

***Urf* Review of The Practice of Gold Marriage Mahar in The Community
of Tanjung Senang District Bandar Lampung**

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Abstract

This study aims to reveal and analyze the practice of marriage dowry in the form of gold in the people of Tanjung Senang District, Bandar Lampung in the perspective of *urf*. The method used in this research is a descriptive analytical field research. Primary data in the form of interviews with the community in Tanjung Senang District, Bandar Lampung, then supplemented with secondary data. The results of this study indicate that: the tradition of the people of Tanjung Senang District, Bandar Lampung, it appears that the dowry in a marriage must be in the form of gold, whereas in Islamic law the form of the dowry is not determined in marriage, everything that has value can be used as a dowry. For the people here, dowry other than gold is considered unusual, the tradition of dowry in the form of gold is inherent, this tradition is considered good, it does not conflict with Islamic law, and brings benefit to society in general. This tradition is a form of love and affection, sincerity, and responsibility for the prospective husband to his prospective wife. The nominal is related to the level of education, social status, ethnicity, and profession based on the agreement of the parties. The conclusions of this study are: in the perspective of Islamic law, by referring to the rules of *urf*, that is to see the traditions/customs that have been attached to the community, and to see the philosophy of the practice of giving dowry as a form of appreciation for the social status of a woman, with the practice of giving this dowry is to achieve a benefit between the two prospective brides and even between large families, then it is not against Islamic law.

Keywords: Gold dowry; *urf*; tradition; marriage

Abstrak

Penelitian ini bertujuan untuk mengungkap dan menganalisis praktik mahar perkawinan berupa emas pada masyarakat Kecamatan Tanjung Senang, Bandar Lampung dalam tinjauan 'urf. Metode yang digunakan dalam penelitian ini adalah penelitian lapangan (*field research*) yang bersifat deskriptif analitik. Data primer berupa hasil wawancara dengan masyarakat di Kecamatan Tanjung Senang, Bandar Lampung, lalu dilengkapi dengan data sekunder. Hasil penelitian ini menunjukkan bahwa: tradisi pada masyarakat Kecamatan Tanjung Senang, Bandar Lampung tampak bahwa mahar dalam pernikahan itu harus berupa emas, padahal dalam hukum Islam tidak ditentukan bentuk mahar dalam pernikahan, semua yang memiliki nilai dapat dijadikan mahar. Bagi masyarakat di sini, mahar selain emas dianggap tidak lazim, tradisi mahar berupa emas sudah melekat, tradisi ini dianggap baik, tidak bertentangan dengan hukum Islam, dan membawa kemaslahatan bagi masyarakat pada umumnya. Tradisi ini merupakan wujud rasa cinta dan kasih sayang, kesungguhan, dan bertanggung jawab calon suami kepada calon isterinya. Nominalnya terkait dengan tingkat pendidikan, status sosial, suku, dan profesi berdasarkan kesepakatan para pihak. Kesimpulan penelitian ini adalah: dalam perspektif hukum Islam, dengan merujuk pada kaidah *urf*, bahwa melihat tradisi/kebiasaan yang sudah melekat pada masyarakat tersebut, serta melihat filosofi praktik pemberian mahar ini sebagai bentuk penghargaan atas status sosial yang dimiliki seorang perempuan, dengan adanya praktik pemberian mahar ini untuk mencapai suatu kemaslahatan antara kedua calon mempelai bahkan antar keluarga besar, maka hal tersebut tidak bertentangan dengan hukum Islam.

Kata Kunci: mahar emas; 'urf; tradisi; perkawinan

Introduction

Dowry is one of the requirements that must be met when getting married. Jumhur Ulama agrees that the dowry is a condition for the validity of the marriage and it is not permissible to leave it on purpose.¹ Allah SWT. says:

وَأْتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا
(النساء: ٤)

"And give a dowry (dowry) to the woman (whom you marry) as a willing gift. Then if they hand over to you part of the dowry with pleasure, eat (take) the gift (as food) which is delicious and with good results." (Surat an-Nisā/ 4:4).

¹ Abū Al-Walid Muhammad bin Ahmad bin Muhammad bin Ahmad bin Rusyd Al-Qurtubi, *Bidayatul Mujtahid wa Nihayatul Muqtasid*, Juz 3 (Kairo: Dār Al-Hadīs, 2004), p. 45

Islamic teachings do not specify a minimum limit for the amount of dowry. Law No. 1 of 1974 concerning Marriage and Presidential Instruction No. 1 of 1991 concerning the Compilation of Islamic Law does not specify the minimum amount of dowry. However, the reality is in people's lives that cannot be separated from habits that continue to develop so that they become customs in the local community. As happened in Tanjung Senang District, Bandar Lampung City, most people think that regarding the determination of marriage dowries, the dowry given by the prospective groom to the prospective bride depends on the seeds and the weight of the woman's family. For example: The higher the education, the higher the dowry. A hafizah of the Qur'an, the woman in addition to asking for a dowry in the form of material, also asked for the memorization of the Qur'an.² The marriage of a widower, a dowry that is given as much as possible, only fulfills the conditions of marriage. The assumption is that if someone gives a dowry other than gold, then it is considered unusual to be called a dowry.

The literature review related to this research is as follows: Abdul Kadir wrote a study entitled "Application of the Minimum Dowry Limit in Invitation Laws: A Study of the Views of Legal Experts and Practitioners of the Jember Regency KUA" research shows that the average amount of dowry in Jember Regency is 100,000. There are differences in the application of the minimum dowry limit in the laws and regulations according to legal experts and KUA practitioners between those who agree and refuse.³ Ali Fauzi's research entitled "Standards for Giving a Minimum Dowry in Marriage in a Review of Islamic Law," the Ogan tribal community, Bumiratu Nuban District, Central Lampung has a tradition of giving a minimum dowry of one hundred thousand rupiahs. Judging from Islamic law, it is permissible, because it does not conflict with

² Ibnu Irawan, Jayusman, "Mahar Hafalan Al-Qur'an Perspektif Hukum Islam", Jurnal Palita Vol 4, No 2 (2019), <http://ejournal.iainpalopo.ac.id/index.php/palita/article/view/804>, diakses 14 Mei 2021, Sami Faidhullah, "Konsep Mahar Perkawinan Berupa Hafalan Surah Al-Qur'an (Perspektif Keadilan Gender)", Jurnal Al-Risalah Volume 14, Nomor 2, Juli – Desember 2018, p. 241-242, <https://jurnal.stairakha-amuntai.ac.id/index.php/alris/article/view/48>, diakses 14 Mei 2021, Ibnu Irawan, Jayusman, Agus Hermanto, "Studi Fatwa Al-Lajnah Al-Daimah Li Al-Buhus Al-Ilmiah Wa Al-Ifta': Kritik Atas Larangan Mahar Pernikahan Berupa Hafalan Al-Qur'an," Jurnal Kodifikasia Vol 13, No 2 (2019), <https://jurnal.iainponorogo.ac.id/index.php/kodifikasia/article/view/1834>, diakses 23 Juli 2021, Ibnu Irawan, Jayusman Jayusman, Agus Hermanto, "Historiografi Mahar Hafalan Alquran Dalam Pernikahan", Jurnal Studi Multidisipliner Vol 6, No 2 (2019), <http://194.31.53.129/index.php/multd/article/view/2083>, diakses 5 Maret 2021

³ Abdul Kadir, "Penerapan Batas Minimal Mahar Dalam Peraturan Perundang Undangan: Studi Pandangan Pakar Hukum dan Praktisi KUA Kabupaten Jember", (Malang: Universitas Islam Negeri Maulana Malik Ibrahim, 2013), <http://etheses.uin-malang.ac.id/7806/1/117780012.pdf> diakses 1 April 2020

Islamic law and makes it easier for prospective husbands.⁴ Khairullah's research entitled "Overview of the Four Schools About the Minimum Dowry Limit in Marriage." The findings of this study are that the scholars agree that there is no limit on the maximum amount of dowry, but they disagree about the minimum amount of dowry. Between the scholars who set limits and those who do not.⁵ Bambang Sugianto 's research entitled "Quality and Quantity of Dowry in Marriage (Case of Women Who Surrendered to the Prophet)." The findings of this study are that the minimum limit for the quantity of dowry is unlimited, as long as there is willingness, pleasure, and agreement between the two parties who make the contract.⁶ Halimah B's writing entitled "The Concept of Dowry (Dowry) in Contemporary Interpretation." The findings of this study are that contemporary scholars of interpretation agree that the dowry is the wife's property which should not be taken or controlled except with her consent and willingness.⁷ Starting from the above background, the authors are interested in researching: how is urf's review of the practice of marriage dowries in the form of gold in sub-district communities Tanjung Senang, Bandar Lampung?

