

Taking extra women's dowry and its consequences in Takhar province of Afghanistan

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Abstract

Islam through making regulation sharia laws guarantees the security and the stability in the humanity community. Hence by releasing of marriage regulation and sky orders and through implementation of these Islamic laws, peaceful welfare and correction in the community will be guaranteed. As well as beside this legislation, Islam has mentioned the issue of women's dowry which is their certain right. Therefore, Islam has strongly recommended and advised its followers to pay a deep attention in the terms of women's dowry. Almighty Ullah says: ﴿ تَدْرُجُ نِسَاءَ مَدْيَنَ ﴾ Quran Karim Chapter 4/4 that's mean, pay the women's dowry for women as a gift of God.

Islam has encouraged the people to pay women's dowry. Performance of this law on our personal lives will bring friendly relationship between woman and her husband, but expensive and wasteful dowry will totally destroy the Almighty God laws on the land and would have negative impact in the community. Therefore, developing of such action would leave a kind of unrest situation in the Community. In the meanwhile, our prophet Muhammad (pbuh) said: « *إن أعظم النكاح بركة أيسره مؤنة* » most blessed marriage is that marriage which will be done along with a short cost. Therefore, the Islamic government according Islamic regulation must take an appropriate action and this is one of the obligation of Islamic government to put their marriage laws in practice in the community. The consequence of this action will be proven from high marriage cost and would allow for all public people particularly for poor people who will not be deprived from composition of their family. In this article, the terms of concept of dowry, the wisdom of its legitimacy, comments of jurists and the responses of interviewees regarding heavy dowry have been explained. In the writing of this article, the library and field research methods were used.

Keywords: marriage, dowry, extra earning, male, female

Introduction

Surely high dowry and wasteful cost in wedding is one of the most massive problems for those who are seeking to make family formation for themselves, as well as continuation of such situation would create instability and insecurity among families. Therefore, higher cost at marriage will not allow for young people to get married and their wishes won't be completed.

Of course, taking heavy and higher dowry could be counted a kind of disobey from the law of Almighty God and his messenger in order to be proven from risk of sedition, corruption and travelling to the foreign countries. In such case, Islam encourages and has a great recommendation for both family of female and family of male to establish their Marriage. From second point, this is the responsibility of every Muslim to fear from his creator and must follow the obligation of their God, more particularly they must recognize the value of wedding of their girls and father of girls should open the door of wedding along with a short monetary expenditure because Islam has expressed most blessed married is that married which will be done with a little cost. From other hand, all Islamic scholars emphasized more about the bad consequence of high dowry and high cost at wedding in the community for people may God bless them. If we look at the public vision and if we consider the reality of the social life, we will discover more number of young generation have been deprived from right of marriage. This right which was being delivered through their God but this right of Marriage was never delivered due to high cost of wedding for demander of marriage.

Continuation of such condition for young generation who are willing to do marriage but they have economic problems because of high dowry they will remain single and ultimately the result would bring different diseases of body, mental illness and as well as would have negative impact on the system of social community.

The main purpose of the research is based on the evaluation and implications of getting more dowry of women in Takhar Province of Afghanistan and its negative results in the community. As well as, it is focused on the collecting of new perspective of people. Hence, also the view of civilian people were collected regarding the advantage and disadvantage of getting more dowry. It is remarkable that also it is discussed from point of Islamic scholar about the final results of getting more dowry. Please note that we have been tried to achieve the comments of interviewers through two steps. The research has been done through sample and analysis.

Step one

At the research of sample, it is considered the features of people according their scientific level as well as their level of education.

Step two

At the second step it is discussed and studied the comments of people which were distributed the papers of questions on the base of sample research. Before going to pay our vision to their nice view, it is essential to know the concept and the definition of dowry and the wisdom of legitimacy of dowry,

and Dowry size from view of Islam and other Islamic scholars.

Definition of Dowry

The Meaning of Dowry in the Word

Dowry is a specific amount of financial which is belong and it is the absolute right of a woman while she is going to get religious marriage by her choice.

According definition of PhD Wahaba Zhili on the book of Alfiqhu Islami Wadlat has mentioned.

Dowry is a right of financial to the wife, that she will be received during the exchange of marriage. This right is the gift of God and from other point this right of wife needs to be paid through her husband. In this case, God said ﴿قَدْ ءَاتَىٰهَا مِمَّا رَزَقْنَاكَ﴾ Quran Karim Chapter 4/4

Dowry in Idiom

Islamic Scholars described the dowry like this: Dowry is a kind of taking extra property which would be paid through her husband in the exchange of marriage.

