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Determination Of The Amount Of Dowry At Lampung Traditional Marriage In A Review Of Fiqh Munakahat

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Abstract: This article examines the determination of relatively high dowries (mahar/maskawin) in Lampung Melinting traditional marriages in East Lampung and their conformity with Islamic law and Indonesian marriage law. Using an empirical juridical approach, data were collected through interviews with traditional leaders, religious leaders, community figures, and married couples, supported by statutory and conceptual materials. The findings show that the amount and form of dowry are not fixed, but are negotiated through family deliberation, taking into account the groom's economic capacity and the expectations of the bride's family within local custom. A high dowry is perceived as a symbol of pride, social status, and the groom's seriousness in building a household, but it may also trigger social pressure, land sales, and economic burden. From the perspective of Islamic jurisprudence, there is no minimum or maximum standard of dowry as long as it is lawful, valuable, and agreed upon willingly. The study concludes that the Lampung Melinting practice of determining dowry reflects a dynamic interplay between religious norms, state law, and living custom, which needs continuous contextualization in modern society and justice.

Keywords: dowry, Lampung Melinting custom, Islamic family law, empirical juridical research, marriage tradition

Abstrak: *Artikel ini mengkaji penentuan besaran mahar yang relatif tinggi dalam perkawinan adat Lampung Melinting di Kabupaten Lampung Timur serta relevansinya dengan hukum Islam dan hukum perkawinan di Indonesia. Penelitian ini menggunakan pendekatan yuridis empiris dengan memadukan studi lapangan dan kajian normatif melalui analisis peraturan perundang-undangan, kitab fikih, dan literatur terkait. Data primer diperoleh dari wawancara dengan pemangku adat, tokoh agama, tokoh masyarakat, dan pasangan yang melangsungkan perkawinan adat, sedangkan data sekunder dihimpun dari putusan pengadilan, kompilasi hukum Islam, dan rujukan akademik mutakhir. Hasil penelitian menunjukkan bahwa penetapan mahar tidak didasarkan pada standar nominal syar'i, tetapi melalui musyawarah keluarga yang mempertimbangkan kemampuan ekonomi calon suami, kehormatan keluarga, serta tekanan sosial dalam komunitas. Mahar yang tinggi dipersepsikan sebagai simbol gengsi dan kesungguhan, namun berpotensi menimbulkan beban ekonomi dan ketimpangan perlakuan antar kelas sosial. Ditinjau dari fikih, syariat tidak menetapkan batas minimal maupun maksimal mahar selama bernilai, halal, dan diberikan secara rela. Studi ini*

menegaskan pentingnya rekontekstualisasi tradisi mahar agar sejalan dengan prinsip kemudahan, keadilan, dan kemaslahatan dalam masyarakat modern.
Kata kunci: mahar, adat Lampung Melinting, hukum keluarga Islam, yuridis empiris, tradisi perkawinan
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Introduction

Marriage is one of the most important things in human life, because man cannot live without other people and man to satisfy his external needs needs needs a partner and needs offspring as the determinant of his life.(Supratama, 2024) In Islamic Law, marriage is a human bond with Allah SWT to obey and carry out the commands of Allah SWT in the form of marriage worship. And in Law No. 1 of 1974 and Marriage Law No. 16 of 2019, it is explained that marriage is an innate bond between a man and a woman with the aim of forming a happy and eternal family (household) based on the One Godhead.(Assagaf, 2023)

Regarding the marriage dowry, in each region there are indeed different ways of managing it according to their respective customs and habits, both in accordance with Sharia at Islam or not. The customs that apply in a region must be followed in the implementation of marriage, and if it is contrary to customs, it will usually have bad consequences because indigenous people always hold fast to an existing belief.(Zainuri, 2024)

In Islam, to carry out a marriage it must meet the pillars and conditions. One of them is the obligation of the husband-to-be to give dowry to the wife-to-be. The provisions on dowry (maskawin) are commanded in the Qur'an: (N. N. Baihaqi, 2023)

وَءَاتُواْ ٱلنِّسَآءَ صَدُقَٰتِهِنَّ نِحۡلَةٗۚ فَإِن طِبۡنَ لَكُمۡ عَن شَيۡءٖ مِّنۡهُ نَفۡسٗا فَكُلُوهُ هَنِيٓـٔٗا مَّرِيٓـٔٗا

Meaning: "Give a maskawin (dowry) to the woman (whom you marry) as a gift willingly. Then if they give you a portion of the mascot gladly, then eat (take) the gift (as food) which is delicious for the result." (Q.S An Nisa [4]: 4).