Discussion

The Study of Urf

Etymologically, urf comes from the word 'arafa, ya'rifu means good, al-ma'rūf means "something that is known, something that is considered good and accepted by common sense." Meanwhile, the terminology put forward by Abdul Karim Zaidan as quoted by Satria Effendi, "Something that is not foreign to the community because it has become a habit and is integrated with their lives either in the form of actions or words."⁸

⁴Ali Fauzi, "Standar Pemberian Mahar Minimal Pada Perkawinan Dalam Tinjauan Hukum Islam", (Bandar Lampung: Pascasarjana Universitas Islam Negeri Raden Intan Lampung, 2020), <http://repository.radenintan.ac.id/id/eprint/11707>, diakses 10 Januari 2021

⁵ Khairullah, "Tinjauan Empat Mazhab Tentang Batas Minimal Mahar dalam Pernikahan", (Pekanbaru: Universitas Islam Negeri Sultan Syarif Kasim Riau, 2017), <http://repository.uin-suska.ac.id/id/eprint/27655>, diakses 1 April 2020

⁶ Bambang Sugianto, "Kualitas dan Kuantitas Mahar dtlam Perkawinan (Kasus Wanita yang Menyerahkan Diri kepada Nabi SAW)", Jurnal Asy-Syir'ah, Vol. 45 No. II, Juli-Desember 2011, (Sulawesi Tenggara: FKIP Universitas Haluoleo Kendari Sulawesi Tenggara, 2011), <http://www.asy-syirah.uin-suka.com/index.php/AS/article/viewFile/19/19>, diakses 1 April 2020

⁷ Halimah B., "Konsep Mahar (Mas kawin) Dalam Tafsir Kontemporer", Jurnal Al-Daulah, Vol. 6 No. 2 pada tahun 2017, (Makassar: Fakultas Syariah dan Hukum Universitas Islam Negeri Alauddin Makassar, 2017), http://journal.uin-alauddin.ac.id/index.php/al_daulah/article/view/4885, diakses 3 April 2020, Adi Sofyan, Mewajibkan Walimatul 'Urs, Batasan Mahar Dan Spekulasi Mahar Dijadikan Uang Dapur Dalam Pernikahan, Jurnal Sangaji Vol 3 No 2 (2019): Oktober, <http://ejournal.iaimbima.ac.id/index.php/sangaji/article/view/485>, diakses 15 November 2021

⁸ Satria Effendi, *Ushul Fikih*, (Jakarta: Kencana, 2008), p. 153

Meanwhile, according to al-Ghazali as quoted by Totok Jumantoro, urf is: "The permanent state of the human soul that is accepted and justified by reason and a peaceful character."⁹ Amir Syarifuddin clearly explained the differences and the relationship between the word urf and the word 'adat'. The difference lies in the origin of the use and the root of the word. The word 'adat' in terms of language comes from the word 'āda-ya'udū which means tiktār or repetition. Therefore, something that is only done once is not called 'adat. While 'urf, the meaning is not seen in terms of the number of times the act is done, but in terms that the act is already known and recognized by the wider community. Amir Syarifuddin further stated that there is no difference in principle because the two words have the same meaning, where an act that is done repeatedly is finally widely known in the community. On the other hand, because the act has been known and ingrained in society, people have done this act many times. Likewise, the difference in terms of meaning content, where 'adat focuses on repetition, not on the good or bad of the act. While the word urf is used by looking at the quality of an action that is recognized and accepted by many people, it contains a positive connotation.¹⁰ Meanwhile, Mustafa Salabi, as quoted by Amir Syarifuddin, saw the difference in terms of the scope of the party who did it. The word urf is used for many people or congregations, while the word 'adat can be used for individuals or only some people.¹¹

The fuqaha' who argue that urf can be used as legal evidence, base their opinion on the verse of the Qur'an Surah al-A'rāf/7 verse 199 which reads:

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ - ١٩٩

Then Be you forgiving, and tell people to do ma'ruf, and turn away from stupid people (Surah al-A'rāf/7: 199)

The Hadith of the Prophet from Ibn Mas'ud: "What do Muslims see as something good, then that with Allah is also good."¹²

Based on the verses and Hadith above, the majority of scholars use urf as a legal argument.

Next, the classification of urf is presented. In terms of its nature, urf is divided into 2, namely:

1. urf qaulī, namely urf in the form of words, for example, the word lahmun which means meat, both land animals and sea animals. But in everyday speech, the word only means land animal meat.¹³

⁹ Totok Jumantoro, *Kamus Ilmu Ushul Fikih*, (Jakarta: Amzah, 2009), p. 344

¹⁰ Amir Syarifuddin, *Ushul Fiqh*, (Jakarta: Logos, 1999), Jilid. Ke-2, p. 363-364

¹¹ *Ibid.*, h. 365

¹² Wahbah az-Zuhailī, *Ushul al-Fiqh al-Islami*, (Damaskus: Dār al-Fikr, t.th), p. 830

2. urf amalī or urf fi'lī, namely urf in the form of action. For example, the habit of buying and selling muātah.¹⁴

In terms of whether or not urf is a proposition, urf is divided into 2, namely:

1. urf is authentic; is urf a good and acceptable urf does not eliminate the benefit and does not bring harm to the community. Regarding the acceptance of authentic urf as a legal proposition, almost all scholars use it, although with different intensities.¹⁵ A more detailed description will be given in the next discussion.
2. urf fasid, in the form of ur is not good and is rejected because it is contrary to the shari'ah.

Judging from the scope of its application, urf is also divided into 2:

1. urf 'am, namely urf which is widely applicable in society and throughout the region. For example, in buying and selling cars, all the tools needed to repair a car such as spare tires, keys, pliers, jacks are included in the selling price, without the contract itself and additional costs.¹⁶
2. A typical urf is an urf whose application is limited, only to certain groups.¹⁷

When Islam entered the Arab region, certain norms or rules had been applied and implemented by the local community. This custom has been carried out for generations and is considered good for them. Islam that came later with a set of rules and norms was guided and implemented by Arabs who had embraced Islam. So that there was a clash, absorption, and assimilation between Islamic teachings and existing habits. For Arabs who have accepted Islamic teachings, customs, or urf that are in line with Islamic teachings they accept and continue to practice. While the opposite is left out.¹⁸

¹³ Muhammad Mustafa Syalabī, *Usūl al-Fiqh al-Islāmī*, (Beirut: Dār an-Nahdah al-Arabiyyah, t.th), p. 314. Ahmad Sanusi dan Sohari, *Ushul Fiqh*, (Jakarta: Raja Grafindo Persada, 2015), p. 82-83.

¹⁴ Amir Syarifuddin, *Ushul Fiqh*, p. 367.