If we look at the discretion of dowry from different perspectives, Islamic scholars would not seem to us any deference regarding meaning of idiom of dowry.

The Wisdom of Dowry Legitimacy

At the book of Musuatul Fiqh AL Islami has expressed about the wisdom of dowry legitimacy. Islam has given a great position and honoured the value of women as well as the right of compliment and good companionship has been given to the women. Entirely, God emphasizes that dowry is one of the respective right of women and this right has honoured by Islam. Consideration of all this subject is because of to have a welfare life and she must manage the system of her family along with her husband and she would be much prettier to follow her husband regulation according Islamic advice. Keeping such situation at the family would bring happiness among themselves. Therefore dowry would put a kind of imagination of love to her husband because if you want to achieve some precious things you must be capable of paying the price of that. Hence, dowry is not only about connecting of female and male, but it giving a kind of respect for her value which has given through our creator.

Names of Dowry

There are nine names for dowry as a (Dowry, Honesty, Alms, Nope, Request, Reward, Favourites, Reason, Haba,) Some of the names of dowry came in to prophet pbuh and some of those names have come to the Holy Quran. Those names which are mentioned in the Holy Quran like, honesty nope, reward, request, duration, As well as there is some versus in this issue at the Holy Quran ﴿وَآتُوا النِّسَاءَ مِمَّا رَزَقْنَاكُمْ﴾ Chapter 4/4 means. Pay the women dowry as a title of forgiving of God. Also on the another versus has come ﴿وَمَا يَسْتَفِئُونَ عَلَيْهِمْ مِنْ حَيْثُ سَفِئُوا﴾ Chapter 4/24 means whoever gets benefit from woman pay their right of dowry as a title of request, on the other hand God has expressed on the Holy Quran: ﴿وَمَنْ لَمْ يَسْتَطِعْ مِنْكُمْ طَوْلًا أَنْ يَنْكِحَ الْمُحْصَنَاتِ الْمُؤْمِنَاتِ فَمِنْ مِمَّا رَزَقْنَاكُمْ﴾ Chapter 4/25 means whoever is not capable of getting marriage along with independent Muslim women due to shortage of financial problem they must do their marriage with those Muslim girls which they are under slave of some kings.

Those dowry names which are mentioned in the prophet pbuh speech books which was being copied by Omer from Prophet Messenger: Return the favourites to the women.

From prophet pbuh has been asked what the meaning of favourites in this speech is. He said favourites is a kind of agreement between family of man and woman that they would confirm what need to be paid and what not need to be paid and their consent would be done successfully

Discount in the Dowry Is Mustahab (well)

It is entirely Mustabab that the family of woman should not put high dowry to the family of man. They must choose an appropriate dowry to the family of man because our prophet said, "in a simple wedding there is lots of secret charity and blessed prophet pbuh said: the most blessed marriage is that marriage which will be taken short cost. Also prophet said ﴿يَمْنُ الْمَرْأَةِ خِفَّةٌ مَهْرُهَا، وَبِسْرِنُكَاحِهَا، وَحَسَنُ خَلْقِهَا وَشَوْمُهَا غَلَاءٌ﴾ means however if the wedding is done along with a short cost that marriage result is happiness for both wife and husband but if the marriage is done along with a huge cost then the result of this marriage would be started with negotiation and the wife and husband will not embrace any happiness together.

Size of Dowry

Islam did not determine any particular limitation regarding taking of more or less dowry and the size of the dowry is optional either by family of girls and family of boys. Hence, Islam allows people to select and adapt an appropriate path according to their custom and culture they can determine the size of dowry. In the source of Islamic religion about dowry size has been explained only about value of dowry and there is no any versus of Holy Quran about the size or amount of dowry. Hence, while paying the dowry to the wife it is extremely mentioned that we must consider payment of dowry in such precious things that has value like gold as well as confirmation of both is essential. Therefore, the dowry could be a metal ring, module of dates, or teaching of Holy Quran. In such case, there is a comment which is copied from Prophet Muhammad pbuh by Hmireen Bin Rbiya that messenger of God said, while a woman did her marriage from tribe of Bani Faraza, she determined her dowry only one shoe then prophet Muhammad pbuh said. «أَرْضَيْتِ مِنْ نَفْسِكَ وَمَالِكَ بِعَظْمَيْنِ؟ قَالَتْ: نَعَمْ، قَالَ: فَأَجَازَهُ.» are you satisfy that your dowry be a shoe? Said. Yes, then prophet messenger Muhammad allowed her for marriage.

