruments of economic pressure or symbols of social status competition (Auda, 2008). Therefore, the principle of *al-masyaqqah tajlib al-taysir* becomes highly relevant in modern society, which tends to be materialistic and

consumerist.

The relevance of the principle of *taysir* in modern society is also linked to the growing economic challenges faced by the younger generation of Muslims. The high cost of living, job instability, and modern social pressures make it difficult for many couples to establish a household. In this context, Islam offers a realistic and humanistic legal approach through which emphasizes ease in marriage, including in the determination of the dowry (Kamali, 2019). This principle demonstrates that Islamic law is not merely normative but also responsive to the social and economic conditions of society.

c. *Lā Ḍarar wa lā Ḍirār*

The principle of *lā ḍarar wa lā ḍirār*, which means “one must not harm oneself or others,” is one of the fundamental principles of Islamic law aimed at preventing all forms of harm in human life. This principle originates from a hadith of the Prophet Muhammad (peace be upon him) narrated by Ibn Mājah and Malik, and has since evolved into a universal principle across various fields of Islamic law, including family law (*Ibn Mājah, 2009*). In the context of dowry, this principle serves as a crucial foundation for evaluating dowry practices that result in negative economic, social, or psychological impacts.

The practice of excessive dowries in contemporary Muslim societies can be viewed as a form of social harm because it places significant pressure on the prospective husband and his family. Research published in *the Journal of Family and Economic Issues* indicates that high dowry demands often lead to financial stress, consumer debt, and even family conflicts before the marriage takes place (Fauzi, 2021). In some cases, this practice causes men to postpone marriage or opt for informal relationships because they are unable to meet the social standards set by society.

In addition to economic impacts, excessively high dowries also have serious psychological consequences. Social pressure to meet certain dowry standards can lead to feelings of low self-esteem, anxiety, and emotional instability in the prospective groom. Research published in *Mental Health, Religion & Culture* indicates that economic pressures in modern Muslim marriages are closely linked to increased psychological stress among young couples (Ahmed, 2019). This situation demonstrates that the practice of excessive dowries contradicts the objectives of Islamic law, which seeks peace and well-being in family life.

From the perspective of the principle of *lā ḍarar wa lā ḍirār* (no harm and no reciprocated harm), all forms of dowry practices that cause excessive hardship and social harm must be prevented. Islam does not reject the giving of a high-value

dowry if it is done voluntarily and does not cause negative consequences; however, Islamic law prohibits any practice that turns marriage into a venue for economic exploitation or social pressure (al-Zuhaili, 2006). Therefore, the principle of serves as a tool for critiquing the culture of excessive dowries that has developed in modern Muslim societies.

d. *Al-‘Ādah Muḥakkamah*

The principle of *al-‘ādah muḥakkamah* means “customs and traditions may be taken into legal consideration.” This principle indicates that Islamic law recognizes the existence of a society’s culture and traditions as long as they do not conflict with the principles of Sharia (al-Suyuthi, 1998). In the practice of dowry, customs exert a significant influence because the determination of the form, value, and procedures for giving the dowry is often shaped by the local culture of Muslim communities.

In many Muslim communities, custom is a dominant factor in determining the amount of the dowry. Research published in *the Journal of Islamic Law and Society* indicates that Muslim communities in Southeast Asia tend to associate a high dowry with the honor of the bride’s family and the community’s social status (Hidayat, 2022). In some regions, the dowry even serves as a symbol of the family’s self-respect, so its amount is determined based on the bride’s level of education, occupation, or social status.

In principle, Islam permits the use of custom as a legal consideration as long as it does not conflict with the objectives of Sharia. Therefore, customs that promote the common good, simplicity, and respect for women are acceptable under Islamic law. However, customs that are burdensome and cause harm cannot be used as legal justification simply because they have become societal norms (Kamali, 2019).

Criticism of excessive customs is important because many modern cultural practices have turned the dowry into an instrument of social prestige and economic competition among families. From the perspective of Islamic law, customs do not hold an absolute status and must therefore remain subject to the principles of *maqāṣid al-syarī‘ah* and the rule of public interest (Auda, 2008). Thus, the principle of *al-‘ādah muḥakkamah* indicates that Islam values local culture but still sets normative boundaries to prevent customs from becoming a source of social injustice.

e. *Al-Umūr bi Maqāṣidihā*

The principle of *al-umūr bi maqāṣidihā* means “everything depends on its

purpose and intent.” This principle affirms that a legal practice must be understood based on its substantive purpose, not merely its formal structure (al-Zarqa, 1989). In the context of the dowry, the primary objectives of Islamic law are to honor women, protect the economic rights of wives, and strengthen Muslim family relationships.

However, in contemporary social practice, the normative purpose of the dowry is often distorted. The dowry is no longer understood as a form of respect and protection but has transformed into a symbol of social status, a tool for cultural transactions, and an instrument of public image-building (Mir-Hosseini, 2000). This situation indicates a shift in orientation away from the objectives of Islamic law toward the symbolic and materialistic interests of modern society.

The *maqāṣid al-syarī'ah* approach is crucial for reconstructing the orientation of the dowry so that it returns to the fundamental values of Sharia. This reconstruction must position the dowry as an instrument for the welfare of the family, rather than a social burden or a tool for the commodification of women (Auda, 2008). Thus, the ideal practice of the dowry in modern Muslim society is one that is moderate, proportional, not burdensome, and upholds respect for women’s dignity in accordance with the primary objectives of Islamic law.

3. Conclusion

This study shows that the practice of dowry in contemporary Muslim society has undergone a significant transformation in meaning due to the influence of social modernization, consumerist culture, social media, and the construction of social status in modern society. Based on an analysis of fiqh principles, it was found that the flexibility regarding the dowry granted by Islamic law is fundamentally intended to provide ease, public interest, and protection for women; however, in contemporary social practice, it is often distorted in the form of excessive dowries, symbolic reductionism, and social instrumentalization. By employing the approaches of *al-aṣlu fī al-asyyā’ al-ibāhah*, *al-masyaqqah tajlib al-taysīr*, *lā ḍarar wa lā ḍirār*, *al-’ādah muḥakkamah*, and *al-umūr bi maqāṣidihā*, this study successfully answers the research question that modern dowry practices cannot be assessed solely based on their formal legality but must be analyzed based on the substantive objectives of Sharia and the social impacts they generate.

This study contributes theoretically by expanding the function of fiqh principles as an evaluative-critical instrument for examining contemporary Islamic family law phenomena, while also making a practical contribution toward establishing a more moderate, proportional, and *maqāṣid al-syarī'ah*-oriented

dowry paradigm. Furthermore, this study reinforces the development of Islamic family law studies that are more responsive to social changes in modern Muslim societies. Future research is recommended to expand the study through empirical approaches in various Muslim communities, integrate gender and family economic perspectives more deeply, and develop an interdisciplinary analytical model combining Islamic law, sociology, and cultural studies so that the understanding of the transformation of contemporary dowry becomes more comprehensive and contextual.

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