¹⁵ Muhammad Ma'shum Zainy al-Hasyimiy, *Ilmu Ushul Fiqh*, (Jombang: Darul Hikmah, 2008), p. 337

¹⁶ Nasrun Haroen, *Ushul Fiqh*, (Jakarta: Logos, 1997), p. 140

¹⁷ Muhammad Mushtafa Syalabi, *Usūl Fiqh*, p. 315. Lihat juga Mahmud Huda dan Nova Evanti, "Uang Panaik dalam Perkawinan Adat Bugis Perspektif 'Urf (Studi Kasus di Kelurahan Batu Besar Kecamatan Nongsa Kota Batam)", *Jurnal Hukum Keluarga Islam*, Volume 3, Nomor 2, Oktober 2018, <http://journal.unipdu.ac.id:8080/index.php/jhki/article/view/1523>, diakses 6 November 2021

¹⁸ Nasrun Haroen, *Ushul Fiqh*, h. 142. Lihat juga Amir Syarifuddin, *Ushul Fiqh*, p. 368-369

In general, urf can be applied as long as it does not conflict with shari'ah norms. Therefore, benefits that are in line with sharia can be used as a reference in selecting 'urf. At least, urf can be grouped into 4:

1. urf or 'adat which is substantially old and its application contains benefits. That is, the act contains benefits and there is no element of harm, or the benefit is greater than the harm.¹⁹
2. urf or 'old custom which in principle contains masalah, but in practice, it is not considered good by Islam, such as the zihar.
3. urf or 'custom which in principle and its implementation contains mafsadah. Such as the habit of gambling and drinking khamr.
4. urf and 'customs that have been implemented for a long time, are accepted by the community because they do not contain any harm, and also do not conflict with syara'. However, the provisions are not found in the Qur'an and Sunnah. For urf, the rule of al-'ādah muhakkamah applies.²⁰

As explained earlier, urf is a habit that is carried out continuously by people in certain areas. Each region certainly has its uniqueness and specificity about customs, social conditions, climate, clothing, and so on. All these specificities influence the mujtahid in carrying out ijthad. Imam Abu Hanifah who lived in Iraq his ijthad style was also affected by the conditions and situations in which he lived which was characterized by the Ahl Ra'yi Madrasa. Likewise Imam Malik with the charity of ahl Madnah, and Imam ash-Shafi'i with his qaulu qodm and qaulu jadd.²¹ Hanafiyah scholars use istihsan in interpreting the law. One form of istihsan they use is istihsan bi al-'urf.

When the scholars accept urf as a legal proposition, they set several conditions, namely:

1. urf and 'customs contain benefits and can be accepted by common sense.
2. urf and 'customs are generally accepted and accepted by all or the majority of the people in the area.
3. URF that was used as the basis for the stipulation of the law existed at that time, not URF that appeared later.
4. urf and 'customs do not conflict with the syara' arguments.²²

With the acceptance of urf as one of the foundations for the formation of law, it provides wider opportunities for the dynamics of Islamic law. Changes urf received will certainly affect legal changes.²³ As the rule: "It cannot be denied, that the law changes due to changes in time and place." This rule clearly states that the law is dynamic or not anti-change. However, according to Shubhi

¹⁹ *Ibid.*, p. 369

²⁰ *Ibid.*, p. 370

²¹ Alaidin Koto, *Ilmu Fiqh dan Ushul Fiqh (Sebuah Pengantar)*, (Jakarta: Raja Grafindo Persada, 2006), p.143

²² Amir Syarifuddin, *Ushul Fiqh*, p. 376-377

²³ Satria Effendi, *Ushul Fikih*, p. 157

Mahmashani, as quoted by Jaih Mubarak, the law that has changed is the law of *ijtihadiah* which is built on *maslahah*, analogy, or custom.²⁴

Type of research is *afield*.²⁵ descriptive-analytic research. ²⁶ Primary data is the result of interviews with the community in Tanjung Senang District, Bandar Lampung and then supplemented with secondary data. The informants of this study were the married people of Tanjung Senang Subdistrict, Bandar Lampung City, namely: 51 (fifty-one) people from Tanjung Senang Subdistrict, Bandar Lampung City, 1 (one) community leader, and 1 (one) head of KUA Tanjung Subdistrict. Happy Bandar Lampung. Data collection techniques with interviews and documentation. Furthermore, processing and analysis are carried out, then inductive conclusions are drawn.

The Practice of Giving Dowry in Marriage in Tanjung Senang District, Bandar Lampung

The informants of this study were 51 (fifty-one) people. They have married from 1995 to 2021. The education of the informants is 8 (eight) masters, 35 (thirty-five) undergraduates, 2 (two) D3 people and 6 (six) senior high school students profession.

There are 8 (eight) people with S2 education. Data on the acquisition of their dowry can be presented in the following table:

Table 1. Data of Informants: Master's Degree Education, Employment, and Mahar

No.	Name	Profession	Pddkn	Year of	Mahar
1	Putri Silvia	Lecturer	S2	2021	20 grams of gold
2	Khairani	Teacher	S2	2005	5 grams of gold
3	M. Wisnu Khumaidi	Lecturer of	S2	1995	2 grams of gold
4	Dewi Oktavia	ASN	S2	2003	10 grams of gold
5	Dwi	Teacher	S2	2013	20 grams of gold
6	Ida Farida	ASN	S2	2006	5 grams of gold

²⁴ Jaih Mubarak, *Kaidah Fikih; Sejarah dan Kaidah Asasi*, (Jakarta: Raja Grafindo Persada, 2002), h. 156. Lihat Juga Nasrun Haroen, *Ushul Fiqh*, p. 143

²⁵ Mardalis, *Metode Penelitian Suatu Pendekatan Proposal*, Cetakan ke-10, Edisi 1, (Jakarta: PT Bumi Aksara, 2008), p. 28, Ahmadi Anwar, *Prinsip-Prinsip Metodologi Research*, (Yogyakarta: Sumbangsi, 1975), p.2

²⁶ Zainudin Ali, *Metode Penelitian Hukum*, Cetakan Ke 3, (Jakarta: Grafik Grafika, 2011), p. 106.

7	Indah	IRT	S2	2017	10 grams of gold
8	Siska	Lecturer	S2	2018	30 grams of gold

Informants who have an undergraduate education totaling 35 (thirty-five) people. There are variations in the dowry of their marriage, as follows:

1. 27 (twenty-seven) people their dowry is only gold,
2. 2 (two) people's dowry is Dinar (one dinar is equal to 4.25 grams of gold) and Dirham.²⁷
3. 3 (three) people get the dowry in the form of gold and a set of prayer tools
4. 2 (two) people get the dowry in the form of gold and memorize the Qur'an
5. 1 (one) person get the dowry in the form of gold and some money
6. Their data can be presented in the following table:

Table 2. Data of Informants: S1 education, employment, and dowry

No.	Name	Profession	Pddkn	Year of	Mahar
1.	Amalina	IRT	S1	2020	7 gram gold
2.	Adi	Entrepreneu	S1	2006	7 gram gold
3.	Rodliah	ASN	S1	2019	1 dinar 1 dirham
4.	Dina	IRT	S1	2018	10-gram gold
5.	Ihda	IRT	S1	2017	5-gram gold
6.	Liberti	ASN	S1	2012	3-gram gold
7.	Novira	IRT	S1	2006	4 grams of gold,
8.	Heppy	ASN	S1	2003	5 grams of
9.	Holy	IRT	S1	2021	10 grams of
10.	Ulfa	IRT	S1	2021	13 grams of gold
11.	Sinta	ASN	S1	2018	3 grams of gold
12.	Wendy	Employee	S1	2005	5 grams of gold
13.	Dewi	IRT	S1	2015	20, 9 grams of
14.	Idrus	Teacher	S1	2017	10 grams of gold
15.	Yuli	Private staff	S1	2018	5 grams of gold
16.	Asma Faoriyah	Guru ASN	S1	2003	3 grams of gold
17.	Deddy Garna	Entrepreneu	S 1	2004	1 dinar 6 dirhams

²⁷ Dinar: 4,25 gram emas 22 karat and Dirham: 3,11 gram perak.

