

## **Mahar Tahfidz Quran in the Perspective of Islamic Law and Positive Law**

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### **Abstract**

*Dowry is a mandatory gift from the prospective husband to the prospective wife which is the right of the prospective wife, so that the prospective husband can obtain and control all the members of his body (wife), then the law of giving dowry is mandatory and included in the requirements for a valid marriage. According to the terms in fiqh, dowry is an obligatory gift from the prospective husband to the prospective wife as proof of the sincerity of the prospective husband, to create a feeling of love for a wife to her husband. The dowry in the Jahiliyya era was not handed over to the woman, but her father or guardian or those who had rights over the ownership of the woman who received the dowry. The dowry was prescribed by Allah to elevate women's status and provide an explanation that this marriage contract is not a trivial matter, but has high position. In accordance with the characteristics of the approach used in this study, the analysis technique uses the Interactive Model from Miles and Huberman, which includes activities, including: researchers collect data from both primary data sources and secondary data sources, after that all the data that has been collected is continued. displayed or presented.*

**Keywords:** Mahar Tahfidz Quran, Islamic Law, Positive Law

### **Introduction**

Islamic legal doctrine always complies with the prevailing social mores and historical circumstances. This has become normal and is required because there is always a need for responses and legal remedies to every new legal scenario and issue. With marriage, behaviors that were once prohibited (adultery) are now viewed as acts of worship and are rewarded. Of course, this depends on being sincere, responsible, and abiding by any applicable laws. In RI Law Number 1 of 1974 concerning Marriage<sup>4</sup> Chapter I Article 1:

"Marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on Belief in One Almighty God."

### **Research Method**

The writer's research consisted of reading books about the topic covered. Data collected directly from the subject of the research on the topics under discussion

constitute primary data sources. The majority of the information came from library books on the Mahar of memorization of verses from the Al-Quran.

### **Research Finding**

The rule of paying dowry is mandatory and part of the prerequisites for a legal marriage. Dowry is a gift that the prospective husband must provide to the prospective wife, which is the latter's right. This is done so that the prospective husband can obtain and manage all the members of his body (wife). Dowry denotes dowry in etymology.

The dowry is a required present from the prospective husband to the prospective wife as evidence of the sincerity of the prospective husband and to foster a feeling of love for a wife toward her husband, in accordance with the principles of fiqh. In the past, when people were still in the dark, the woman did not receive the dowry; instead, her father, guardian, or other people with legal claim to the woman's property did.

Mahar is a custom set forth by Allah to improve women's status and explain why marriage is not a casual arrangement but rather holds a high position. Because men are better able to strive to make ends meet, Allah requires dowry from men rather than from women. The minimal amount or value that the prospective husband must offer the prospective wife is if there is disagreement on the dowry.

The most precious and practical dowry is the future husband's knowledge of Islam and his ability to memorize the Qur'an. 15 Dowry for memorizing passages from the Al-Qur'an is a novel type of dowry. Ghatsa Zahira and Maulana Yusuf, the third daughter of Ustadz Abdullah Gymnastiar, were wed on March 10, 2015.

The argument that clearly discusses the obligatory dowry is contained in the word of Allah in the letter An-Nisa verse 4:

Give a dowry (dowry) to the woman (whom you marry) as a gift willingly. Then if they give you part of the dowry with pleasure, then eat (take) the gift (as food) that is delicious and good results. An-Nisa (4:4).

### **Conclusion**

The payment of the dowry is one of the conditions for a valid marriage. The future husband is required by law to give the future wife dowry, which is a gift. This is carried out so that the prospective husband can seize control of his complete body (wife).

In accordance with fiqh guidelines, dowry is a gift that a prospective husband must offer to a prospective bride as a token of his sincerity and to foster a wife's love for her husband.

To elevate the position of women, Allah SWT commanded the mahar tradition, which explains why marriage is not simply any old arrangement but has a high rank. Mostly because men are more eager to try new things

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