

The Role and Impact of Dowry in the delay of Matrimony (Nikah) in Pashtun Society: An Analytical Study

Dr. Zia Ur Rehman

Lecturer Khyber Model College Nowshera.

Dr. Atta Ur Rahman

Assistant Professor Cadet College, Hassan Abdal District Attock

Dr. Rab Nawaz

Associate professor , H.O.D, Islamic Studies Departement ,

Hitec University, Taxila.

Abstract

Nikah (connubiality) is the only undisciplined way of physical commerce between a man and woman. It plays an important part to satisfy the spontaneous requirements of man and woman and also insure gravidity. Dower (Mahar) is one of the introductory conditions of Nikah. It's a token plutocrat that manifests quality of woman and shows the commitment of the husband that the responsibility of earning rests on his shoulders. The end of this study is to punctuate the traditions regarding Mahar in contemporary Pashtun society in District Charsadda, Khyber Pakhtunkhwa. Data was collected through questionnaire from wedded people, both manly and womanish, to know about the customs and traditions of contemporary Pashtun Society regarding Mahar. Analysis was done by using descriptive statistics i.e data table. The study shows that utmost of the people are apprehensive of the Islamic principles regarding Mahar as an obligation but still there's inconsistency between oral conviction and deed with reference to the payment of Mahar. Dower is considered as a mark of respect for women in Islam. There's the tradition of giving gold as dower that's paid at the time or after the connubiality.

Key Words: *Wedlock , Dower , Pashtun Society , Charsadda, Islam.*

Introduction:

Nikah (connubiality) is the only undisciplined way of physical commerce between a man and woman. It plays an important part to satisfy the spontaneous requirements of man and woman and also insure gravidity.

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Dower(Mahar) is one of the introductory conditions of Nikah. It's a token plutocrat that manifests quality of woman and shows the commitment of the husband that the responsibility of earning rests on his shoulders. The end of this study is to punctuate the traditions regarding Mahar in contemporary Pashtun society in District Charsadda, Khyber Pakhtunkhwa. Data was collected through questionnaire from wedded people, both manly and womanish, to know about the customs and traditions of contemporary Pashtun Society regarding Mahar. Analysis was done by using descriptive statistics i- e data table. The study shows that utmost of the people are apprehensive of the Islamic principles regarding Mahar as an obligation but still there's inconsistency between oral conviction and deed with reference to the payment of Mahar. Dower is considered as a mark of respect for women in Islam. There's the tradition of giving gold as dower that's paid at the time or after the connubiality.

[وَأَنْتُمْ أَلَيْسَاءَ صَدَقْتِهِنَّ نِحْلَةً] ¹

Translation: "And give the women [upon marriage] their [bridal] gifts graciously".

The Islamic law has established the quantum of mahr grounded on the fiscal capability of the man and the social status of the woman, yet it allows both the man and the woman the freedom to decide the quantum of mahr according to their own will. Contrary to this ideal, there live multitudinous issues within Pashtun society regarding the quantum and payment of mahr, causing not only complications in fulfilling the sacred institution of marriage but also performing in colorful other negative impacts on society, weakening our social foundations. The inordinate quantum and extravagance in mahr not only make marriage, a sacred decree, delicate but also lead to other adverse goods on society. As a consequence, societal anomalies are arising, weakening our social fabric.

Several significant issues concerning the amount and payment of mahr in Pashtun society include:

- Inordinate and extravagant mahr quantities.
 - Privation of the woman from entering her mahr payment.
 - Inordinate mahr quantities leading to detainments in marriages.
 - Inadequate mahr amounts getting a cause of divorce.
 - Limiting the quantum of mahr due to family customs and traditions.
- The author has tête-à-tête and socially felt the forenamed issues and has chosen this content to understand their reasons and causes, aiming to make sweats for their resolution and to educate people about Islamic training regarding mahar.

The lexical meaning of "مهر" is "dowry" or "bridal gift".