18.	Zulpan Hadi	Entrepreneu	S1	2020	7 grams of gold
19.	Indri	Teacher ASN	S1	2010	10 grams of gold
20.	Sudarjat	Entrepreneu	S1	2009	5 grams of gold,
21.	Muchlas	Entrepreneu	S1	2000	10 grams of gold
22.	Rosy Oktobi	Teacher ASN	S1	2010	10 grams of gold
23	Izdiha Rolina Sofaa	Teacher ASN	S1	2017	17 grams of gold
24	Sari	Teacher	S1	2020	7 grams of gold
25	Rafika	IRT	S1	2016	10 grams of gold
26	Santi	IRT	S1	2016	5 grams of gold, a lat prayer
27	Kirana	ASN	S1	2017	5 grams of gold
28	Zainab	ASN	S1	2000	20 grams of gold
29	Aisyah	IRT	S1	2018	15 grams of gold Memorizing the
30	Nur	Teacher	S1	2018	10 grams of gold Memorizing the
31	Clara	IRT	S1	2015	25 grams of gold
32	Zia	Employees	S1	2018	5 grams of gold
33	Rena	Employees	S1	2017	15 grams of gold
34	May	IRT	S1	2016	10 grams of gold
35	Tesa	Entrepreneu	S1	2020	7 grams of gold

Furthermore, from 8 (eight) informants with D3 and high school education. data on their dowry acquisition can be presented in the following table:

Table 3. Data of Informants: D3 and high school education, occupation, and dowry

No.	Name	Profession	Pddkn	Year of	Nominal dowry
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1	Desmi	employee Private	D3	2009	3 grams of gold
2	Desi Apriyanto	employee Private	D3	2016	30 grams of gold
3	Irsyana	IRT	senior	2017	5 grams of gold
4	Nadia	IRT	senior	2015	10 grams gold
5	Ridwan Rudiyanto	employee Private	high	2007	7 grams of gold
6	Zoni Fauzie	entreprene	high	2006	5 grams of gold
7	Nesya Lunia	IRT	senior	2020	5 grams of gold
8	Mesi	IRT	senior	2013	5 grams of gold

The amount of nominal dowry is related to the education and occupation of the prospective wife. For example, Zainab stated, I am an ASN who has the last education S2. In 2000, a man proposed to her who later married in 2001. At that time my family asked the man for a dowry of 20 grams of gold. The family asked for this amount of dowry because they felt that he was highly educated and an ASN. Towards the male family, they do not object because they consider the amount of dowry to be a reasonable thing and they can provide it.²⁸ Kirana said the same thing that she married in 2017 with a dowry of 5 grams of gold. His family comes from the lower middle class as well as the family of the future husband. Regarding the dowry request, initially, he only asked for a dowry of a set of prayer utensils and 2 grams of gold because he felt sorry for his future husband, who in turn had to spend money for wedding preparations. However, because at that time my profession had become an ASN, my family increased the dowry to 5 grams of gold.²⁹ Likewise, Clara stated that she married in 2015 with a dowry of 25 grams of gold. He asked for the dowry because of my extended family background which is an ASN family. In addition to these reasons, he is also prestigious if the dowry is small because his family gets a large enough dowry. Although at that time he was still not working, he had a bachelor's degree.³⁰ On the other hand, Sari stated, I will be married in 2020 with a dowry of 7 grams of a gold ring. I asked for the dowry because I followed what my parents said. The reason I asked for the dowry was that I am not a civil servant, I am only an honorary teacher, and I

²⁸ Interview with Zainab di Kota Bandar Lampung, on Mei 20th, 2021.

²⁹ Interview with Kirana di Kota Bandar Lampung, on Mei 26th, 2021

³⁰ Interview with Clara di Kota Bandar Lampung, on Mei 20th, 2021.

also do not want to burden my future husband.³¹ Aisyah stated, I got married in 2018 with a dowry of 15 grams of gold and memorized the Koran. I asked for the dowry because of the consideration of my parents, because I am highly educated (S1) and also a hafidzah.³² Nur stated, I got married in 2018, with a dowry of 10 grams of gold and memorizing the Koran. I asked for the dowry at the request of my parents, they reasoned because I graduated from a boarding school and hafidzah.³³

There are also reasons for social status such as Indah stated, she married in 2017 in Bandar Lampung with a dowry of 10 grams of gold. Previously, my family asked for a dowry of 15 grams of gold because I came from a well-known and educated family, prestige to marry with a small dowry. However, with various considerations and seeing the ability of the prospective husband at that time whose job was not yet established, he and his family asked for a dowry by reducing it to 10 grams of gold.³⁴

There is also a custom or tradition as stated by Siska that she married in 2018 with a gold dowry of 30 grams. He asked for the dowry because I have a master's degree in education and come from the Lampung ethnic group. The prospective husband's family understands and works for it.³⁵

The reason a woman asks for a dowry in the form of gold, among others, is for capital to live a married life. Rafika stated he married in 2016 with a dowry of 10 grams of gold. The reason I asked for the dowry was for capital to live a household life in the future so that I would have saved if at any time there was a sudden need. The prospective husband's family objected a little, but after I explained the reasons for this, they accepted.³⁶ The same thing was expressed by Nadia who married in 2015 with a dowry of 10 grams of gold. He is not a highly educated person, only goes to high school. The reason for asking for a dowry in the form of gold is for investment which can later be used for the needs of household life.³⁷

The researcher also interviewed the head of the KUA Tanjung Senang District, Bandar Lampung, namely Mulyadi. He stated: "Regarding the provisions on the reasonableness of giving a marriage dowry that appears in the community, especially in the Tanjung Senang District, Bandar Lampung, in Islamic law there is no provision regarding the fairness of giving a marriage dowry. There is no minimum or maximum limit. It's just that, Allah SWT hints

³¹ Interview with Sari di Kota Bandar Lampung, on Mei 23th, 2021.

³² Interview with Aisyah di Kota Bandar Lampung, on Mei 2021.

³³ Interview with Nur di Kota Bandar Lampung, on Mei 24th, 2021.

³⁴ Interview with Indah di Kota Bandar Lampung, on Mei 20th, 2021.

³⁵ Interview with Siska di Kota Bandar Lampung, on Mei 21th, 2021.

³⁶ Interview with Rafika di Kota Bandar Lampung, on Mei 22th, 2021.