The above verse explains that the provision of dowry is a mandatory gift from the husband to his wife to have as a condition to make their relationship halal, and also a form of love and loyalty to the wife. In addition, this verse shows that Islam pays great attention to and respects the position of a woman by giving her rights, including the right to receive dowry (maskawin).(Puspitadewi, 2022)

Many terminologies explain the issue of dowry, but Islamic jurisprudence and Indonesian marriage law do not specify the amount or level of dowry. KHI article 31 states, "The determination of dowry is based on simplicity and

convenience recommended by Islamic teachings". In the absence of such provisions, the custom ('*Urf*), as one of the national legal materials and as a legal postulate in the methodology of Islamic law can be used as a reference in regulating the issue of dowry.(Supratama, 2024)

The majority of scholars think that, in Islam, there is no detailed minimum limit for the amount of dowry a man gives to the woman he is going to marry; the dowry can be of anything of value.(Rahma, 2023) However, according to Imam Hanafi, the minimum amount of dowry is ten dirhams or according to local customs. The Islamic religion does not determine the amount and form of the binding dowry, but it is handed over to the male and female parties in accordance with the agreement on the condition that it can be owned and has value, and the dowry includes a useful meaning, and, according to propriety, as well as halal according to Islamic law.(Hadiyanto, 2024) Besides, it gives the dowry according to his ability.(Rinwanto, Aditama, Supriyadi, & Nurcholis, 2024) This kind of thing has happened during the time of the Prophet PBUH, namely, the giving of dowry can be in the form of an iron ring, a pair of sandals, saying two sentences of shahada and teaching the Quran.(Adistyan, 2024)

In relation to the issues mentioned above, dowry is a very important and strategic thing in the marriage procession. This means that if the issue of dowry has been resolved and successfully determined, it can be ensured that all stages of marriage will run smoothly.(Wijaya, Yuhastina, & Nurhadi, 2022) On the other hand, if the dowry talks do not reach an agreement, the marriage process will certainly fail or be stalled. In short, the success or failure of the marriage process in the indigenous people of Lampung is determined at the stage of discussing dowry.(Fitri et al., 2023)

The people of Lampung, in marriage, even though they have used Islamic sharia as a condition and basic basis for marriage in their customs, there is a separate procedure in determining the level of dowry; they have their own benchmark, which is a sum of one hundred thousand rupiah for the lowest dowry. This is done to avoid low social values, because actually in Lampung Customs, usually before carrying out a marriage ceremony, there is an event to agree on the request from the prospective wife. Usually, the wife asks for a certain amount of money and gold, as well as dodol to be used as a dowry companion on the wedding day. However, if the husband cannot give what the wife requests, he reluctantly marries his child, and the custom that has been carried out is with a dowry of one hundred thousand rupiah.(Hadiyanto, 2024)

The topic of this research has been researched by previous researchers, but nevertheless, the legal issues raised have significant differences so that there is no

repetition of the research. The first research was written by Aris Nur Qadar, a student of UIN Sunan Kalijaga Yogyakarta, with the title The Practice of Dowry in Muna Traditional Marriage (Study in Muna Regency, Southeast Sulawesi). This thesis discusses the practice of dowry in Muna traditional marriage. This study has the conclusion that in the Muna Custom in applying, dowry is based on social stratification. (Syandri & Zulfikar, 2022)

The second research was written by Akhmad Maimun entitled "The Meaning of the Simplicity of Dowry in Q.S Annisa' Verses 4 and 20 (An Authoritative Hermeneutic Analysis Study on the Term Dowry S}aduq, Nihlah and Qint}ar) from the Postgraduate of the State Islamic University of Maulana Malik Ibrahim Malang.(Subari & Sukarddin, 2022)The results of this study explain that the meaning of the simplicity of dowry is very closely related to the level and type or form of dowry. Dowry is said to be simple if it causes voluntariness in the husband and wife.(Fitri et al., 2023) Various studies have been presented above, which discuss and examine dowry as described above. It can be confirmed that researchers have not found any specific research that examines the minimum dowry giving standards in Lampun Traditional marriages in East Lampung Regency. In this study, there are similarities and differences between previous research and the research conducted by the researchers. From some of the studies above, there is an update that the researcher will make, namely the focus of the research and the theory of the approach, and the difference in the research conducted by the researcher with the research above is the formulation of the problem.