It's generally used in the environment of marriage or matrimonial agreements, where it refers to the quantum or property given as a guarantee between the bridegroom and bachelor. The term "Mahr" is deduced from the root (م، ه، ر). It appears in the Fataha verb form (مَهَرَ يَمْهَرُ مَهْرًا) and the Nasara verb form (مَهَرَ يَمْهَرُ مَهْرًا). Its plural forms are "Muhur" and "Muhurat" on the pattern of Fa'ul and Fa'ulah. However, it means to give Mahr, If the once tense is used without a glottal stop (hamza). For illustration (مهرت المرأة مهرا، أي أعطيتها مهرا)² "I gave the woman Mahr." Then, "Mahrat" means "I gave," indicating the action of giving Mahr. still, it implies giving Mahr on behalf of someone differently, If it appears with a glottal stop. For illustration, "Amhara" means "He gave Mahr to the woman on behalf of someone differently."³

The Terminological Meaning of Mahr:

إنه اسم للمال الذي يجب في عقدة النكاح على الزوج في مقابلة البضع باتسمية أو بالعقد⁴

Translation: "Mahr is the name of the wealth that becomes obligatory on the hubby in the marriage contract in exchange for the woman's private corridor, either through unequivocal reservation or by the contract itself." In Islamic language, "Mahr is the wealth designated in the marriage contract in exchange for the woman's connubial rights." The Quran and Hadith mention colorful terms for Mahr, which are detailed below.

The Legitimacy of Mahr in the Light of the Quran:

Islam views the connubial bond between hubby and woman as a sacred and respectable relationship that ensures the durability of humanity, societal reform, the actuality and identity of families, and the preservation of lineage. To achieve these benefits, Shariah has made the observance of certain conditions in marriage obligatory. One of these conditions is Mahr, reflecting the significance of this relationship and the respect for women.⁵

Research Methodology:

In this logical study, questions were asked to individualities from colorful parts of the Pashtun society (District Charsadda) with the backing of a structured questionnaire. This questionnaire comported of four situations (Yes, No, Do not Know, and Own Opinion) and exhaustively covered the exploration objects. The information attained from the questionnaire was used for exploration purposes.

Sampling:

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exploration objects. The information attained from the questionnaire was used for exploration purposes.

Research Instrument:

A four- position questionnaire conforming of 10 questions was designed for this logical check. The situations were as follows.

- First position Yes -Alternate position No.
- Third position Do not Know.
- Fourth position Own Opinion.

This fourth position questionnaire was developed under the guidance of the discussion administrator and was perfected after discussion with colorful experts and field testing. originally, 40 questions were prepared, and after emendations following field testing, the questionnaire was perfected with 25 questions, including 20 unrestricted- concluded and 5 open- concluded questions. In the unrestricted- concluded questions, repliers chose one or further options from the given situations, while in the open- concluded questions, repliers handed suggestions for correcting the surpluses and scarcities in Mahr. Eventually, a questionnaire conforming of only 10 questions was perfected.

Data Collection:

The researcher distributed 384 questionnaires among the respondents in the three tehsils of District Charsadda: Tehsil Charsadda, Tehsil Tangi, and Tehsil Shabqadar. Additionally, through the use of Google Forms, the questionnaire was administered to respondents via the internet after explaining the research objectives. Each question in the 10-question questionnaire was asked to the respondents, and the completion and return of the questionnaires were ensured.

Data Analysis and Interpretation

Statistical Analysis:

The research data obtained from the questionnaire consisted of responses at four levels (Yes, No, Don't Know, and Own Opinion). Therefore, the individual and collective number of male and female respondents, along with the details of their opinions, were estimated using frequency tables and graphs for each tehsil. Percentages of individual responses from men and women, as well as the overall response percentages, were calculated. Additionally, questions related to the payment, obligation, necessity, concept, determination, and delay of Mahr were asked to understand the negative impacts of excesses and deficiencies in Mahr on society. Respondents' opinions and suggestions for addressing these issues were also obtained. After analyzing all the data, the desired results were achieved, identifying the reality of the excesses and deficiencies in Mahr, its impact on society, and the key players in its

promotion and prevention. Suitable and practical recommendations and suggestions were then formulated based on these findings.