³⁷ Interview with Nadia di Kota Bandar Lampung, on Mei 20th, 2021.

to His servants to give a dowry, especially for men as an obligation who must give a dowry to the woman he wants to marry. The best of women are those who do not make it difficult for men to ask for the amount of dowry or in other words give a dowry based on the ability of the prospective husband.³⁸

Mr. Ari Wibowo stated: "The determination of the dowry that occurs in the community, especially in the Tanjung Senang District, Bandar Lampung City, is that the men not only give dowries to the women but also provide voluntary assistance to help with the costs of the wedding reception. The nominal dowry is related to the social status or family background of the prospective husband and wife. Some of them give relatively large dowries, some are not large.³⁹

Perspective Urf on the Practice of Giving Dowry to the Community of Tanjung Senang District, Bandar Lampung

Urf is a habit that is accepted by a group of people in a certain region and time. For example, the custom that applies to the people of Tanjung Senang is in giving marriage dowries in the form of gold. This applies in general to society. So if a marriage does not cost gold, it is considered unusual. Most of them think that if the dowry is not in the form of gold, then it is considered unusual because the dowry is a gift from a husband to the wife he marries as a form of appreciation to the woman. Therefore the gift must be something that is considered valuable, one of which is gold. Because the essence of the dowry is: a symbol of the nobility of women, an expression of the husband's love and affection for his wife, an expression of sincerity, and a symbol of the responsibility for living in marriage, which is the husband's responsibility.⁴⁰

At this time, many different habits are found in society, especially customs or urf around marriage. For example, the tradition of assisting to finance the wedding party procession or walimatul urs. This also applies to the people of Tanjung Senang, Bandar Lampung. The prospective husband and family will come to the house of his future wife before the wedding is held. Usually, they come to hand over assistance to finance the wedding procession.

In Islam, dowry is a gift from a man to a woman. Islam does not limit the form of dowry and how much or the amount. As long as the dowry given is something lawful, useful, and good, then any form of dowry will be accepted in

³⁸ Interview with Mulyadi; pegawai KUA Kecamatan Tanjung Senang Kota Bandar Lampung on Agustus 3th, 2021.

³⁹ Interview with Ari Wibowo; pegawai KUA Kecamatan Tanjung Senang Kota Bandar Lampung, on September 1th, 2021

⁴⁰ Yusuf Qaradhawi, Hadyul Islam Fatawi Mu'ashirah. Terj. As'ad Yasin, Fatwa-fatwa Kontemporer, Jilid. Ke-2, (Jakarta: Gema Insani Press, 1995), p. 479

Islam⁴¹. In Indonesia, the giving of wedding dowries in one area with another is not the same. In line with the previous description, a habit can be accepted as long as it fulfills four conditions, namely, it does not conflict with the rules of *syara'*, is acceptable to reason, the habit has been accepted and practiced continuously, and the habit has existed for a long time. For this reason, the determination of the dowry in various forms, such as gold, money, livestock, property, or prayer equipment can be accepted as authentic *urf*.

Based on the results of interviews with informants, the practice of giving the dowry applied in Tanjung Senang District, Bandar Lampung City, the amount of nominal of the dowry is related to the education⁴² and work of the prospective wife. For example:

1. Zainab, an ASN who has the last education of Masters, asks for a dowry of 20 grams of gold.
2. Kirana, an ASN married with a dowry of 5 grams of gold. Her family and the future husband's family come from the lower middle class.
3. Clara married with a dowry of 25 grams of gold. Although at that time he was still not working, he graduated from S1 and his family background was ASN.
4. Sari, an honorary teacher, married with a 7-gram gold ring as a dowry.
5. Aisyah has a bachelor's degree and a Hafizah is married for a dowry of 15 grams of gold and memorizing the Koran.
6. Nur has a bachelor's degree and a Hafizah who graduated from a boarding school is married for a dowry of 10 grams of gold and memorizing the Qur'an.

There are reasons for social status such as Indah being married with a dowry of 10 grams of gold. He comes from a well-known and educated family. This dowry is lower than his family's request because of consideration and seeing the ability of the prospective husband who is not yet established. There is also a custom or tradition, as stated by Siska, who has a master's degree and is from the Lampung tribe, married with a gold dowry of 30 grams.

This study involved 51 (fifty-one) informants. There are 8 (eight) informants with master's degree education. The biggest wedding dowry is 30 grams of gold and the smallest is 2 grams of gold. The average dowry is 12.75 grams of gold. There are 35 (thirty-five) people with S1 education. The biggest dowry is 25 grams of gold and the smallest is 2 grams of gold. The average dowry is 9.07 grams of gold. Furthermore, of the 8 (eight) informants with D3

⁴¹ Ibn Rusyd, *Bidayah al-Mujtahid wa Nibayah al-Muqtasid*, (t.tp: al-Haramain, t.th), Jilid. Ke-2, p. 14

⁴² Napisah Lale, "Nilai Sosial Budaya Dan Pendidikan Dalam Mahar Pernikahan Adat Bangsawan Sasak (Studi di Desa Sukarara Lombok Tengah)", (Mataram: Universitas Mataram, 2020), Skripsi, <http://eprints.unram.ac.id/15683/>, diakses 15 November 2021

and high school education, the largest dowry is 30 grams of gold and the smallest is 3 grams of gold. The average dowry is 8.75 grams of gold. Based on the data above, based on the average data, it can be seen that the dowry for marriages with S2 education is higher than the average for women with S1, D3, and high school education. Furthermore, the findings of this study indicate that the highest dowry of 51 informants was 30 grams of gold and the lowest dowry was 2 grams of gold. The average dowry is 9.6 grams of gold.

Islam does not set a definite limit regarding the size of the dowry. This indirectly gives freedom to the prospective bride regarding the value of the dowry. Big or small, much or little, goods or money. This is aligned with the prevailing traditions in the area.⁴³ According to Syafi'iyah and Hanabilah, everything that has value can be used as a dowry.⁴⁴ Even everything that contains a value, whether in the form of objects, benefits, or services can be used as a dowry.⁴⁵ The dowry may be in the form of money, jewelry, household furniture, animals, services, trading assets, or other objects that have a price.⁴⁶ The dowry in the form of merit has a basis in the Qur'an and similarly in the hadith of the Prophet such as the dowry in the form of merit in the Qur'an is herding goats for 8 years as a dowry for the marriage of the prophet Musa and the daughter of the prophet Shu'aib as narrated Allah in the letter al-Qasas verse 27. The dowry may also be in the form of benefits (services) such as teaching some verses/letters from the Qur'an,⁴⁷ as in the hadith of the Prophet teaching the Qur'an as a dowry as contained in the hadith of Sahal bin Sa 'ad as-Sa'di. Dowry can also be in the form of legal actions, such as the actions of the Prophet when he was about to marry Sofiyah, who at that time was still a slave. The dowry of her marriage is her independence.

The reason a woman asks for a dowry in the form of gold, among others, is for capital to live a married life. For example:

1. Rafika who married with a dowry of 10 grams of gold for capital to live a household life in the future, so that I have savings if at any time there is a sudden need.

⁴³ Fatihuddin Abul Yasin, *Risalah Hukum Nikah*(Surabaya: Terbit Terang, 2005), 58.

⁴⁴ Abdul Hamid Ibnu Mu'tadzim, *Panduan Lengkap Pernikahan Islami*(t.tp: Maroon, 2008), p. 48.

⁴⁵ Taqiyuddin Abu Bakar al-Husaini, *Kifayah al-Akhyar*, (Surabaya: Bina Ilmu, T.Th), h. 415, Abd. Basit Misbachul Fitri, "Eksistensi Maharpnikahan Dalam Islam", *Jurnal Usratunâ* Vol. 2, No. 1, Desember 2018, h. 36, <http://ejournal.staida-krempyang.ac.id/index.php/usratuna/article/view/128>, diakses 15 November 2021

⁴⁶ Muhammad Jawad Mughniyah, *Fiqih Lima Mazhab*, (Jakarta: Lentera Basritama, 1996), h.365.

⁴⁷ Amir Syarifuddin, *Hukum Perkawinan Islam di Indonesia: Antara Fiqih Munakabat Dan Undang-Undang Perkawinan*, (Jakarta: Kencana Prenada Media Group, 2009), p. 91

2. Nadia married with a dowry of 10 grams of gold for investment⁴⁸ which can later be used for household needs.

The dowry belongs to the wife. Dowry can be used with the consent of the wife.⁴⁹ Dowry in the form of gold can be used to fulfill household needs, education, sudden needs, or for business capital.

