

Memorizing *Alfiyah* as a Wedding Dowry from the Perspective of *Maqashid Sharia*

Abstract

Ahmad Khotim

Sekolah Tinggi Agama Islam
At-Tahdzib Jombang
email:
akhodjala.tbi@gmail.com

Background. *The dowry changes according to social, cultural, and economic conditions. The use of Alfiyah memorization as part of the dowry can have a deeper meaning within the maqashid sharia framework.*

Aim. *This study examines the concept of memorizing Alfiyah as a marriage dowry in maqashid sharia and its implementation.*

Methods. *This literature review qualitatively attempts to understand social problems (dowry) holistically which are formed through detailed grammar. Library source data are analyzed qualitatively with the process of data reduction, data presentation, and drawing conclusions or verification.*

Results. *Dowry in Islamic law is a gift from a man to a woman as part of the marriage process. Dowry has a deeper meaning than just material value. The type of dowry depends on the form, value, or characteristics of the gift. The memorization of Alfiyah as a dowry in the concept of Maqashid Syariah can be seen from its objectives, namely Hifz al-Din, Hifz al-Nafs, Hifz al-Aql, Hifz al-Nasl, and Hifz al-Mal. The implications of memorizing Alfiyah as a dowry can have different impacts depending on the cultural context, religion, and social views of the community.*

Keywords: *Dowry; Marriage; Maqashid sharia*

INTRODUCTION

Marriage is an implementation of sharia law and an act of sharia;¹ sacred bond and the way to form a family based on the principles of *sakinah, mawaddah* and *warahmah*. Dowry is an integral part of a marriage process, a commitment of responsibility from a husband to his wife. The Compilation of Islamic Law explains that dowry must be given from the man to the woman based on the principle of simplicity and ease or relief.² It is important to study dowry from a broader perspective, namely by using the principles of *maqashid sharia*.

The principles of *maqashid sharia* are the main goals or purposes of Islamic laws. *Maqashid sharia* highly prioritizes welfare, justice, and also the welfare of humanity. Studying dowry using memorization of *Alfiyah* from the perspective of *maqashid sharia* can provide a more comprehensive view of dowry as an aspect of marriage that can reflect broader Islamic values and goals.

The form of dowry (*mahar*) undergoes a process of change, following the conditions of social, cultural, and economic conditions. The concept of dowry is almost the same as the principles of Islamic law which can change in line with changes or changes in time and place. The characteristics of dowry have diversity according to the development of the times, as well as changes in social and cultural aspects that exist in society.³

¹ Samad dan Munawwarah, "Adat Pernikahan dan Nilai-Nilai Islami dalam Masyarakat Aceh Menurut Hukum Islam", *El-USRAH: Jurnal Hukum Keluarga* Volume 3, no.2, (2020): h. 289-302.

² Amiur Nuruddin dan Azhari Akmal Tarigan, *Hukum Perdata Islam di Indonesia*. (Jakarta: Kencana Prenada Media Group, 2016), h. 64-67.

³ Noryamin Aini, "Tradisi Mahar di Ranah Lokalitas Umat Islam: Mahar dan Struktur Sosial di Masyarakat Muslim Indonesia", *Jurnal Ahkam* Volume XIV, No. 1 (Januari 2014): h. 13



Dowry in the form of memorizing *Alfiyah* contains a broader meaning in the *maqashid sharia*. Memorizing *Alfiyah* as a dowry is not only a material symbol or financial value, but also represents the desire to strengthen the spiritual and moral bonds between husband and wife. The ability to memorize *Alfiyah* not only shows commitment and sincerity towards religious knowledge, but can also produce positive impacts in individual and social life.

Previous research has documented studies on memorization as a marriage dowry, namely memorization of the Qur'an according to the four schools of thought in Islam, and; sociological considerations and normative responses based on dowry trends in the digital era. This article examines dowry in the form of memorization of *Alfiyah* from the perspective of *maqashid sharia*. The study considers the main objectives of Islamic law, by identifying social, moral, and spiritual implications, and; focuses on the achievement of *maqashid sharia* as a whole. Understanding the relationship between dowry, memorization of *Alfiyah*, and *maqashid sharia*, will provide insight for individuals, families, and communities in maintaining Islamic values that are enlightening and prosperous.

