

> Demystifying the Mahr found in Muslim Marriages November 2020

By ASHRAF BOOLEY, Published in The Law

One of the most common characteristics of an Islamic marriage is that it commences with a proposal referred to as *ijba* or *rishta*. Although the observance of a formal proposal is not strictly a requirement found in traditional Islamic jurisprudence, it is commonly observed globally. An essential characteristic of a Muslim marriage is the *Mahr-ul-Mithl*, commonly referred to as the *mahr* or *mehr*. The English equivalent of the word *mahr* would be dowry. The word *mahr* is akin to the Hebrew word "mohar" and the Syriac word "mahr", signifying "bridal gift", which was historically referred to as "purchase money". According to the Chambers Concise Dictionary, dowry is defined as "an amount of wealth handed over by a woman's family to her husband on marriage".



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Prior to the advent of Islam as a faith, the bridal wealth was common practice in many of the then tribal societies (now more correctly referred to as indigenous communities) and is a recorded custom of the ancient Israelites. Historically, this practice meant that the bridal wealth was handed over to the bride's father or guardian, or paid to the bride's birth family. In pre-Islamic origins, for example, Arabic poetry, reference is made to the word *mahr*. In this construction, it usually translated to compensation for the family's loss of a daughter's productive labour, since Arab tribal or indigenous communities were not only patrilinear but also patrilocal in nature. The bride herself

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