Furthermore, marriage is a sacred relationship that binds a man and a woman. Law No. 1 of 1974 concerning Marriage, Article 1 states that marriage is: "The inner and outer bond between a man and a woman as husband and wife to foster a happy and eternal family (household) based on the One Godhead. The issue of dowry in the Compilation of Islamic Law in Indonesia is also formulated in Article 30 Chapter V which reads: "The prospective groom is obliged to pay a dowry to the prospective bride whose amount, form and type are agreed upon by both parties."⁵⁰ Dowry is a wife's right to be received from her husband, which is given voluntarily without expecting anything in return and is an expression of the husband's love and responsibility for the welfare of his family.⁵¹

Article 31 of the Compilation of Islamic Law regulates the determination of the dowry based on the principles of simplicity and convenience which, as has been regulated in Islam, that the dowry must be something that is not difficult for the prospective husband, thus facilitating marriage.⁵² The dowry that has been given to the bride has since become a woman's right, not the property of the man or the bride's family. The dowry is given directly to the prospective bride and has since become her right.⁵³

Article 33 of the KHI stated that the dowry was agreed upon by both parties before the marriage contract was held. This is not to burden the prospective husband, which is one of the dowry principles in KHI.⁵⁴ So there needs to be communication between the prospective husband and wife about their marriage dowry. They must agree on the form and amount of the dowry

⁴⁸ Mukhammad Nur Hadi, "Mahar Produktif dalam Penalaran Ta'lili", Jurnal Qolamuna Vol. 4 No. 2 (2019): Februari 2019, <http://www.stismu.ac.id/ejournal/ojs/index.php/qolamuna/article/view/134>, diakses 14 Mei 2021

⁴⁹ Abdul Basit Misbachul Fitri, "Eksistensi Mahar Pernikahan Dalam Islam", Jurnal Usratuna, Vol 2 No 1 (2018), h. 28, <http://ejournal.staidakrempyang.ac.id/index.php/usratuna/article/view/128>, diakses 6 November 2021

⁵⁰ Kompilasi Hukum Islam Pasal 30

⁵¹ Peunoh Daly, *Hukum Perkawinan Islam, Suatu Studi Perbandingan dalam Kalangan Ablas-Sunnah dan Negara-negara Islam*, (Jakarta: Bulan Bintang, 1988), cet. ke-1, p. 219

⁵² Kompilasi Hukum Islam Pasal 31

⁵³ Kompilasi Hukum Islam Pasal 32

⁵⁴ Kompilasi Hukum Islam Pasal 33

requested by the prospective wife's family.⁵⁵ Of course, the nominal dowry must be adjusted to the ability of the prospective husband. Reaching an agreement in this regard is one factor in the realization of a planned marriage.⁵⁶ On the other hand, if the agreement is not realized, it can cause the marriage to be annulled.

In general, the dowry is in the form of material; either in the form of money or other valuables. However, Islamic law allows a dowry in the form of service to do something, even if it is only in the form of reciting a verse of the Qur'an that the bridegroom has memorized.

Regarding how much a man should give to a woman, Islam recommends following the Sunnah of the Prophet, namely giving the best dowry. In line with this, it is related to the habits that occur in the community, such as what happened in Tanjung Senang District, Bandar Lampung City. They have a tradition of marriage dowry in the form of gold. The gold nominal given as a dowry is related to the woman's education, occupation, social status, and ethnicity where she comes from.

Based on the explanation above, if viewed from Islamic law, namely by using the rules of 'urf. The conditions for urf to be used as evidence are as follows: When the scholars accept urf as a legal proposition, they set several conditions, namely:

1. *Urf* and 'customs contain benefits and are acceptable to common sense. For example, the custom of the community is to give a wedding dowry in the form of a set of prayer tools. This habit certainly provides benefits for the bride to use it to pray to Allah.
2. The *urf* and 'customs are generally accepted and accepted by all or the majority of the people in the area. In this case al-Suyuti said:

إِنَّمَا تُعْتَبَرُ الْعَادَةُ إِذَا إِطْرَدَتْ، فَإِذَا اضْطَرَبَتْ فَلَا

*"Indeed, the 'customs that are taken into account are those that apply in general. If it's messed up, it won't count."*⁵⁷

3. *Urf* that was used as the basis for the determination of the law existed at that time, not urf that appeared later. In this case, there is a rule that says:

⁵⁵ Putra Halomoan, "Penetapan Mahar Terhadap Kelangsungan Pernikahan Ditinjau Menurut Hukum Islam", Jurnal Juris Vol 14, No 2 (2015), h. 116-117, <https://ojs.iainbatusangkar.ac.id/ojs/index.php/Juris/issue/view/29>, diakses 5 Maret 2021 dan Al-Ghazali, Menyingkap Hakikat Pernikahan (Bandung: Karisma, 1994), h.64.

⁵⁶ Edo Ferdian, "Batasan Jumlah Mahar (Maskawin) Dalam Pandangan Islam Dan Hukum Positif", JAS Vol 3 no 1 (2021), <http://www.riset.unisma.ac.id/index.php/JAS/article/view/10984>, diakses 0 November 2021

⁵⁷ Muhammad Mustofa az-Zuhailly, *al-Qaidah al-Fiqhiyyah wa Tatbiqatiba fil mazahib al-Arba'ah*, Juz 1, (Damaskus: Dār al-Fikr, 2018), Cetakan ke-6, h. 323.

الْعُرْفُ الَّذِي تَحْمِلُ عَلَيْهِ الْأَلْفَاظُ إِذَا هُوَ الْمَقَارِنُ السَّابِقُ دُونَ الْمُتَأَخِّرِ

"Urf applied to it is a word (legal provisions) are only those who come together or precede, and not those that come later."

In this case, Badran gives an example: People who perform the marriage contract and at the time of the contract it is not explained whether the dowry is paid in full or in installments, while 'custom at that time was to pay off the entire dowry. Then the 'custom of that place changed, and people were accustomed to repaying the dowry. Then a case arose which caused a dispute between husband and wife regarding the payment of the dowry. The husband adhered to the custom which is currently valid (which appeared later), so he decided to repay the dowry, while the wife asked to be paid off (according to the old custom when the marriage contract took place). So, based on these terms and rules, the husband must pay off his dowry, by the 'customs that were in effect at the time the contract took place and not according to the 'customs that emerged later.⁵⁸

4. *Urf* and customs do not conflict with the *syara'* argument⁵⁹. 'Customs do not contradict and neglect *syara'* arguments or contradict certain principles. this requirement only strengthens the requirement for acceptance of 'adat sahiih; because if the 'adat contradicts texts or contradicts the definite shari'a principles ', then it is custom which *fasid* have agreed to reject. 'custom among the people means that it has been well accepted by the people for a long time. has indirectly taken place *ijmâ'* even though it is in the form of *sukût*. "The custom is valid and accepted by many people because it contains benefits. Not using *adat* like this means rejecting the benefit, while all parties have agreed to take something that is of value to the benefit, even though there is no text that directly supports it.

Thus, when referring to the *urf*, by looking at the traditions/customs that have been attached to the community and accepted by the general public, especially in Tanjung Senang District, Bandar Lampung, as well as seeing the philosophy of the practice of giving dowries as a form of appreciation for the social status of a woman. Besides that, there is no dowry given but in general, a prospective groom gives a certain amount of money for the implementation of the contract and the wedding reception. It is known that the value of the large or small amount of the dowry is by the customs of human habits in a certain environment and depends on the ability of humans at a time. For those who can give a diamond or gold ring, then he has the right to give it. But for those who

⁵⁸ Muhammad Siddiqy Ali Barnu, *al-Wajiz fi Iyadabi Qawa'id al- Fiqh al- Kulliyah*, Juz 1, (Beirut: Muassasah al-Risalah, 1983), h. 297.