Analysis and Interpretation of Survey Data:

Question 1: Do you believe that it is obligatory for the husband to pay the dowry (Mahr)?

Table (4.1)

Region	Response	Men Count	Women Count	Total Count	Percentage of Men	Percentage of Women	Percentage of Total
Charsadda	Yes	60	60	120	50%	50%	100%
Charsadda	No	1	2	3	33.33%	66.67%	100%
Charsadda	Don't Know	1	1	2	50%	50%	100%
Tangi	Yes	60	60	120	50%	50%	100%
Tangi	No	1	2	3	33.33%	66.67%	100%
Tangi	Don't Know	1	1	2	50%	50%	100%
Shabqadar	Yes	60	60	120	50%	50%	100%
Shabqadar	No	1	2	3	33.33%	66.67%	100%
Shabqadar	Don't Know	1	1	2	50%	50%	100%

This table represents the counts and percenta↓ of responses ("Yes," "No," "Don't Know") for men and women across the three regions: Charsadda, Tangi, and Shabqadar.

Based on chart 4.1, the following observations can be made about the obligatory nature of dowry (Mahr) in different tehsils:

Charsadda Tehsil: 93 of repliers believe that it's obligatory for the hubby to pay the dowry. **Tangi Tehsil :** 98 of repliers believe that it's obligatory. **Shabqadar Tehsil :**95 of repliers believe that it's obligatory. This indicates a strong agreement among repliers that the payment of dowry is obligatory for the hubby, as per Islamic training. The Quran states * " And give the women(upon marriage) their(matrimonial) gifts courteously." *(Quran 44) In Charsadda Tehsil, 1 of repliers, in Tangi 0, and in Shabqadar 1 believe it isn't obligatory. likewise, 6 of repliers across the entire Charsadda quarter are ignorant of the obligatory nature of dowry. This suggests that while the maturity are apprehensive and admit the obligation, a small chance warrant knowledge about this Islamic practice. This reflects that although the Pashtun

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society is generally apprehensive of the Islamic scores regarding dowry, individual adherence to these practices may vary.

Question 2: Do you believe that dowry (Mahr) is a form of respect for the wife?

Table (4.2)

Tehsil	Variable	Men	Women	Total	Percentage of Men	Percentage of Women	Percentage of Total
Charsadda	Yes	62	57	119	96.875%	89.06%	92.96%
	No	0	2	2	0%	3.125%	1.5625%
	Don't Know	2	5	7	3.15%	7.8125%	5.4687%
Tangi	Yes	63	63	126	98.43%	98.43%	98.43%
	No	0	0	0	0%	0%	0%
	Don't Know	1	1	2	1.56%	1.56%	1.5625%
Shabqadar	Yes	63	59	122	98.43%	92.18%	95.31%
	No	1	0	1	1.56%	0%	0.78%
	Don't Know	0	5	5	0%	7.8125%	3.90%

According to Table 4.2:

Charsadda Tehsil : 93 of repliers view dowry as a form of respect for the woman

Tangi Tehsil : 98 of repliers partake this view.

Shabqadar Tehsil : 96 of repliers agree. Overall, 94 of repliers across the three tehsils believe that dowry is a form of respect for the woman

. The Quran states * " And give the women(upon marriage) their(matrimonial) gifts courteously." ⁶

Imam Raghīb al- Isfahani states:

" The term' Nihla' implies a gift given out of liberality and kindness, which is a more specific term than' Hibah'(gift)." ⁷

This indicates that dowry, appertained to as' Nihla' in the Quran, is a gift given out of respect and honor rather than a price. still, 1 of repliers differ, and 5 are ignorant of this significance, pressing a need for better education on this aspect of Islamic training.