Criticizing such a situation, academic anxiety arises by questioning, why in this era of globalization and digitization of modern science and information communication technology, the process of implementing marriage focuses more on worldly (materialistic) principles with the reliance on customs that must be done, even though the Prophet PBUH suggested that in determining dowry should be light and not burdensome to the spouse. One hundred thousand does look light, but in some communities, it is considered burdensome.(Assagaf, 2023)

This problem needs to be researched and raised into a scientific finding. As an argument, it is necessary to raise this problem, first, the gap in the practice of giving dowries of at least one hundred thousand rupiah, with the hadith of the Prophet PBUH, which advocates marriage easily, but some people give dowries in large amounts.(Rinwanto et al., 2024) Second, while respecting women seems low, while to make it easier for men to give dowries, for some it seems burdensome. Third, the tradition of giving a minimum limit of dowry in the amount of one hundred thousand rupiah in modern society seems low, while in the past, the value of one hundred thousand rupiah was not a small value.

Methods

The type of research in this article is empirical juridical research, which is research that processes original data in the field with a conceptual approach and a case approach, which combines numerical data analysis with contextual exploration to understand the phenomenon more comprehensively. (Ishaq, 2017) The types of data used in this study are primary data and secondary data. Primary data sources are the main data sources in research. Primary data (primary data) is data collected directly from the source to be observed and recorded in the form of the first time, which is the main material of research, obtained from the first source through data collection procedures and techniques, which can be in the form of interviews and observations. The primary data sources are: Lampung people who carry out marriages, religious leaders, and traditional leaders. (Yulinda, 2023)

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Result and Discussion

Results

Determination of the Amount of Dowry at East Lampung Traditional Wedding

In this discussion, the results of the interview will be presented regarding the Determination of the Relatively High Amount of Dowry in Lampung Traditional Marriage, the data of which was taken directly through interviews by 4 people, namely, among others, the Traditional Head, Religious Extension Officer, Community Leader, Religious Leader guided by the list of questions that had been prepared previously.

According to the results of interviews with resource persons, including the Head of Customs, Religious Counseling, Community Leaders, and Religious Leaders that the Lampung Traditional Wedding Dowry and the Munakahat Fiqh mentioned that there are slight differences, as this barikut. The first opinion was expressed by Mat Nur Temenggung Kalilatun. According to Mr Mat Nur Temenggung Kalilatun, the determination of dowry in Lampung traditional weddings actually depends on the results of deliberation between the bride-to-be and the groom-to-be. This also

looks at the ability of the groom, who will be given as a dowry as a result of the consensus conveyed

From the interview above, according to the author's analysis, both parties conducted consensus deliberations so that the traditional father conveyed with the traditional fathers, community leaders, religious leaders (in one room or this ceremony, the traditional chairman conveyed that the dowry of the fulan bin fulan 15 grams of pure gold or 1 plot of land, after being conveyed, so that this was heard by the bride, the traditional father replied that we were ready to accept, Secondly, we are ready to give a guardian to carry out the marriage contract, so that with all the data of a ceremony or room has participated in the event, and this rule only applies in the Mengling clan custom.

The second opinion was put forward by Muhammad, S.Pd. I Mangku Negaro. According to the opinion of Muhammad, S. Pd. I that the dowry has a positive effect if in the traditional marriage of Lampung the dowry given to the bride will show in front of the crowd, that the prospective groom is one of the pride of the bride in front of the crowd, it means that in this marriage she has provided basic capital for a decent life, In his opinion, that his negative influence.