⁵⁹ Amir Syarifuddin, *Ushul Fiqh*, h. 376-377

are in need, he is still obliged to give a dowry even though it is a ring of iron, by the words of the Prophet:

عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ تَزَوَّجْ وَلَوْ بِحِجَابٍ مِنْ حَدِيدٍ (رواه البخارى) ٦٠

"From Abdullah ibn Umar, he said: I have said Rasulullah say, Marry you even with a dowry of an iron ring." (Narrated by Bukhari).

From this hadith, it can be seen that paying a dowry is a must in marriage, even if only a little. However, for a woman it is Sunnah not to be too excessive in asking for dowry, this is based on the hadith:

عَنْ أَبِي الْعَجْفَاءِ، قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: أَلَا لَا تَعْلُوا صُدُقَ النِّسَاءِ، فَإِنَّهُ لَوْ كَانَ مَكْرُمَةً وَفِي الدُّنْيَا، أَوْ تَقْوَى عِنْدَ اللَّهِ عَزَّ وَجَلَّ، كَانَ أَوْلَاكُمْ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، مَا أَصْدَقَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ امْرَأَةً مِنْ نِسَائِهِ، وَلَا أَصْدَقَتْ امْرَأَةً مِنْ بَنَاتِهِ، أَكْثَرَ مِنْ ثِنْتَيْ عَشْرَةَ أُوقِيَةً ٦١

"From Abu Ajjā', he said: I have heard Umar say, do not be excessive in giving dowries to women, even though she is a person who is honored in this world or someone who is cared for in the hereafter, as for the most important (in respecting women) in the world. Among you is the Messenger of Allah, whereas the Messenger of Allah (saw) did not give a dowry to any of his wives, and neither his daughters were given a dowry of more than twelve uqiyah."

Based on the explanation above, the practice of giving a dowry in marriage, especially in the people of Tanjung Senang District, Bandar Lampung, is to achieve a benefit between the two candidates and even between large families, so this is not contrary to Islamic law, because there is no text of the Qur'an or The hadith that is violated, judging from the purpose of implementing this custom is as a form of love and affection of a prospective husband to his prospective wife and as a symbol of the sincerity of a man because by giving this property it shows that men are serious about having relationships with women. who will be married and is serious about fulfilling all his needs which are his responsibilities as the head of the family.

Thus, it can be seen that the provision of dowry in marriage in Tanjung Senang District, Bandar Lampung is caused by several factors, namely as follows: education level, occupation, and ethnicity/customs. Related to this, it is not a problem if the men can give it. It's just that with the existence of this

⁶⁰ Al-Bukhārī, *Sahib Al-Bukhārī*, (Beirut: Dār Al-Fikr,tt), h. 447

⁶¹ Sayyid Sabiq, *Fikih Sunnah Jilid II*, (Bandung: Alma'ruf, 1981), h 263

culture, I am worried that it will cause misunderstandings if women seem to be rewarded with material things. However, if viewed from the other side, giving the amount of dowry for the prospective groom to the prospective bride with terms that have been agreed upon by both is a form of love and affection..

Conclusion

The conclusions of this study are: The tradition of dowry in the form of gold is inherent, considered good, does not conflict with Islamic law, and brings benefits to the people of Tanjung Senang District, Bandar Lampung. The existence of the practice of giving this dowry to achieve a benefit between the two prospective brides and even between large families, then it does not conflict with Islamic law, because there are no texts of the Qur'an or Hadith that are violated. In the perspective of Islamic law, by referring to the rules of 'urf, that is to see the traditions/customs that have been attached to the community, and to see the philosophy of the practice of giving dowry as a form of appreciation for the social status of a woman, in addition to giving a general dowry for a candidate the groom, by giving a sum of money for the implementation of the marriage reception. This tradition is a form of love and affection, sincerity, and responsibility for the prospective husband to his prospective wife. The nominal is related to the level of education, social status, ethnicity, and profession based on the agreement of the parties.

References

- Al-Ghazali, Menyingkap Hakikat Pernikahan, Bandung: Karisma, 1994
- Ali, Zainudin, Metode Penelitian Hukum, Cetakan Ke 3, Jakarta: Grafik Grafika, 2011
- Anwar, Ahmadi, Prinsip-Prinsip Metodologi Research, Yogyakarta: Sumbangsi, 1975
- Barnu, Muhammad Siddiqy Ali, al-Wajīz fi lydāhi Qawā'id al- Fiqh al- Kulliyah, Juz 1, Beirut: Muassasah al-Risalah, 1983
- Bibliography
- Bukhārī, al-, Sahīh Al-Bukhārī, Beirut: Dār Al-Fikr,t.th
- Daly, Peunoh, Hukum Perkawinan Islam, Suatu Studi Perbandingan dalam Kalangan Ahlus-Sunnah dan Negara-negara Islam, Jakarta: Bulan Bintang, 1988
- Effendi, Satria, Ushul Fikih, Jakarta: Kencana, 2008
- Faidhullah, Sami, “Konsep Mahar Perkawinan Berupa Hafalan Surah Al-Qur'an (Perspektif Keadilan Gender)”, Jurnal Al-Risalah Volume 14, Nomor 2,

Juli – Desember 2018, <https://jurnal.stairakhamuntai.ac.id/index.php/alris/article/view/48>, diakses 14 Mei 2021

Faitri, Abd. Basit Misbachul, “Eksistensi Maharpernikahan Dalam Islam”, *Jurnal Usratunâ* Vol. 2, No. 1, Desember 2018, h. 36, <http://ejournal.staidakrempyang.ac.id/index.php/usratuna/article/view/128>, diakses 15 November 2021

Fauzi, Ali, “Standar Pemberian Mahar Minimal Pada Perkawinan Dalam Tinjauan Hukum Islam”, (Bandar Lampung: Pascasarjana Universitas Islam Negeri Raden Intan Lampung, 2020), <http://repository.radenintan.ac.id/id/eprint/11707>, diakses 10 Januari 2021

Ferdian, Edo, “Batasan Jumlah Mahar (Maskawin) Dalam Pandangan Islam Dan Hukum Positif”, *JAS* Vol 3 no 1 (2021), <http://www.riset.unisma.ac.id/index.php/JAS/article/view/10984>, diakses 0 November 2021

Hadi, Mukhammad Nur, “Mahar Produktif dalam Penalaran 'Ta'lili'”, *Jurnal Qolamuna* Vol. 4 No. 2 (2019): Februari 2019, <http://www.stismu.ac.id/ejournal/ojs/index.php/qolamuna/article/view/134>, diakses 14 Mei 2021

Halimah B., “Konsep Mahar (Mas kawin) Dalam Tafsir Kontemporer”, *Jurnal Al-Daulah*, Vol. 6 No. 2 pada tahun 2017, (Makassar: Fakultas Syariah dan Hukum Universitas Islam Negeri Alauddin Makassar, 2017), http://journal.uin-alauddin.ac.id/index.php/al_daulah/article/view/4885, diakses 3 April 2020

Halomoan, Putra, “Penetapan Mahar Terhadap Kelangsungan Pernikahan Ditinjau Menurut Hukum Islam”, *Jurnal Juris* Vol 14, No 2 (2015), <https://ojs.iainbatuangsangkar.ac.id/ojs/index.php/Juris/issue/view/29>, diakses 5 Maret 2021