LITERATURE REVIEW

Dowry refers to assets that must be given by a man to a woman as part of a marriage contract or sexual intercourse (*jimak*).⁴ Dowry in Arabic is “*al-Atiyah*”⁵ or “*al-Sadaq*,”⁶ namely a term in Islamic jurisprudence which indicates a gift from a man to a woman in the context of marriage.⁷ The fuqaha define dowry as property or objects given with the intention of marriage or marriage. al-Kasani defines dowry as “*al-Atiyah*,” which is a voluntary gift in the form of material.⁸ al-Kharsi defines dowry as the wife’s right to property given at the time of or after the marriage contract.⁹ Imam Shafi’i in a history explains that dowry is the right to property that must be given to a woman’s soul.¹⁰ Dowry is property given by a man for the purpose of marriage;¹¹ reward for the willingness to legally own by the husband.¹²

Dowry is part of the marriage process; an essential element of marriage in Islam, and; has a deeper meaning than just material value. “Dowry” literally comes from Arabic which means “gift” or “price.” Dowry is a form of responsibility and appreciation given by the man to the prospective wife as a manifestation of love, commitment, and respect. Dowry can be in the form of property, money, valuables, property, or something of value. The amount of dowry is not specifically determined. Dowry is a woman’s right that must be respected and fulfilled by her husband. Dowry is an adequate gift and can be paid by the man. The amount of dowry can be agreed upon by both parties or determined based on the customs and social conditions in the community where they live. Dowry symbolizes the man’s commitment to provide protection, sustenance, and happiness to the prospective wife. Dowry should not be used as a tool of oppression or control over women, but rather as a sign of agreement and mutual respect in marriage.

According to Article 30-38 of the Compilation of Indonesian Law, dowry is divided into two forms, namely dowry determined based on an agreement between the two parties, and dowry

⁴ Muhammad Muhyiddin Abdul Hamid, *Al-Ahwal Al-Syakhsiyyah Fi Shari’atil Islamiyyah*, Mesir: Maktabah at-Tajariyyah, (1942 M), h. 163

⁵ Sa’di Abu Habib, *Al-Qamus Al-Fiqhi*, Damaskus: Dar al-Fikr al-Arabi, (1988)

⁶ Hamid Abdul Kadir, *Al-Mu’jam Al-Wasit*, Cairo: Dar al-Da’wah al-Alamiyah, t. th.

⁷ Jamaludiin Muhammad Tahir bin Ali Al-Kajrati, *Mujma Bihar Al-Anwar Fi Gharaib at-Tanzil wa Lataif Al-Akhbar*, Damaskus: Majlis Dairah al-Ma’arif al-Usmaniyah, (1967).

⁸ Abu Zakaria Muhyidin Al-Nawawi, *Raudah At-Thalibin Wa Umdah al-Muftin*, Beirut: al-Maktabah al-Islami, (1991).

⁹ Alaudiin Abu Bakr bin Mas’ud bin Ahmad al-Kasani, *Bada’i Al-Sana’i Fi Tartib Al-Syara’i*, Cairo: Dar al-Kutub al-Alamiyah, (1986).

¹⁰ Muhammad bin Abdullah al-Kharsi, *Syarh Mukhtashar Khalil Li Al-Kharsi*, Beirut: Dar al-Fikr al-Arabu, (1999).

¹¹ Abu Bakr Muhammad bin Abdil Mu’min bin Hariz bin Ma’la al-Hasini al-Hisni, *Kifayat Al-Akhyar Fi Halli Ghayat Al-Ikhtisar*, Damaskus: Dar al-Khair, (1994).

¹² Muhammad bin Ahmad Zainuddin Abu Yahya al Sinaiki, *Fath Al-Wahab Bi Syarh Minhaj At-Tullab*, Beirut: Dar al-Fikr, (1994).

determined based on the principle of simplicity and convenience.¹³ Dowry based on its type depends on the form, value, or characteristics of the gift. Dowry *mu'ajjal* is a dowry paid at the time of marriage or relatively soon after marriage. The most common dowry is in the form of cash, property, or other property. Dowry *muaqqat* is a dowry whose payment is postponed until a time that has been agreed upon by both parties or regulated by a certain law. At the appointed time, the dowry will be paid by the husband to the wife. Dowry *musamma* is the amount of dowry that has been clearly determined in the marriage agreement or in an agreement between the two parties. The dowry must be paid according to the amount that has been determined. Dowry *mithl* is a dowry that is determined based on a value or price that is comparable to the standards in the local community. This is done so that the dowry does not become an obstacle for prospective husbands who want to get married. Dowry *sahih* is a dowry received by the wife as part of the marriage agreement, and the marriage is considered valid according to Islamic law after the dowry is paid. Dowry *hibah* is a dowry given as a voluntary gift by the husband to the wife, without any legal obligation to do so. Dowry *hibah* is a sign of affection and further appreciation from the husband to the wife. A mandatory dowry is a mandatory part of Islamic law, in some cases, there is a minimum amount that must be paid as a dowry to ensure that the marriage is valid according to Islamic teachings. A *khiyar* dowry is a dowry that gives the wife the option to choose between receiving a dowry in a certain form or taking the dowry value in another form that is more appropriate to her needs and situation. A conditional dowry is a dowry that has special conditions that must be met by the husband before the wife accepts it. These conditions can vary, such as *traveling together, giving certain gifts, or performing special actions*.