According to the author's understanding from the results of the interview above, the negative influence of the dowry that does not meet the consensus in the big family deliberation between the groom and the groom, in this customary session it will be discussed that the man who gives a dowry that is not too high (which is simple) among the male party's family feels low according to the general view, it means that the man's family is not able to fulfill in general as it should be that this process is appropriate in this process in It is known by many people in the customary session, in this case the traditional father deliberates decided that this very small dowry will still be carried out in his marriage based on the ability of the prospective man, and it has never happened that a very low or very small dowry will not thwart a marriage (Remain Married).

The third opinion was put forward by Nurdin Rajo Lepung. Nurdin Rajo Lepung explained that the relatively high amount of dowry in each Lampung traditional marriage is based on the ability of the parents of the groom because this is one of the pride of the prospective husband and his wife that he is quite capable of giving this prospective wife because he is able to fulfill the request of the wife's wife, for example, the dowry gives 1 plot of land covering an area of 1 hectare, but on the other hand, if you are not able to give as much dowry as much as Therefore, the customary party will deliberate on how capable a husband-to-be is and even has a mascot limited to providing a set of prayer tools or 1 gram of pure with a note of family consent of both parties between the male and female parties or the

prospective besan and this is carried out an important wedding event that is legally Islamic legal and legally legally legal the government is customarily witnessed by religious leaders, youth figures so that the wedding event is really official.

And for the future influence in the eyes of the public will be this dowry, this dowry must be large in its unit, but actually in the traditional wedding of Lampung Melinting big and small, it actually returns the ability of the groom to the bride and there is no story that the marriage will be void because the dowry is small, the important thing is that the marriage is quite a requirement in accordance with Islamic rules, it can be carried out by the traditional father or the marriage registrar who Concerned.

The fourth opinion was put forward by Sarno. Sarno explained that the traditional dowry of Lampung is indeed quite relatively high, even in the dowry some give half a hectare of land to be handed over to the future wife, that this 1 hectare of land is for dowry paid in cash (cash) the purpose after getting married the land will be legal to own and managed to live with the husband or family indirectly that the family of the groom shows his seriousness to live to build a household, So that the opinion of the community layer that marriage is not limited to having fun, but this actually shows that being married is very important in finding a decent and harmonious life.

The Traditional Marriage Process of Lampung Marga Meinting

In general, when a girl and a bachelor are going to carry out a wedding, a girl is taken to the place of this traditional term boy called sukum (run) with the record that the girl leaves a will, the letter which conveys to her father and mother that she is going to the house of the A (bachelor) that she is telling her family that she begs for this departure to the house of the bachelor to ask for it in the pleasure of the woman and she wants to get married Please this is processed according to customs and Islamic law and government law legally, and the girl's current position is at the house of the prospective groom, and this is already known by the traditional father that the girl stated with the traditional father that she went to the house of the candidate to ask for marriage (marriage).

The next stage is the traditional father from the groom's side to the house of the bride's traditional father said that the bride's men (bride) are now at the groom's house, which essentially conveys that the prospective bride declares that she is in love with the man, she asks that she be married according to the custom and legal Islamic law, this is the purpose of the woman. So that the two traditional fathers between the bride and the man have been in contact for a consensus (Negotiations in Marriage) when and when the two children are to carry out the marriage contract,

and the results of the deliberation have been mutually agreed upon to determine the day and date of the marriage.

The result of the consensus between the traditional father of the groom and the bride is to determine the day of the wedding, the wedding ceremony at the place of the groom-to-be, the request for funds from the bride-to-be amounting to 7500 and this is for the cost of the bride-to-be to carry out the event at her home, and determining a dowry of 10 grams in cash. This is the result of deliberation and mutual agreement between the bride and groom, and the bride, for those who can give a piece of land of 1 hectare and the following household furniture is adequate

In general, the custom of the Lampung people to wrap the process of performing the marriage contract at the place of the groom-to-be, in the event the traditional father conveyed all layers of religious tradition, community leaders from the bride and groom were present and asked to witness the marriage contract event so that this event was officially held in the presence of the village head, the entire number of traditional fathers and the head of the KUA religious affairs office, The guardian is accompanied by their respective traditional fathers, so that in the marriage contract ceremony it is generally witnessed that the bride and groom have received the blessing of both parents, so that this marriage is really official or legal because it is witnessed by all layers of the big family of both parties

In the traditional event of the melinting event in the marriage ceremony in general, all of these traditional fathers at the groom's house carry out the traditional session (discussing the customary event), so that all these wedding reception events must be carried out sequentially. The representative from the male besan said that we have fulfilled all the requests from the bride (besan) so today's event we invite everyone to witness the customary event for the future the bride has agreed to what was conveyed from the groom's side because all of these events we have agreed and agreed to the event that is held today.