Haroen, Nasrun, *Ushul Fiqh*, Jakarta: Logos, 1997

Hasyimiy, Muhammad Ma'shum Zainy, *Ilmu Ushul Fiqh*, Jombang: Darul Hikmah, 2008

Huda, Mahmud dan Nova Evanti, “Uang Panaik dalam Perkawinan Adat Bugis Perspektif 'Urf (Studi Kasus di Kelurahan Batu Besar Kecamatan Nongsa Kota Batam)”, *Jurnal Hukum Keluarga Islam*, Volume 3, Nomor 2, Oktober 2018, <http://journal.unipdu.ac.id:8080/index.php/jhki/article/view/1523>, diakses 6 November 2021

Husaini, al-, Taqiyuddin Abu Bakar, *Kifāyah al-Akhyār*, Surabaya: Bina Ilmu, T.Th

- Irawan, Ibnu, Jayusman Jayusman, Agus Hermanto, “Historiografi Ma har Hafalan Alquran Dalam Pernikahan”, Jurnal Studi Multidisipliner Vol 6, No 2 (2019), <http://194.31.53.129/index.php/multd/article/view/2083>, diakses 5 Maret 2021
- Irawan, Ibnu, Jayusman, “Mahar Hafalan Al-Qur'an Perspektif Hukum Islam”, Jurnal Palita Vol 4, No 2 (2019), <http://ejournal.iainpalopo.ac.id/index.php/palita/article/view/804>, diakses 14 Mei 2021,
- Irawan, Ibnu, Jayusman, Agus Hermanto, “Studi Fatwa Al-Lajnah Al-Daimah Li Al-Buhus Al-Ilmiah Wa Al-Ifta': Kritik Atas Larangan Mahar Pernikahan Berupa Hafalan Al-Qur'an,” Jurnal Kodifikasia Vol 13, No 2 (2019), <https://jurnal.iainponorogo.ac.id/index.php/kodifikasia/article/view/1834>, diakses 23 Juli 2021,
- Jumantoro, Totok, Kamus Ilmu Ushul Fikih, Jakarta: Amzah, 2009
- Kadir, Abdul, “Penerapan Batas Minimal Mahar Dalam Peraturan Perundang Undangan: Studi Pandangan Pakar Hukum dan Praktisi KUA Kabupaten Jember”, (Malang: Universitas Islam Negeri Maulana Malik Ibrahim, 2013), <http://etheses.uin-malang.ac.id/7806/1/117780012.pdf> diakses 1 April 2020
- Khairullah, “Tinjauan Empat Mazhab Tentang Batas Minimal Mahar dalam Pernikahan”, (Pekanbaru: Universitas Islam Negeri Sultan Syarif Kasim Riau, 2017), <http://repository.uin-suska.ac.id/id/eprint/27655>, diakses 1 April 2020
- Kompilasi Hukum Islam
- Koto, Alaidin, Ilmu Fiqh dan Ushul Fiqh (Sebuah Pengantar), Jakarta: Raja Grafindo Persada, 2006
- Lale, Napisah, “Nilai Sosial Budaya Dan Pendidikan Dalam Mahar Pernikahan Adat Bangsawan Sasak (Studi di Desa Sukarara Lombok Tengah)”, (Mataram: Universitas Mataram, 2020), Skripsi, <http://eprints.unram.ac.id/15683/>, diakses 15 November 2021
- Mardalis, Metode Penelitian Suatu Pendekatan Proposal, Cetakan ke-10, Edisi 1, Jakarta: PT Bumi Aksara, 2008
- Mubarak, Jaih, Kaidah Fikih; Sejarah dan Kaidah Asasi, Jakarta: Raja Grafindo Persada, 2002
- Mughniyah, al-, Muhammad Jawad, Fiqih Lima Mazhab, Jakarta: Lentera Basritama, 1996
- Mu'tadzim, Abdul Hamid Ibnu, Panduan Lengkap Pernikahan Islami, t.tp: Maroon, 2008

- Qaradhawi, Yusuf, Hadyul Islam Fatawi Mu'ashirah. Terj. As'ad Yasin, Fatwa-fatwa Kontemporer, Jilid. Ke-2, Jakarta: Gema Insani Press, 1995
- Qurtubi, al-, Abū Al-Walid Muhammad bin Ahmad bin Muhammad bin Ahmad bin Rusyd, Bidāyah al-Mujtahid wa Nihāyah al-Muqtasid, Juz 3, Kairo: Dār Al-Hadīs, 2004
- Rusyd, Ibn, Bidāyah al-Mujtahid wa Nihāyah al-Muqtasid, t.tp: al-Haramain, t.th, Jilid. Ke-2
- Sabiq, Sayyid, Fikih Sunnah Jilid II, Bandung: Alma'ruf, 1981
- Sanusi, Ahmad dan Sohari, Ushul Fiqh, Jakarta: Raja Grafindo Persada, 2015
- Sofyan, Adi, “Mewajibkan Walimatul 'Urs, Batasan Mahar Dan Spekulasi Mahar Dijadikan Uang Dapur Dalam Pernikahan”, Jurnal Sangaji Vol 3 No 2 (2019): Oktober, <http://ejournal.iaimbima.ac.id/index.php/sangaji/article/view/485>, diakses 15 November 2021
- Sugianto, Bambang, “Kualitas dan Kuantitas Mahar dtlam Perkawinan (Kasus Wanita yang Menyerahkan Diri kepada Nabi SAW)”, Jurnal Asy-Syir'ah, Vol. 45 No. II, Juli-Desember 2011, (Sulawesi Tenggara: FKIP Universitas Haluoleo Kendari Sulawesi Tenggara, 2011), <http://www.asy-syirah.uin-suka.com/index.php/AS/article/viewFile/19/19>, diakses 1 April 2020
- Syalabī, Muhammad Mustafa, Usūl al-Fiqh al-Islāmī, Beirut: Dār an-Nahdah al-Arabiyah, t.th
- Syarifuddin, Amir, Hukum Perkawinan Islam di Indonesia: Antara Fiqih Munakahat Dan Undang-Undang Perkawinan, Jakarta: Kencana Prenada Media Group, 2009
- Syarifuddin, Amir, Ushul Fiqh, Jakarta: Logos, 1999, Jilid. Ke-2
- Wawancara dengan Aisyah di Kota Bandar Lampung, on Mei 22th, 2021.
- Wawancara dengan Ari Wibowo; pegawai KUA Kecamatan Tanjung Senang Kota Bandar Lampung, on September 1th, 2021
- Wawancara dengan Clara di Kota Bandar Lampung, on Mei 20th, 2021.
- Wawancara dengan Indah di Kota Bandar Lampung, on Mei 20th, 2021.
- Wawancara dengan Kirana di Kota Bandar Lampung, on Mei 26th, 2021
- Wawancara dengan Mulyadi; pegawai KUA Kecamatan Tanjung Senang Kota Bandar Lampung on Agustus 3th, 2021.
- Wawancara dengan Nadia di Kota Bandar Lampung, on Mei 20th, 2021.

Wawancara dengan Nur di Kota Bandar Lampung, on Mei 24th, 2021.

Wawancara dengan Rafika di Kota Bandar Lampung, on Mei 22th, 2021.

Wawancara dengan Sari di Kota Bandar Lampung, on Mei 23th, 2021.

Wawancara dengan Siska di Kota Bandar Lampung, on Mei 2th, 2021.

Wawancara dengan Zainab di Kota Bandar Lampung, on Mei 20th, 2021.

Yasin, Fatihuddin Abul, Risalah Hukum Nikah, Surabaya: Terbit Terang, 2005

Zuhaili, az-, Wahbah, Usul al-Fiqh al-Islami, Damaskus: Dar al-Fikr, t.th

Zuhaily, az-, Muhammad Mustofa, Al-Qaidah Al-Fiqhiyyah Wa Tatbiqatoha Fil Mazahib Al-Arba'ah, Juz 1, Damaskus: Dar al-Fikr, 2018, Cetakan ke-6