Analysis and discussion.

The above Hadith expresses that however the dowry be less, but has permission.

Minimum and maximum of Dowry.

There is no Islamic source or any certain versus in Holy Quran to justify amount of less or more of dowry. Therefore, among Islamic scholars there is disagreement vision. From perspective of Hanafi Fiq, the amount of dowry has determined ten Durham (currency name) concept of Hanfi statement is based if a man thefts something at the value of ten Darham then if he is found by the government, then one of the theft hand will be cut. This example thought us that when government cut a valuable part of human because of his guilt at the price ten Durham when a woman delivered herself to her husband, hence Islam has considered the lowest amount of dowry at the value of 10 Durham.

Perspective of Imam Malik about Dowry Size

The view of this Islamic school is very similar to the Islamic school of Hanafi religion. Imam Malik believes that the size

and amount of dowry is the lowest amount like four Dinar or three Durham. They have considered same according to Hanafi concepts. Therefore, the size and amount of dowry most likely be similar to the size of a person who lost his body part at the price of three Dinar. Therefore, indeed the paying the mentioned amount of money is the right of woman because she will deliver her body to her husband this delivering of herself will be finished through a legal marriage. Therefore, at least of dowry in Islam recommend or the lowest amount price is affordable of both of them. The jurists of Hanbal and Imam Shafi'ah have said. There is no size for at least amount of dowry and whatever things have the value of market exchange that things could be accepted as a title dowry. And moreover they have added, it is Mustahab that the majority of dowry be between 400 up to 500 Durham. 400 Durham is equal to 110 Riyal and 500 Durham is almost equal to 140 Riyal Saudi Arabia because this issue has narrated through Aisha and Am Habibia (May God blessed them) they said. The dowry amount of Prophet Muhammad pbuh wife's was not higher than this mentioned amount because for being honour of marriage they determined the same amount

A. Features of Sample People.

The distribution of the questionnaire to the sample population was based on all the variables of the study and in descriptive form and the total sample consisted of 100 people. Concerning the marital status, about 62 people in the sample are married, which is a significant increase compared to single marriages, which is 38 tones lower than the consensus hypothesis as can be seen in the chart below.

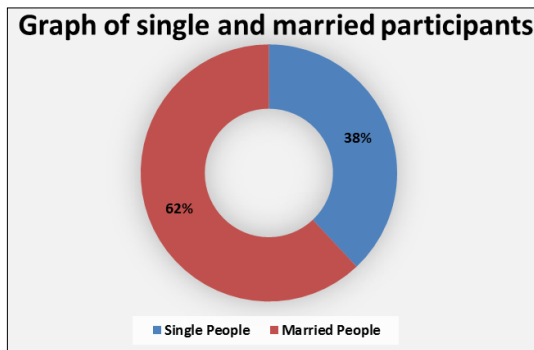


Fig 1

If we divide the sample into five classes by education: the first class has a 2% degree in religion and the second class has a PhD education of about 2% of the statistical population, and thus the third class with a master's degree. It comprises about 21% of the statistical population and thus the fourth class with a bachelor's degree comprises about 74% of the statistical population and the fifth class with a secondary education accounts for about 2% of the statistical population. Here the charts are categorized from first to fifth.

Table 1

fifth class	Fourth class	Third class	Second class	First class
backloria	Bachelor	Master	PhD	Religion scholars
%2	%74	%21	%2	%1

And the following is observed

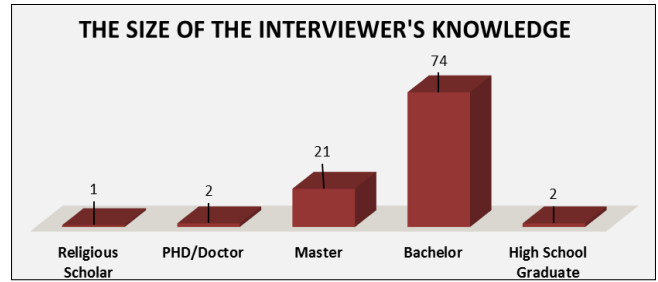


Fig 2

As can be seen, the average grade level of the sample group is the bachelor's level, which accounts for about 74% of the total sample size and is a complementary knowledge. From this scale, it can be deduced that they are the preferred and deserving sample group.