The series of traditional events is Becaro where the traditional father who is already in this room will carry out a series of traditional reception events which will carry out an official traditional reception, the groom and bride go hand in hand or walk together down to the bath which means that this shows that a dreamer in the head of the household has guided the wife to do or work and this invites the wife to take a bath in the bath. This river shows in public that the two of them are married (only symbolic) walking in a place after that they return in Saiful Hajat, and this groom and this bride are paraded by religious leaders and community leaders appointed by the traditional father and accompanied by the ibuk ibuk and the father and the bachelor girl who is at the reception place as for the distance of the liquor

and about five hundred meters, This shows that the Lampung Melinting custom today has officially been married both of them are legally married.

Discussion

Determination of the Amount of Dowry at East Lampung Traditional Wedding

Dowry was previously known in the era of jahiliyah, long before Islam came. Dowry is a gift from the prospective husband to the prospective wife, and the dowry is the right of the future wife if she is legally married, whether it is in the form of goods or in the form of money with a certain nominal. This has caused the people of Lampung, especially the groom-to-be, to give the best dowry for the bride-to-be.(Fitri et al., 2023)

The law of dowry is a mandatory law, which, according to the agreement of scholars, is one of the conditions for the validity of marriage. The handover of the dowry is carried out directly or in cash, and if the dowry has not been fulfilled, the handover will be a debt for the prospective groom.(Yuliana, Ramli, & Mansur, 2023)

> *According to the traditional head of the process of determining the amount of dowry, he argues that the determination of dowry in Lampung traditional weddings actually depends on the results of deliberation between the prospective bride and the prospective groom, this also sees the ability of the groom who will be given as the dowry as a result of the consensus conveyed with the traditional fathers of both parties so that the traditional father conveys it with the traditional fathers of community leaders,*
>
> *Religious Leaders (In one room or this ceremony, the traditional chairman conveyed that the dowry of Si Fulan bin Fulan 15 grams of pure gold, after being conveyed, so that this was heard by the bride, the traditional father replied that we were ready to accept, secondly we were ready to give a guardian to carry out the marriage contract, so that with the entire data of a ceremony or room had participated in the event, And this rule only applies in the Rolling Clan customs.*

From the example of the interview above, the researcher concludes from theory and argumentation, both from the paradigm and even certain rules regarding Lampung customs, that it is not burdensome for a man to marry, but according to the man's ability, and must be accompanied by consensus deliberation of both parties, without any intimidation from various sectors.(Jaya et al., 2024) Furthermore, interviews with religious leaders, the author captures a common thread regarding dowry, namely remaining in accordance with consensus deliberations but still left to the groom's ability to fulfil the request of the bride and be heard by the extended family for the agreement.(A. Baihaqi, 2021)

The influence in terms of Lampung customs, if the mascot is relatively high, will show in the community and is known by the traditional father is one of the pride

of the groom that he can give a relatively high maskwin, which means that indirectly he will make his wife happy that he is really able to give the best.(Hudayah, 2023)

In general, in the community, if this high mascot will indirectly influence the community so that those who are unable to give a high maskwin, this will be followed by the general public so that there is a sale of land assets to fulfill the dowry to maintain the pride of the family in the middle layer of community leaders and religious leaders to cover economic shortcomings or economic weaknesses.(Assagaf, 2023)

Independence, a man whose grandmother was once a slave, is not the same as a woman whose grandmother has never been a slave; therefore, a woman is free and if a woman is married to a slave man, the marriage is considered reprehensible, or vice versa.(Puspitadewi, 2022)

