

# THE SIGNIFICANCE OF MAHAR IN MUSLIM MARRIAGES IN SRI LANKA: A STUDY BASED ON ANURADHAPURA DISTRICT

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**ABSTRACT:** This study was carried out on two main objectives, which were to identify the procedures of mahar, is a compulsory gift that the bride receives by the bridegroom, in Muslim marriages in Anuradhapura District, Sri Lanka, and how important it is among the locals. The data were collected by distributing 130 questionnaires in Kekirawa and Pahalagama areas in the Anuradhapura district and the data were analyzed using MS Excel. Furthermore, secondary sources were also used to achieve the objectives. It was found that the mahar was not demanded by either the bride or the groom, and the bride remained unaware of the amount of it in the study area. Also, the groom was not practiced to inform the bride about the amount of mahar. However, the mahar is crucial in marriages, and there is a sense of obligation that a groom should give it to his bride. In conclusion, the study had found that the tendency of deviation significantly from the Islamic concept of mahar when it was reviewed with the Islamic sources.

**KEYWORDS:** Sri Lanka, Muslims, procedures of mahar, Muslim marriages

## I. INTRODUCTION

Sri Lanka is one of the most beautiful countries on the continent of Asia. It is located off the South-eastern shore of the Indian subcontinent in the Indian Ocean. Sri Lanka has 9 provinces and 25 administrative districts. Of them, Anuradhapura District is situated in the North Central Province and is the largest land area, whereas Anuradhapura is the capital of the North Central Province. It consists of about 7 Parliamentary constituencies, 694 Grama Niladhari Divisions, 19 Pradeshiya Sabhas, 1 Municipal Council, and 22 Divisional Secretariats. The Anuradhapura district constitutes the Buddhists as the majority, while Hindus, Muslims, and Christians as the minority. The survey was carried out at the Kekirawa town, which was identified as 628<sup>th</sup> Grama Sevaka Division of the Kekirawa Pradeshiya Sabha, and the Pahalagamaas 643<sup>rd</sup> Grama Sevaka Division. Of the 1405 people living in the Kekirai area, Muslims are about 782 (441 men 341 women). Meanwhile, there are a total of 461 living in Pahalagama with 220 Muslim women and 241 Muslim men.

As a universal religion for all, Islam is the perfect religion that will guide mankind in the world. It guides the whole of human life as it guides all aspects of him. Islam also shows the way to marriage, which has an essential position in the structure of a family. Marriage plays a vital role in human life, and the mahar is one of the most important aspects of it. The mahar is a compulsory gift that the bride receives by the bridegroom. When this is not considered, marriage becomes invalid and weak (Abdul Latheef, 2009). Mahar is said to be the 'woman's right to be given graciously by the bridegroom (Rasmin,2015) . This gift can help a woman to protect herself after her marriage.

“And give the women [upon marriage] their [bridal] gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease” (Al-Qur'an, 4:4).

Most Muslims who became extraneous to Islam were a result of inadequate knowledge of Islam among them, the influence of host cultural influences, conservative mindset, western cultural penetration and ideology, modern development of education, neo-civilization, and modernity. Hence, these have also begun to impact their marital affairs. The problems concerning mahar in the study area are the lack of concern by Muslim men on it, the lack of attention to the amount of it, and the denial of women's rights to be offered. Therefore, the study aimed to find out the current practices and importance of the mahar in Anuradapura and to associate the results with relevant variables for future studies.

## II. LITERATURE REVIEW

In the above title; Numerous studies have been conducted nationally and internationally. According to Saleem (1997) in his book 'Muslimkalin Kaliyanach Sadangukal (The rituals of the Muslims of Eastern Sri Lanka)' describes marriage is a part of the cultural aspects of Akkaraipattu Muslims. Also it has found that the amount of mahar was decided by the groom and given by his own wealth.

Amin (2000) in his book 'Ilankai Muslimkalin Varalarum Kalasaramum' (History and Culture of Sri Lankan Muslims) have a discussion about the marriage registration of Sri Lankan Muslims. In which mentions 'kaduththam' was the document registering the marriage in 19<sup>th</sup> century. Also it has found that the mahar was being given in Sri Lanka by stating that the above document has been used to record the marriages. The amount of the mahar and the dowry given on behalf of the bride in Sri Lanka were also recorded with 'kaduththam'.

Anas (2009) in his book 'Puththalam Muslimkalin Varalarum Valviyalum' (History and Heritage of Puttalam Muslims) discusses about the marital relationship of the people of Puttalam. He explains that engagements, mahar, dowry took place in Muslim marriages in Puttam. He further mentions that this includes the rituals related to groom's dowry and mahar while the wedding.