In terms of social status and cultural level, 27% of the sample is comprised of public and private law professors who teach in the fields of law, law, and social science, and 22% of the sample is comprised of public and private civil servants mostly in universities and institutes. They are engaged in work and constitute 51% of the sample population in the world of religion and college education. This chart shows.

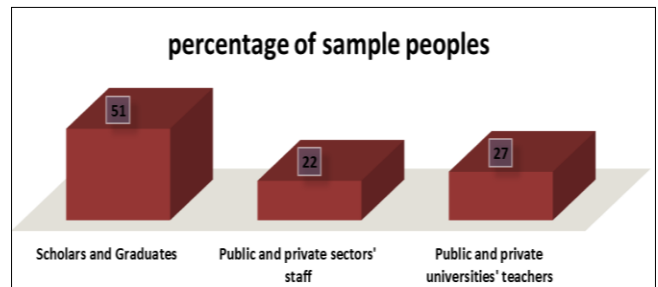


Fig 3

In terms of the level of information and sometimes the topic of "overcrowding in the community" overall, individuals are exemplary human beings whose views and opinions can be examined.

B. Analysis of perspective which was being expressed about extra taking of dowry and the impact of that in the community

First question.

As noted in the questionnaires, the majority of responses to the level of public awareness of Mehrara overcrowding in Takhar Province were the fact that this accounts for about 94% of the sample population and a handful of Mehr overcrowding in the province. Negatives have been stated as shown in Fig. (4).

Second question.

The second question was, what is the lowest and highest value of the dowry? The average of the sample views was analyzed, indicating that the lowest Mahar in Takhar Province was Afghan 216/600 and the median was the highest in Takhar Province. The sum is AFS 658/600 as shown in the graph below (5).



Fig 4

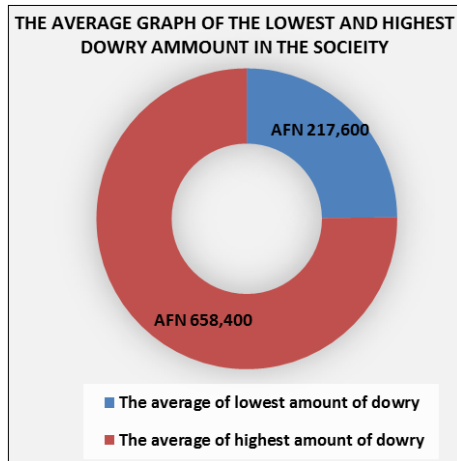


Fig 5

Third question.

In this question (in your opinion, in the habits and habits of the local people in which you reside, is there a percentage increase in overtime?

Sample people who chose the option of 100% are in 3% and people who chose the option of 75% they are 42% and people who have chosen option of 50%



Fig 6

they are also 42% and people who have chosen the option of 25% they composed 13%, but it is seen that some people in Takhar Province have exceeded over the current customs and determine the high and heavy dowry as it is shown in the graph below.

Fourth question

Does non-Mehr extra use include dowry money?) 71 people selected sample (yes) which represents 71% percent, while others selected some (no) which represents 29% percent according to the statistics cited in most Takhar areas. It can be seen that the extra costs will be counted in October if both figures appear to be blue to blue.

Figure 6

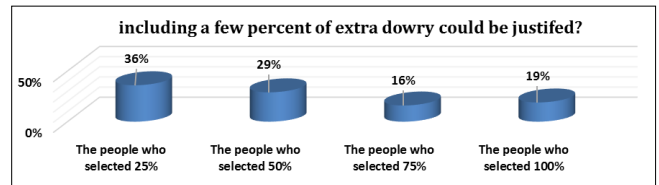


Fig 7

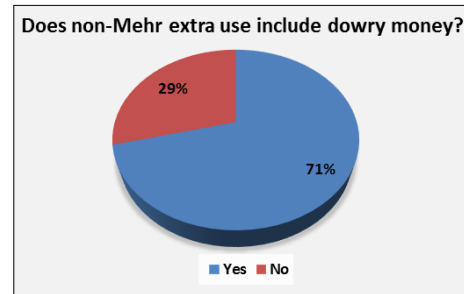


Fig 8

Fifth Question

How many percent of the extra expense (including dowry) is justified?) Number of people who chose the 100% option to 19%, number of people who chose the 75% option to 16%, and number of people who chose the 25% option to 36. The percentages show Ama Ray, but most of the man's ideas are that if the extra expense is accounted for, it is justified as shown in the graph below.