Each type of dowry has its own implications and roles in the context of marriage. The meaning and principles behind the dowry need to be understood to ensure that the marriage is based on mutual respect, agreement, and commitment between the two parties.

Dowry is one of the pillars of marriage that must be fulfilled. The law of dowry is obligatory for men who want to marry a woman. Allah Swt says in the al-Qur'an:

وَأْتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

Meaning: "And give to the women their dowries willingly. Then if they give you some of it willingly, then eat of it as something pleasant and good." (QS. An-Nisa': 4)

The dowry of memorizing *Alfiyah* can be seen as a dowry of high value, because it shows the ability and sincerity of the prospective husband in studying religious knowledge. memorizing *Alfiyah* can also be a provision for the wife in understanding and deepening the teachings of Islam.

METHOD

This literature study qualitatively attempts to understand social problems (dowry) holistically which are formed through detailed grammar. Data are obtained from library sources of books, laws, and relevant articles. Information from library sources includes aspects of writing, oral recordings, images, and archaeological data related to the topic of study on dowry. The data are analyzed qualitatively with the process of data reduction, data presentation, and drawing conclusions or verification.

RESULTS AND DISCUSSION

Implementation of *Alfiyah* memorization mahar from the perspective of maqashid sharia

Maqashid sharia, or the objectives of Islamic law, is a concept that refers to the broader principles or intentions that form the basis for the formation of Islamic law. *Maqashid sharia* emphasizes understanding the higher objectives of Islamic law that only focus on the technical aspects of formal law. General *maqashid* can be found in laws that apply to all individuals universally. Special *maqashid* is the way in which sharia is used to realize the public interest through individual actions.¹⁴

¹³ Mustofa Hasan, *Pengantar Hukum Keluarga*, Bandung: CV Pustaka Setia, (2011), h. 148.

¹⁴ Muhammad al-Thahur bin Asyur, *Maqasid al-Syariah al-Islamiyyah*, (Tunisia: al-Syirkah al-Tunisiyah, 1988), h. 51.

Maqashid sharia views Islamic law as a tool or method to achieve human welfare and protect basic values, namely life, reason, religion, descendants, and property. *Maqashid sharia* helps direct the application of Islamic law in a contextual and relevant manner, in accordance with changes in the era, time, and needs of an increasingly homogeneous society.

Understanding the *maqashid sharia* plays an important role in avoiding extremism, abuse of law, and injustice in implementing Islamic teachings. Examples of the application of *maqashid sharia*: formulating laws that support the welfare of society, protecting individual rights, and promoting ethical and moral values in society. There are five main *maqashid sharia* in Islamic law: *Hifz al-Nafs* (protection of life), protecting human life from danger and threats, including all actions that can endanger life, such as murder, violence, and behavior that endangers health. *Hifz al-Aql* (protection of reason), protecting human reason from things that can damage it, such as drug abuse, alcoholic beverages, and behavior that harms thinking capacity. *Hifz al-Nasl* (protection of offspring), maintaining the continuity of human generations and ensuring the birth, education, and welfare of children. *Hifz al-Mal* (protection of property), protecting human property and assets from theft, fraud, and unethical economic behavior. *Hifz al-Din* (protection of religion), safeguarding religious freedom and the right to worship without interference.

The legality of the dowry for memorizing the *Alfiyah* depends on whether the dowry includes teaching the *Alfiyah*, not just reciting the *Alfiyah* verses in the marriage contract. The law of the dowry for memorizing the *Alfiyah* has not been regulated in Indonesian law. *Maqashid sharia* can be applied in the context of memorizing the *Alfiyah* verses. *Hifz al-Din*, memorizing the *Alfiyah* can help the bride understand the teachings of Islam which are sourced from the Holy Qur'an and Hadith in Arabic; *Hifz al-Nafs*, through memorizing the *Alfiyah*, the husband and wife can remember and apply the religious values contained in each *Alfiyah* verse and can also help maintain marital harmony and avoid dangerous behavior; *Hifz al-'Aql*, memorizing the *Alfiyah* can improve the bride's thinking and logical abilities, because Arabic grammar requires a deep understanding of the structure and rules of language; *Hifz al-Nasl*, by having a good understanding of Arabic, the bride can learn and teach religious knowledge to her children in the future, and; *Hifz al-Mal*, the dowry of memorizing *Alfiyah* is not included in the category of property, but has a very high intellectual value.