Jazeel and Rinsa (2015) have published a research paper entitled 'Muslimkalin Thirumanaththil maharum anpalippum' (Mahar and Gifts in Muslim Marriages: A Study based on the Kalmunai). According to the results, although the marriage of Kalmunai Muslims was based on mahr, the amount of mahr is often subject to less than fifty thousand and mahr is paid in gold and mostly not in cash. It has found that the bride did not have the right to determine the amount of mahar and the groom is in the habit of giving mahar as a gift to bride.

Shameela Yoosuf Ali (2013) in her study entitled 'women and Muslim marriage practice in Mawenella: A gender perspective', has found that although Islamic movements and the medias after raised awareness about mahar there were rises among the Muslims in indirect and direct dowry from the bride's household.

## III. MATERIALS AND METHOD

Muslims living in Kekirawa town and Pahalagama village in the Anuradhapura District were selected as the respondents for this study. The primary data were collected through the questionnaires. Data were collected from men and women who have been married in the last 5 years in Kekirawa town and Pahalagama village. Out of the 500 people living in the Kekirawa town, 100 respondents (20%) of them were chosen. Meanwhile, 30 respondents (20%) out of 150 in the Pahalagama village were selected., There were about 130 questionnaires distributed in total. All questionnaires were analyzed using MS Excel to find the frequencies and percentages. Through this, the main objectives of this study were achieved, and it is noteworthy that the secondary sources were also used to identify theoretical definitions throughout the study. Accordingly, the reports collected from the divisional secretariat, journal articles, books, magazines, and websites were used.

## IV. DEMOGRAPHIC DETAILS OF THE RESPONDENTS

The demographic information was collected from the village officer division (Grama Niladari Division), which included gender, education, age, and occupation. The Kekirawa area, which is the 628<sup>th</sup> division of the village officers, consists of several sub-divisions. Those divisions represent the town area of Kekirawa and Pahalagama, which is the 643<sup>rd</sup> division of the village officers. The selection of samples from both areas was different according to the inclusion criteria because there were 500 men in Kekirawa, while there were only 150 men from Pahalagama village. In that way, the proportion of samples were varied, depending on the population number; there were 76.92% of respondents from Kekirawa, while only 23.07% from Pahalagama. On the other hand, gender representation from the respondents was seen as 50% for men and 50% for women despite the increase in the number of women in the study area.

The majority of respondents (50%) were in the age range of 21-30 years old. Those between the age of 31-40 years old made up 30%, while 12.3% were under the age of 20. The representation of over 40 years old was relatively low.

In terms of educational background, 52.3% of the respondents had received secondary education. There were 20% and 10% of the respondents who had received tertiary and primary education, respectively. Meanwhile, those who did not receive formal education made up 7.69%

As for the respondents' occupation, most Muslim women were housewives. Those who worked in agriculture, business, and public service made up 12.30%, 19.23%, and 13.84%, respectively. Meanwhile, there were 10.76%, 16.15%, and 27.69% of respondents who were self-employed, fishermen, and unemployed, respectively.

### 4.1 Solemnization (Nikah) related details

Nikah means the Islamic marriage contract. Marriage is a wonderful step in human life celebrated by all people and all religions. The nikah practices in the study area are discussed in this area in detail through the following subtopics.

#### 4.1.1 The Location of nikah

Generally, nikah ceremonies take place in the mosques, the bridegroom's houses, wedding halls, and the bride's house. From the respondents' information, there were 44.61% and 33.07% of the weddings took place at the bride's houses and halls, respectively. Due to the lack of space, the marriage ceremonies were held in the halls to make the wedding ceremony better. There were 15.38% of marriages held at the bridegrooms' house, and 6.29% at the mosques in the study area.

#### 4.1.2 The time of nikah occasion

Nikah is an essential part of Muslim marriage. Nikah is said to be 'writing kavin', which means that the event on which registering the marriage contract by the Muslim marriage registrar. Most of the kavin events of Muslims (63%) took place in the evening, while 32% of kavin contracts were held in the morning. Kavin deals at night times were not typical and made up only 5%.

#### 4.1.3 Details of those who were parents or guardians of the bride (wali) in nikah

According to collected information, the fathers of the brides were the wali for most marriages (76.3%). Meanwhile, the brides' brothers (9.18%), brides' uncles (9.18%) and qazis (2.15%) represented the place of the wali if the fathers of the brides were not present.