Sixth question

If a married woman agrees to get a good dowry that is not more than the same dowry, how many hundred percent would you consider helpful? The number of people who chose the 100% option reaches 30%, the number of people who chose the 75% option reaches 27%, and the number of people who chose the 50% option reaches 31%, and thus the number of people who 25% chose the option of 11% and most of the comments favored the agreement of both sides in determining the dowry.

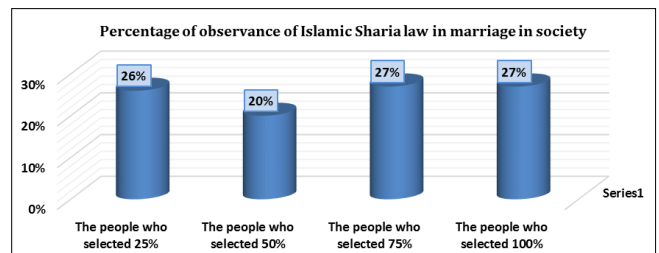


Fig 9

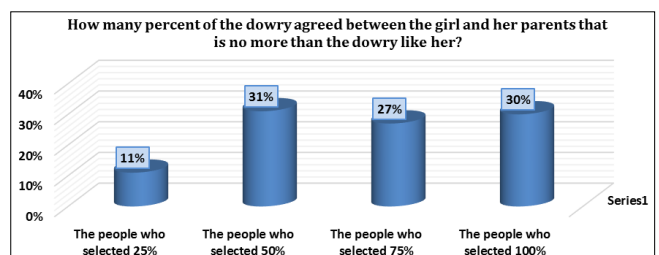


Fig 10

Question seven

Question Seven: In your society, how many percent of Islamic Sharia laws are respected? Number of people who

have chosen 100% to 27%, number of options 75% to 27%, number of people 50% to 20% and others 25% to 26%, the following statistics are shown clearly.

Question eight

Question 8: (Do you think that taking extra dowry at what limitation will impact to the number of couples in the community? The sample below shows that the number of those who have chosen 100% to 15% has chosen 75% to 75%. 41% and 50% to 34% and 25% to 10%. However, after sampling, it appears that heavy marriages have reduced marriages in the province.

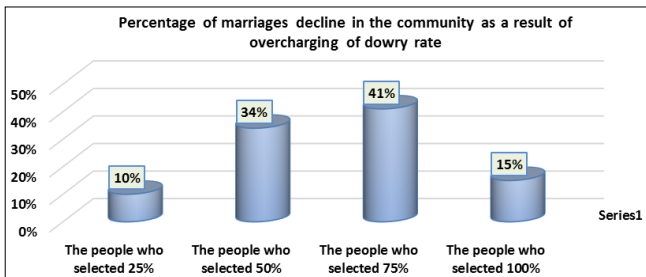


Fig 11

Question Nine

How much do you think the rate of corruption is due to non-marriage because of its high cost? 39% of the interviewees have considered the rate of non-marriages due to the cost of marriage and have chosen 75% and 29% of the population have chosen the rate of corruption due to the high cost of stamp duty in the community. The following figures are clearly visible.

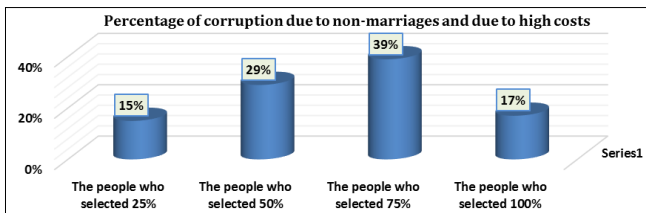


Fig 12

The Harm and Consequence of Heavy Dowries in the Society

The undergraduates and lecturers were asked a question and completed a questionnaire and the information analyzed below was analyzed. Some peoples' views were similar, but I would refrain from repeating them and I would like to point out some important points:

1. Inability of youth in terms of getting marriage will lead to the crime in the community
2. Getting infected of youth to the mentality problems
3. Fulfilling of our joys through illegally way would remove the Islamic law from live
4. Leaving and migration of youth to the other countries as a propose of earning of money
5. Going upper of the age of boys and girls.
6. complicated relationship will go higher among family of boys and family of girls due to an appropriate dowry
7. skipping of girls from their parents house
8. Threatening of the married lady in the family of husbands