Wealth or what is called Property for people who do not have property or livelihood or one of them is considered not kufu as for what is meant by finance to pay a certain amount of dowry which is paid in cash from the dowry requested by a prospective wife, and while the other payment is according to the habit which is done in a gradual way later, Abu Hanifah argued that the mitsil mascot is included in the scope of kafa'ah.(Mohfalatehan, Akbar, & Malarangan, 2024)

Marriage dowry is one of the important concerns in the implementation of *Ijab Qobul.* It is not uncommon for couples who are going to carry out weddings to prepare unique dowries, which means the highest dowry to the lowest dowry, to please the bride's partner, to create beautiful and memorable moments.(Nafi'ah, 2022)

Dowry is usually in the form of goods that have value and have their own benefits, even though they do not have provisions regarding certain types of goods, but several requirements must be met so that the goods meet the criteria for the goods or dowry.(Nazareth, 2023). A valuable dowry is not considered invalid when it is not bound by the amount, while a valuable dowry is still valid even if it is only a small amount, as explained in the hadith narrated by Imam Abu Dawud Bin Jabir Bin Abdullah, the Prophet PBUH.(Ashari, 2024)

> "*Whoever gives wheat flour or dates in the palm of his hand for a woman's dowry, then it is lawful for him to associate with it*"

In general, actually dowry in the form of goods or even does not apply, so even a person can use services as a dowry, as in the Word of Allah (QS. Al-Qashash: 27)

قَالَ إِنِّي أُرِيدُ أَنْ أُنكِحَكَ إِحْدَى ابْنَتَيَّ هَاتَيْنِ عَلَىٰ أَن تَأْجُرَنِي ثَمَانِيَ حِجَجٍ ۖ فَإِنْ أَتْمَمْتَ عَشْرًا فَمِنْ عِندِكَ ۖ
وَمَا أُرِيدُ أَنْ أَشُقَّ عَلَيْكَ ۚ سَتَجِدُنِي إِن شَاءَ اللَّهُ مِنَ الصَّالِحِينَ ﴿٢٧﴾

> *" He said: "Surely I intend to marry you to one of these two sons of mine, on the ground that you have worked with me for eight years, and if you have worked enough ten years, then that is a good thing for you, then I do not want to punish you. And you willing, God willing, will find me among the good people".*

According to the researcher's understanding, dowry (maskawin) is not to appreciate or judge women, but as proof that the future husband actually loves his future wife, so that he willingly and willingly sacrifices his property to be handed over to his wife, as a sign of love as a prelude, that the husband will continue to provide for his wife, as an obligation of the husband to his wife.(Khrisnanda & Shanti, 2022) Therefore, the mascot is not determined by how many, but it is enough with a sign of love. A man who does not want to pay a dowry is proof that the man does not give even a little love to his wife.

According to Islamic researchers, it does not determine the size of the dowry that must be given to the prospective wife; this is due to differences between fellow humans. Some are rich, some are poor, some are spacious, some are limited in sustenance. In addition, the community has different customs and traditions. Therefore, the issue of dowry is handed over based on the ability of each person in accordance with the customs and traditions that apply in the community. So the common thread of religion is that it does not set a minimum number, and neither does the maximum number of mascots. This is due to the difference in the level of human ability to give it.(Yanti & Suroto, 2024)

Conclusion

The determination of dowry in Lampung Melinting traditional marriages is carried out through family deliberation, considering the groom's economic capacity, family honour, and prevailing social norms. The relatively high dowry is understood as a symbol of commitment and responsibility, although it may create social pressure for some families. From the perspective of Islamic jurisprudence, this practice remains acceptable as long as it is based on mutual consent, does not impose hardship, and aligns with the principle of capability.

This study contributes to enriching the discourse on the relationship between customary law and Islamic family law by providing empirical insights into a traditional dowry practice that has received limited scholarly attention. Practically, the findings offer guidance for customary and religious leaders to encourage dowry arrangements that prioritise welfare rather than social prestige. The main limitations of this study lie in its limited number of informants and the subjective nature of interview data, which restricts broader generalisation. Future research is recommended to involve a wider scope of respondents and comparative settings to obtain a more comprehensive understanding.

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