#### 4.1.4 Events in nikah

Events of a nikah included the marriage registration, the marriage sermon (qutbah), witnesses, -ijab and qabul held at a marriage. 100% of the respondents performed ijab and qabul between the bridegroom and the wali or wakeel (nominated on behalf of wali). When a wali or wakeel tells the bridegroom, it is called the ijab, and when the bridegroom accepts, it is termed as qabul. The nikah ceremony is conducted by an Alim or someone like him who is knowledgeable in the Islamic religion. In addition to this, two witnesses will sign on the marriage contract. This process has been featured in 92.70% wedding occasion of the study area.

Ijab, qabul, witness signing, and registration of nikah took place among 100% of the respondents in the areas of Kekirawa and Pahalagama. This process is followed by a qutbah sermon for about 20 minutes. It was found that 95% of the qutbah in marriages was conducted by an alim in the study area. After the qutbah, everyone departed the occasion.

## V. RESULTS AND DISCUSSION

The data collected through the questionnaires in Kekirawa and Pahalagama areas were analyzed. Then, the results were discussed in sub-topics concerning mahar practices in the study area and their importance.

### 5.1 The importance of the mahar

Mahar is an inevitable aspect of Muslim marriages and is seen as a vital condition in Islamic shariah. Therefore, the objective of how important the mahar is in the study area was achieved. In this regard, the following topics are discussed.

#### 5.1.1 Perception of mahar

In the past years, there were occurrences of giving mahar in Muslim marriages in the study area. Therefore, the respondents were asked, "What do you think of mahar?" and three scales were given: 1) important, 2) somewhat important, 3) not important.

Muslims living in these areas are aware of Islamic marriage practices. As a result, they consider the mahar to be an essential marital aspect. About 83 respondents (63.84%) mentioned that mahar was important, even for someone who lives without complete knowledge of mahar in this area. Another 31 respondents (23.84%) expressed that the mahar was somewhat important in a marriage, while 16 respondents (12.30%) expressed that the mahar was not important. Lack of Islamic knowledge and common sense, conservative mindset, and foreign cultural influences could have impacted their thoughts that mahar is not essential. However, according to most of the respondents, they conclude that the mahar was of considerable importance to the Muslims in their marriages in the study areas.

#### 5.1.2 Value of the given mahar

From the information obtained from questionnaires, the respondents reported the amount of mahar. The lowest amount of Rs. 101-1000 was paid by 4 bridegrooms, which was attributed to the prevalence of conservative mindset, poverty, and unawareness among the notable Muslims living in these areas. The majority of Muslims living in the study areas are farmers and laborers. Hence, some people are paying a small amount of mahar. About 8 bridegrooms (6.15%) gave an amount of Rs.1001-5000 for mahar, which most of the Muslims living here considered the amount to be relevant and appropriate. Meanwhile, 74 bridegrooms (56.92%) reported paying whatever amount of mahar to the bride.

Furthermore, it is a common practice among the Muslims living in these areas to give mahar in the form of cash. Most of the Muslims in these areas belong to middle-class families, and their marriages depended on their income level. About 22 respondents (16.92 %) gave mahar between a sum of Rs. 10,001-50,000. Some other Muslims (7.69%) living in Kekirai and Pahalagama areas, who have better social status and sufficient knowledge on mahar, paid a huge amount of mahar between Rs.50,000-100,000 to maintain their influence on the society. Moreover,

22 respondents (9.23%) paid mahar of more than Rs. 100,000. On average, it can be concluded that the amount used to give mahar in the study area was between Rs. 5001-10,000.

**5.1.3 Rights of the mahar**

There were perceptions of either mahar is women’s or men’s rights. According to the Islamic point of view, claiming mahar is referred to as ‘women’s right with whatever amount or value. However, most of the respondents (60%) claimed in the study areas that those were the men’s rights and were subjected to their desires. Patriarchy, lack of knowledge of marriage laws, and denial of freedom of expression in the study areas might be the reasons behind this perception of the respondents. About 52 respondents (40%) mentioned that mahar is a women’s right to demand it from the bridegrooms. Therefore, it is interesting to observe that most people in the areas shared the thought that the mahar is males’ rights.

**5.1.4 Forms of mahar given**

In the study areas, mahar was given in three ways: 1) from the gift of the bride’s house, 2) from the dowry given by the bridegroom, 3) from the own property of the bridegroom. Parents typically offered the gifts to their children with many items during their marriages, so some of the bridegrooms (7.81%) paid mahar from this. There is also the custom of giving mahar from the dowry, which is offered by the brides’ parents; this was practiced by 1.23%. However, it can be observed that mahar was given mostly by the grooms’ properties in the study areas.