The view of the *Shafi'iyah* and *Hanabilah* scholars states that the law is valid if the dowry is in the form of services, because it is permissible to take a replacement. The *Shafi'iyah* scholars and Ibn Hazm permitted it on the basis of the Hadith "I will marry you with the memorized dowry (*Alfiyah*) that you have."¹⁵

The concept of *maqashid sharia* can be interpreted differently by Islamic scholars, scholars and clerics. The approach to memorizing *Alfiyah* as a marriage dowry can vary depending on the point of view of interpretation and legal views adopted by each community or individual. The existence of a dowry is often a matter of difference of opinion, but still has a valuable essence, regardless of its form, benefits or services used.¹⁶

Implementation of *Alfiyah* memorization dowry in society

The tradition of dowry in society refers to property or goods given by the man to the woman as part of the marriage agreement. Traditions can vary from one culture to another. One common form of dowry tradition is to give a sum of money or property as a sign of the seriousness of the marriage and as a form of financial support for the female partner. The amount can vary, depending on the economic capacity of the man and the family agreement.

Memorizing the *Alfiyah* by the woman or the husband and wife in some cultures, can be considered a form of marriage dowry. This practice reflects respect for the religious values and knowledge of Islam for the individual. This method is a form of investment in religious education and as a way to support the female partner in carrying out her religious role.

¹⁵ Wahbah Az-Zuhaili, *Fiqh Islam Wa Adillatuhu*, Terjemahan Abdul Hayyie al-Kattani, (Jakarta: Gema Insani, 2010), h. 38

¹⁶ Abdul Basit Misbachul Fitri, "Eksistensi Mahar Pernikahan dalam Islam", *Jurnal Usratuna* Volume 2, No.1 (Desember 2018), h. 2

The tradition of hafalan *Alfiyah* dowry can have various implications. First, it can increase motivation for the younger generation to study Arabic and religious knowledge. Second, it can strengthen noble values in marriage, such as sincerity, responsibility, and commitment. Third, it can be a status symbol for families who are able to marry off their children with hafalan *Alfiyah* dowry.

In Indonesia and Malaysia, the dowry of hafalan *Alfiyah* is considered a symbol of commitment to practicing religious teachings and supporting religious education. Even in minority Muslim groups or communities that adhere to a particular interpretation of Islam, giving hafalan *Alfiyah* as a wedding dowry can be a tradition or a valued practice.

The implementation of the dowry of memorizing the *Alfiyah* can vary, and sometimes raises issues of gender equality and social values. Some men may feel burdened by the expectation of memorizing the *Alfiyah* as part of the marriage dowry. The tradition of dowry of memorizing the *Alfiyah* should not conflict with the principles of equality and human rights in society.

The implications of memorizing *Alfiyah* as a marriage dowry in society have various impacts, depending on the cultural context, religion, and social views of the community. From a cultural perspective, the dowry of memorizing *Alfiyah* can be part of a strong Muslim community identity. Tradition can also be a means to preserve the intellectual treasures of Islam, namely the *Alfiyah* book.

Giving a dowry in the form of memorizing the *Alfiyah* is considered valid in Islamic law, because it is in accordance with the principles of sharia. Giving a dowry in the form of memorizing the *Alfiyah* also shows a man's commitment to implementing Islamic values and goals, especially in maintaining honor. Because, there is also an aspect of wisdom that is in line with the basis for giving a dowry, because memorizing the *Alfiyah* is very relevant to the purpose of requiring a dowry for men who want to marry a woman.¹⁷

Giving *Alfiyah* memorization as a marriage dowry can increase religious values and spirituality in the marriage relationship; help married couples live their family life based on Islamic principles, and; strengthen the bond with Allah Swt. The dowry in the form of *Alfiyah* memorization can also encourage a deeper mastery and understanding of Islamic teachings; encourage awareness of the importance of religious education in the family, and; promote continuous religious learning.

Giving *Alfiyah* memorization as a wedding dowry can be a form of investment in religious education for descendants; helping to pass on religious values to future generations, and; building a strong spiritual foundation in the family. *Alfiyah* memorization as a wedding dowry can strengthen relationships in the family by supporting Islamic religious and ethical values; contributing to harmony and harmony in the household; maintaining traditions, and; can help maintain religious and cultural heritage in society.