9. Inability of husband to provide his life stuffs after married
10. Staying long time on the engagement period would destroy the relationship of some even on the engagement period women take their divorce due to economic settlement
11. deprived form blessed of God
12. as a result of illegal relationship would bring illegal birth in the community
13. family violence will be raised and the meaning of compaction and sympathetic will remove from family relationships
14. promotion of unlike customs and habits
15. became borrower of husband after married
16. due to inability of youth to arrange his lives costs, they will accept the hard and the dangerous work
17. expanding of corruption and sexual acts among youth
18. outbreak of sickness like Aids which is out treatment
19. remaining of girls over long period of time at house of her parents
20. staying of family on the illness of poverty
21. Embracing girls and boys with abusive acts
22. Enhancing girls' comradeship with foreigners, and fostering the dignity of fathers and mothers
23. Young people die due to dangerous trips to neighboring European countries
24. Remaining of girls at house of their parents because the parents must take decision of the time of their daughters marriage that would be a kind of oppression against their daughters
25. Addicted of boys due inability of paying his marriage cost, they prefer to go to the foreign countries for earning of money that such decision will lead to become addict to drugs
26. Kidnapping of girls by boys will go enhance.
27. Heavy dowry will lead to divorce between family
28. Stopping of generation birth in the society
29. Forcing and imposing of girls for getting marriage with their dislike person, such action mostly happened through their family,
30. Increasing of single women and skipping of them from parents house due to lack of marriage
31. Staying of single women
32. The Islamic law will not follow by parents
33. Preferring of youth to the corruption and theft
34. Self-killing of youths because of imposing of their parents decision and no one respect their love
35. Young generation both from girls and boys suffer from being alone and they burn on the fire their joys due to incapability of boys, they cannot make family for themselves

There Are Many Steps for Ending of High Dowry

1. Strengthening of people spirituality do more pray
2. Informing the public about religious values and Islamic values through public programs, religious scholars, professors, teachers and cultural activists.
3. Establishment of marriage institutions for new weddings and mass marriages
4. Observance of Islamic Law and Regulations
5. Fighting the custom of ignorant habits.
6. Giving girls the right to marry, such as choosing any and every dowry amount

7. Determination of the amount of money allocated by the government and competent authority
 8. The consensus of the religious scholars and the government's methods of establishing a competent body to reduce the excessive dowries.
 9. The attention of the competent authorities, especially the local authorities, and its supervision to all provinces and districts.
 10. Creating a dowry over-the-counter law at least and most
 11. Raising awareness of schools, universities, civil society institutions of women affairs, scholars, promote pluralistic divorces and select marriages
 12. The opinions of girls should be taken into consideration because there are girls who do not want to be paid dowry or determine their dowry
 13. Establishment of ethnic commissions consisting of benevolent, conscientious elites, and pressure from government agencies to reduce excessive dowries.
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Conclusion

From above discussion, some great conclusion like bellow is found.

1. Islam has condemned the overcrowding phenomenon of Mehriyah which has led to the corruption of society, as our prophet pbuh said « *يمين المرأة خفة مهرها، ويسرنكاحها، وحسن خلقها وشؤمها غلاء مهرها، وعسرنكاحها، وسوء خلقها* »: means the beauty of the women is depend on their less dowry that would provide love and good moral between them but if the dowry be high, the relationship will not create for them love and respect
2. Dowry is the pure right of women. The father or their parents do not have the right to seize it unless they are satisfied. Marriage in Islam was a religious law, but together with the marriage the most blessed marriage is a marriage in which there is little cost.
3. In the amount of mahriyah, whether or not Islamic law has been adopted, but at least its jurisprudents have different views. The Hanafi jurisprudents have determined at least ten Darham. The jurisprudents of Imam Malik set the minimum amount of dowry or quadruple Dinars. Shafi'i and Hanbali scholars say there is at least no dowry for anything that the sabbatical can be worth buying and selling and has the ability to be traded as a dowry.
4. 41% of those surveyed cited the reason for youth's reluctance to marry expensive dowries.
5. 39% of people in Takhar believe that the high cost of dowry lead to corruption and morality.
6. Survey respondents have identified as the only way to end high-dowry by paying attention to increase the public awareness programs, through religious scholars, teachers, and cultural activists.

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