**5.1.5 The mahar keeper**

Mahar was exchanged between married couples in the study areas after their marriages. Most of the mahar was kept by the wives, as reported in 113 marriages (86.92%). Meanwhile, about 17 marriages (13.07%) had the mahar saved by the husbands. In addition, the husband and wife are like two pillars of a building. In this way, the wife hands over the mahar to her husband as per her wishes; there were 100% of the participants who had this habit.

**5.1.6 The mahar practices in a family**

Table 1 summarizes the findings on how each family practices the mahar in a marriage.

**Table 1. The Mahar Practices in a Family**

Description	Percentage
Men are not concerned about the amount of mahar	11.53%
Women do not claim mahar	30.76%
Mahar is supplied by men	15.38%
Inability of women to get mahar	42.30%

Source: Questionnaire Survey

It was observed in 15 marriages (11.53%) that some men did not consider the importance of mahar for reasons such as unawareness, conservative mind, and alien cultural impacts on Islamic law. Besides, it is noteworthy that the unawareness of men is growing on the subject of mahar. Thus, at the weddings which take place in Kekirawa town and Pahalagama areas, there were 40 women (30.76%) who did not claim the mahar even the mahar is known to be a woman’s right. This finding also happened due to the poor social status of the men. Moreover, 15.38% of the women were deprived of the right to demand the mahar due to patriarchy, lack of women’s freedom of expression, and lack of unawareness, even though the mahar in a marriage is considered one of the most crucial marital aspects among the Muslims of this region. Nevertheless, most of the marriages (42.30%) offered the mahar, while nobody responded to a question of how much was the mahar requested by women. The community are lack of knowledge of mahar, so the women in the study area did not demand the amount of mahar. It is also because they follow the tradition which was handed down from their pioneers, so they did not claim the amount of mahar.

**5.1.7 Mahar, dowry, donation at the wedding**

Some events such as dowry, giving mahar, and gifts took place at wedding ceremonies in the study areas. These findings are tabulated in Table 2.

**Table 2. Mahar, Dowry, Gifts at the Wedding**

Events	Respondents Number	Percentage
Mahar	78	60.00%
Dowry	20	15.38%
Gifts from bride’s house	32	24.61%

Source: Questionnaire Survey

Nikah takes place after the groom pays the mahar as much as he can. It was reported that receiving dowry at weddings in these villages was seen as a disgrace. However, a few of them (14.61%) had no exception. The brides’ parents were offered the dowry in the form of gold, house, and lands. It is clear that immorality, ambiguity about mahar, and greedy of property have made some people dowry-takers. In addition, it is also customary for some

parents (40.76%) to make donations to the groom so that their children can live in dignity and happiness in the grooms' residences.

**5.1.8 Characteristics of mahar, kaikuli (dowry) and donations**

In the study area, the characteristics of mahar, dowry, and donation were in the many forms of valuable goods such as gold, house, land, vehicle, and money, as shown in Table 3.

**Table 3. Characteristics of Mahar, Kaikuli and Donations**

Types of Mahar	Mahar	Percentage	Dowry	Percentage	Donation	Percentage
Cash	49	37.69%	8	6.15%	-	-
Jewellery	29	22.30%	5	3.84%	19	14.61%
Vehicle	-	-	4	3.07%	-	-
Land	-	-	3	2.30%	13	10%
Total	78	60%	20	15.38%	32	24.61%

Source: Questionnaire Survey

Here, the mahar was often given in the form of cash (37.69%), which means that the bridegrooms gave the bride the full promised amount in the name of mahar. Sometimes, jewelry was traditionally given at a wedding, but it was not entertained as mahar. Also, it is learned that some people (22.03%) were in the habit of giving gold ornaments as mahar. Even though the dowry is prohibited in Islam (Mubarak,2005), Muslim parents offer it to get their daughters to be married. Further, it is permissible in the Islamic perspective to give some gifts to children either male or female by their parents when they are getting married (Mohamed Shakir, 2010). Here cash (6.15%), gold (3.84 %), vehicle (3.07%), and land (2.30%) are being offered in many ways as dowry.

**5.1.9 Mahar amount ending in one rupee**

In most of the marriages in the study areas, the mahar ended up in a rupee. They remained in the following amounts, as shown in Table 4.