CONCLUSION

Dowry refers to a gift given by the man to the woman as part of the marriage process. Dowry is one of the important elements in marriage in Islam and has a deeper meaning than just material value. Dowry can have several types, depending on the form, value, or characteristics of the gift. Dowry of *Alfiyah* memorization is one form of dowry that is unique and beneficial. Dowry of *Alfiyah* memorization in the perspective of *maqashid sharia* has a very great value for maintaining religion, reason, descendants, and property. Dowry of *Alfiyah* memorization can be a good choice for couples who want to build a household that is *sakinah*, *mawaddah*, and *rahmah*.

The marriage dowry in the form of *Alfiyah* memorization has various implications in society. The dowry of *Alfiyah* memorization in the perspective of Islam has high value and shows the seriousness of the prospective husband; from a social perspective it can increase learning motivation and strengthen noble values in marriage; from a cultural perspective it can be part of the identity of the Muslim community and preserve the intellectual treasures of Islam.

¹⁷ Ibnu Irawan da Jayusman, "Mahar Hafalan al-Qur'an Perspektif Hukum Islam", PALITA: Journal of Social-Religion Research, Volume 4 no.2 (Oktober 2019), hlm. 13.

BIBLIOGRAPHY

- Abbas, Hasjim. (2010). *Metodologi Penelitian Hukum Islam (Materi Kuliah Studi Fiqih Kontemporer)*. Jombang: Universitas Darul Ulum.
- Aḥmad Al Maḥalli, Jalaluddin bin Muḥammad. (1974). *Syarh Minhaj al-Talibin*.
- Aini, N. (2014). Tradisi Mahar di Ranah Lokalitas Umat Islam: Mahar dan Struktur Sosial di Masyarakat Muslim Indonesia. *Jurnal Ahkam*, XIV, 1, 13.
- Al Ghazâli. (1997). *Al-Mustashfâ min Ilmi al Ushûl. Tahqiq Muhammad Sulaiman Al- Asqory*. Libanon: Dar al-Kutub al-Ilmiyyah.
- Al-Aqil, Muhammad bin Abdul Wahab. (2005). *Manhaj Aqidah Imam As-Syafi'i*. Jakarta: Pustaka Imam Syafi'i.
- al-Kharsi, M. b. (1999). *Syarh Mukhtashar Khalil Li Al-Kharsi*. Beirut: Dar al-Fikr al-Arabu.
- Asyur, M. a.-T. (1988). *Maqasid al-Syariah al-Islamiyyah*. Tunisia: al-Syirkah al-Tunisiyyah.
- Az-Zuhaili, W. (2010). *Fiqh Islam Wa Adillatuhu*. Jakarta: Gema Insani.
- Creswell, J. (2015). *Research Design: Pendekatan Kualitatif, Kuantitatif, dan Mixed*. Yogyakarta: Pustaka Pelajar.
- Depag RI. (2009). *Al-Qur'an Terjemah*, Kudus Menara Kudus.
- Fitri, A. B. (2018). Eksistensi Mahar Pernikahan dalam Islam. *Jurnal Ussratuna*, 2, 1, 2.
- Hafid. (2021). Analisis Konsep Dowry Berupa Hafalan Ayat Al-Qur'an dalam Perspektif Madzhibul Arbaah. *Jurnal Sirajuddin*, 1, 1, 1.
- Hamid, M. M. (1942). *Al-Ahwal Al-Syakhsiyyah Fi Shari'atil Islamiyyah*. Muhammad Muhyiddin Abdul Hamid, *Al-Ahwal Al-Syakhsiyyah Fi Shari'atil Islamiyyah*, Mesir: Maktabah at-Taijariyyah, (1942 M). 163: Maktabah at-Taijariyyah.
- Hasan, M. (2011). *Pengantar Hukum Keluarga*. Bandung: Pustaka Setia.
- Husen, H. (2022). Husen, Hamdani dkk. Tradisi dan Status Sosial dalam Penetapan Mahar Pernikahan di Gampong Mamplam Aceh Utara. *Jurnal Ilmu Sosial dan Ilmu Politik Malikushaleh*, 3, 1, 1.
- Jayusman, I. I. (2019). Mahar Hafalan al-Qur'an Perspektif Hukum Islam. *PALITA: Journal of Social-Religion Research*, 4, 2, 13.
- Munawwarah, S. d. (2020). Adat Pernikahan dan Nilai-Nilai Islami dalam Masyarakat Aceh Menurut Hukum Islam. *El-USRAH: Jurnal Hukum Keluarga*, 3, .2, 289-302.
- Musarrofa, I. (2021). Tren Mahar di Era Digital (Tinjauan Sosiologi Hukum Islam Penggunaan Mahar Digital di Komunitas Dunia Cyber). *Jurnal Hukum Islam*, 19, 1, 1.