Question 3: Do you believe that the concept of dowry (Mahr) was introduced by Islam?

Table(4.3)

Tehsil	Variable	Men	Women	Total	Percentage of Men	Percentage of Women	Percentage of Total
Charsadda	Yes	62	57	119	96.875%	89.06%	92.96%
	No	1	1	2	1.56%	1.56%	1.5625%
	Don't Know	1	6	7	1.56%	9.37%	5.4687%
Tangi	Yes	59	63	122	92.18%	98.43%	95.31%
	No	2	0	2	3.15%	0%	1.5625%
	Don't Know	3	1	4	4.68%	1.56%	3.12%
Shabqadar	Yes	60	52	112	93.75%	81.25%	87.5%
	No	1	5	6	1.56%	7.8125%	4.68%
	Don't Know	3	7	10	4.68%	10.93%	7.81%

Based on Table 4.3:

Charsadda Tehsil: 93 of repliers believe the conception of dowry was introduced by Islam.

Tangi Tehsil: 95 share this belief.

Shabqadar Tehsil: 87 agree. Overall, 90 of repliers believe that the conception of dowry was introduced by Islam. still, 7 are ignorant, indicating a need for better dispersion of this information. While 3 believe that the conception was in earlier religious laws, similar as the dowry agreement between Prophet Moses and Prophet Shuaib mentioned in the Quran *" He said,' Indeed, I wish to wed you one of these, my two daughters, on the condition that you serve me for eight times.'"⁸

Question 4: Do you believe that Islam has set a specific amount for dowry (Mahr)?

Table (4.4)

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Tehsil	Variable	Men	Women	Total	Percentage of Men	Percentage of Women	Percentage of Total
Charsadda	Yes	49	47	96	76.56%	73.43%	75.00%
	No	15	6	21	23.43%	9.37%	16.40%
	Don't Know	4	11	15	6.25%	17.18%	5.47%
Tangi	Yes	48	61	109	75.00%	95.31%	85.15%
	No	9	2	11	14.06%	3.13%	8.59%
	Don't Know	7	1	8	10.93%	1.56%	6.25%
Shabqadar	Yes	60	52	112	93.75%	81.25%	87.50%
	No	1	5	6	1.56%	7.81%	4.68%
	Don't Know	3	7	10	4.68%	10.93%	7.81%

According to Table 4.4:

Charsadda Tehsil: 75 of repliers believe that Islam has set a specific quantum for dowry.

Tangi Tehsil: 85 agree.

Shabqadar Tehsil :87 believe so. Overall, 84 of repliers believe that Islam specifies the dowry quantum. still, 6 differ, and 10 are ignorant. It's important to note that Islamic justice differs on the minimal quantum of dowry but has no upper limit. For illustration, according to Hanafi justice * " The dowry shouldn't be lower than ten dirhams."⁹ This implies that while Islam encourages setting a dowry quantum within the bachelor's fiscal capacity, it doesn't put a strict upper limit, emphasizing inflexibility and collective agreement. The lack of adherence to these principles in some cases may reflect social pressures or misconstructions. In conclusion, the check results indicate that the maturity of repliers in Charsadda quarter are apprehensive of the Islamic scores regarding dowry. still, there's a need for better education and practical adherence to these principles to insure that dowry practices align with Islamic training and societal well- being.

Question 5: Who determines the amount of dowry in your family?

Table (4.5)

Collection	Total (%)	Women	Percentage	Men	Percentage	Variable	Tehsil
97.65	100%	64	95.31%	61	93.75%	Parents	Charsadda
0.23%	2.34%	0	0%	3	4.68%	Boy	Charsadda
0.23%	2.34%	0	0%	3	4.68%	Girl	Charsadda
100%	100%	64	100%	64	100%	Parents	Tangi
0%	0%	0	0%	0	0%	Boy	Tangi
0%	0%	0	0%	0	0%	Girl	Tangi
100%	100%	64	100%	64	100%	Parents	Shabqadar
0%	0%	0	0%	0	0%	Boy	Shabqadar
0%	0%	0	0%	0	0%	Girl	Shabqadar

