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DOUBT

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DOWRY

ŞADĀQ, AJR

Definition and Usage

The dowry is an obligatory gift given by the groom to the bride upon contracting a marriage. The Qurʾān explicitly refers to the dowry once by the term *şaduqāt* (sing. *şadāq/şidāq*, *şudqa*, or *şaduqa*, lit. “dowry”) (Q 4:4) (cf. Ibn Fāris, *Maqāyīs*, sub *ş-d-q*) and five times by the term *ujūr* (sing. *ajr*, lit. “compensation”) (Q 4:24, 25; 5:5; 33:50; 60:10) (Qurṭubī, *Tafsīr*, sub Q 4:4). In every case the dowry is ascribed to wives through the use of the feminine possessive pronoun *humna/hinna*. Implicit Qurʾānic mentions include Q 2:236-237 (*appointed to them a portion (farīda)*) and Q 4:20 (*and you had given one of them a treasure of wealth (qintār)*). The term *mahr* (pl. *muhūr*, lit. “dowry,” cognate verb *mahara/amhara*) (Ibn Manẓūr, *Lisān*; Jawharī, *Şihāh*, sub *m-h-r*) is also employed for the dowry in exegetical and hadith literature, though less often. Three main nouns are generated from the lexical root *m-h-r*: *mahr* for dowry, *mahāra* for proficiency, and *muhṛ/muhra* for a foal or filly (Jawharī, *Şihāh*, sub *m-h-r*).

Lexically and in Qurʾānic terminology, *ajr* refers generally to recompense or reward (see REWARD AND PUNISHMENT), while *şadāq* is used more specifically for the dowry. Fakhr al-Dīn al-Rāzī (543-606/1148-1209) observes that the Qurʾān “calling dowry (*mahr*) *ajr* indicates that it is not [rigidly] determinate [in amount] (*lā yutaqaddar*), as is the case with minimum compensation (*ajr*) in hiring and leasing contracts (*ijārāt*)” (*Tafsīr*, sub Q 5:5). *Şadāq* is derived from the root *ş-d-q*, which indicates fortitude (Ibn Fāris, *Maqāyīs*) and yields the nouns *şadq* (solid steel, *şadīd al-şulb*) and *şidq* (honesty, rectitude) (Jawharī, *Şihāh*). Muḥibb al-Dīn al-Sayyid Murtaḍā al-Zabīdī (1145-1205/1732-1790) (*Tāj*) writes that the noun for dowry from *ş-d-q* can be vocalized seven ways (*şaduqa*, *şudqa*, *şadqa*, *şuduqa*, *şadaqa*, *şidqa*, *şadāq*); the plural of *şaduqa*

is *şaduqāt* and the plural of *şudqa* is *şudqāt*. *Şadāq* could derive from either noun, connoting respectively that the dowry is the most binding form of compensation (*iwad*) in Islamic law, or that it expresses honest intent in marriage (al-Bājūrī, *Ḥāşhiya* 2:121).

As an Obligation

The obligation of dowry is explicit in the Qurʾān: *And give women their dowries as a mandatory gift (niḥla)* (Q 4:4); *And give them their dowries as an obligation* (Q 4:24); *And give them their dowries reasonably* (Q 4:25); *If you have given them their due dowries as a means to chastity and not fornication* (Q 5:5); and *And there will be no blame upon you if you should marry them, if you are to give them their due dowries* (Q 60:10). Numerous hadiths also underscore that the dowry is obligatory: for example, Sahl b. Saʿd reported that the Prophet, upon him blessings and peace, said to a man intending to get married, “give her (*aʿṭihā*) something, even if it be but a ring made of iron” (Bukhārī, Faḍāʾil al-Qurʾān, *khayrukum man taʿallama l-Qurʾān*; in another narration: “seek to give her (*iltamis*) something,” as in Bukhārī, Nikāḥ, ‘arḍ al-marʾa nafsahā ‘alā al-raḥul al-şāliḥ; Muslim, Nikāḥ, al-şadāq; Nasāʾī, *Sunan*, Nikāḥ, *hibat al-marʾa nafsahā bi-ghayr şadāq*; Ibn Mājah, *Sunan*, Nikāḥ).

So great a majority of exegetes agree that these verses involve an obligation upon grooms to give brides their prescribed dowries that Abū ‘Abd Allāh al-Qurṭubī (600-671/1204-1273) reported a universal scholarly consensus on the matter (Ṭabarī, Qurṭubī, and Ibn Kathīr, *Tafsīrs* and Shawkānī, *Fath al-qadīr*, sub Q 4:4; Zamakhsharī, *Kashshāf*, sub Q 4:24; Rāzī and Bayḍāwī, *Tafsīrs*, sub Q 5:5). However, exegetes differ as to whether the command itself is addressed to the groom or to the bride’s guardians (*awliyāʾ*). Al-Qurṭubī states regarding Q 4:4, “The address (*khitāb*) in this verse is directed to husbands, according to Ibn ‘Abbās, Qatāda, Ibn Zayd, and Ibn Jurayj: Allah Most High has commanded them to offer dowries as a mandatory gift (*niḥla*) to their wives. Others say that the address is directed to the guardians of these women, according to Abū Şāliḥ, for the guardian might unjustly take a woman’s dowry and prevent her from receiving any of it, and so [the verse] forbids them to do such thing and commands them to give women their dowries” (*Tafsīr*; also see Ṭabarī and Ibn Kathīr, *Tafsīrs*). Ibn Masʿūd al-Farrāʾ al-Baghawī (d. 516/1122) also felt that the address was directed to the like of such expropriating guardians, and quotes, on the account of al-Kalbī and Mujāhid, that