**Table 4. Mahar Amount Ending in One Rupee**

Amount of Mahar	End with 1 rupee	Not end with 1 rupee
101-1000	3.07%	-
1001-5000	6.15%	-
5001-10000	56.92%	-
10001-50001	16.92%	-
50001-100000	-	7.69%
100001 and above	-	9.23%
Total	83.06%	16.92%

Source: Questionnaire Survey

There were 83.06% marriages, which ended mahar with an amount of one rupee. For example, Rs. 101, 1001, 5001, and 10,001. Out of these amounts, the lower mahar ended up mostly in one rupee. Nonetheless, this was not often observed when the jewelry was offered as mahar.. Therefore, it is common among marriages in the study areas that the mahar ended in 1 rupee. This is a practice that has been followed by Muslims for a very long time and there is a tendency among Muslims to believe that this is the way the mahar should be. However, such a rule is not found in Islamic teachings (Moudoodi, 1983).

**5.1.10 Mahar Procedures**

Table 5 shows the results obtained when mahar-related practices were analyzed in the study area.

**Table 5. Mahar Practices**

Mahar Practices	Respondents	Percentage
Mahar demanded by the bride	-	-
Mahar not demanded by the bride	130	100%
Mahar demanded by the third party	05	3.84%
Mahar not demanded by the third party	125	96.15%

Source: Questionnaire Survey

There were few numbers of bridegrooms who tried to find the wishes of their brides concerning the amount of mahar with only women (3.84 %) responded that they were asked about the amount of mahar. In comparison, the rest of 125 women (96.15%) who responded that they were not asked about the amount of mahar. Hence, the majority of the brides in the study areas were in a position that the prospective bridegrooms did not ask for the amount of mahar that they wanted, nor claimed with the bridegrooms about the amount they wanted.

**5.1.11 Occasions to be granted mahar**

Mahar is offered on the following occasions in the study area, as tabulated in Table 6.

**Table 6. Occasions to Be Granted Mahar**

Occasions	Percentage
During the Marriage	72.30%
During the Party Event of Groom	16.92%
After the Marriage	10.76%

Source: Questionnaire Survey

At the event organized for nikah and its registration, the bridegroom handed over the mahar to the bride’s parents or wali. This amount was also written in the marriage registry. There were 94 marriages (72.30%) that had this practice with fewer marriages took place in registering a huge amount, compared to more marriages offering a less amount. Walima is a party event of the bridegroom, and during this occasion, the mahar was sometimes given to the bride. About 22 respondents (16.92%) gave mahar in this manner. In the study areas, there was also the practice of giving mahar after marriage by those who were unable to pay mahar before marriage. About 14 weddings (10.76%) took place like this. Nevertheless, most people in the study areas handed over the mahar to wali during the nikah session.

**5.1.12 Who benefited from the mahar**

According to the results, as shown in Table 7, mahar was always spent for the wife, husband, and family.

**Table 7. Who benefited from the mahar**

Mahar Spent By	Number of Respondents	Percentage
For the Bride	108	83.07%
For the Groom	3	2.30%
For the Family	19	14.61%

Source: Questionnaire Survey

Islam acknowledges the wife’s right to spend the mahar as she wishes. So she can use this to meet her needs and it is not a misdeed to present a portion of it to her husband (Rasmin, 2015). In the study areas, the wives spend this mahar to meet her needs. It is spent on the preservation of gold ornaments, the purchase of clothing or household appliances, and banking. There were 108 marriages (83.07%) that spent mahar on wives. On the other hand, some wives (14.61%) spent their mahar on family needs, such as time buying household items and providing for children. However, there were also some people (2.30%) who gave mahar to husbands, but this was very rare (2.30%). The husbands used the mahar for their needs, such as the husband’s profession or husband’s parents. Generally, it is vital for all husbands and wives to play a role in the family.

**VI. CONCLUSION**

In short, the mahar in Muslim marriages in the study areas is seen as a gift of marriage, although it involves the donation of parents and dowry. It is often offered as cash or jewelry. Moreover, it is not uncommon for men to consult with women about the amount of mahar, or the women did not claim the mahar from him. Islam recommends that once the mahar is given to the woman, the woman should spend it to fulfill her needs. However, there are also occasions when women will have to pay it to her husband for some unavoidable circumstances. Further, there is a view in Islam that the mahar is a woman’s right, but in the study area, the mahar was considered a man’s right. It is noteworthy that men living in the study areas paid mahar from their properties at the time of their marriages.

It is the stance of Islam that the object of mahar should be useful. There is no definition in Islam of what is meant by useful, but valuables such as money and gold given in the study areas were mostly accepted as mahar. In addition, mahar practices were found in the Qur’an, but some of the practices found in the Pahalagama and Kekirawa were contrary to the Islamic teachings. However, it is noteworthy that Muslims are also keen to follow those methods anticipated by the Islamic rules.

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