This table organizes the data by collection, total percentage, the number of women and men

Message ChatGPT

According to Table (4.5), the repliers' opinions regarding the determination of dowry in Charsadda quarter are as follows - 99 of people believe that the quantum of dowry in their family is determined by their parents. - 1 of people say that the dowry quantum is determined by the boy or the girl themselves. Islam grants the girl the right to determine the dowry quantum, and according to Islamic training, dowry is the right of the woman. "(Dowry is the wealth that's obligatory on the hubby in the marriage contract in exchange for the benefits of the woman, either by agreement or by the contract itself.)"¹⁰ It's understood from Islamic training that the dowry quantum can be determined by the woman, as mentioned over. still, every society has certain laws regarding marriage, happiness, and anguish, which are called customs and traditions of that society. However, also following them is considered against Islam, and if they don't discord with Islamic principles, If these laws contradict Islamic principles. In the Pashtun society, the opinion of parents and elders holds significant significance, which is in complete agreement with Islamic principles. Considering this significance, the boy and girl regard the parents' wishes regarding the dowry quantum as their own wishes, which is a positive thing. Another point is that in the Pashtun society, the dowry is frequently paid by the boy's parents; thus, they also determine the dowry quantum.

Findings:

In the forenamed study, the experimenter presented answers to the abecedarian questions deduced from the logical section of their exploration.

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- Utmost people in the Pashtun society are apprehensive of the obligation of the dowry(mahr).
- The society is also apprehensive that the conception of paying dowry has been presented in an excellent manner in Islam.
- It's apparent from the study that the Pashtun society's relationship with Islam is similar that the divorce rate is low.
- The inordinate quantum of dowry is causing detainments in marriages.
- By setting a high dowry, the woman is deprived of her right to admit the dowry.
- The dowry is frequently set simply as a formality, performing in marriages where the woman doesn't admit her dowry throughout her life.
- People in the Pashtun society frequently include property and jewelry in the dowry.
- In some areas, cash dowries are also customary.
- In the Pashtun society, the dowry is determined by the head of the family, i.e., the parents.
- Currently, social status, or" kufu," is considered, leading to variations in dowry quantities and causing detainments in marriages.

Results:

Grounded on the analysis of the data, the experimenter concluded the following .

- Utmost people in the Pashtun society are apprehensive of the obligation of the dowry(mahr).
- The dowry is frequently not paid in the Pashtun society.
- There's a custom of giving jewelry as dowry in the Pashtun society.
- The dowry is determined by the head of the family, i.e., the parents, in the Pashtun society.
- People in the Pashtun society want for the dowry to be paid at the time of the marriage.
- Utmost people in the Pashtun society consider the dowry as the woman's right and the hubby's responsibility.
- Utmost people in the Pashtun society are apprehensive that the conception of dowry has been presented in Islam.
- Detainments in the payment of dowry in the Pashtun society are due to inordinate quantities and family customs.
- The reasons for early or belated marriages in families are family customs, variations in dowry quantities, and profitable conditions.
- Utmost people in the Pashtun society prefer marrying within the family.

Recommendations for enhancement :

- Those in the Pashtun society who are ignorant of the obligation of dowry(mahr) should come familiar with Islamic training so that issues related to dowry can be resolved.
- People who only validate the dowry should insure its factual payment.
- Just as people prefer the dowry to be paid at the time of marriage, the government should also insure proper legislation for the guaranteed payment of dowry.
- Given that inordinate dowry quantities beget detainments in payment, people should set a reasonable dowry quantum according to the hubby's fiscal capacity to insure its payment.
- In some matters, the Pashtun society prioritizes family customs over Islamic training, similar as marrying girls at the age of 14 and forcing marriages within the family against the wishes of the bridegroom and bachelor. thus, people should amend family customs to grease their children.



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¹[Quran 4:4]

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