



مفتی محمد یوسف ڈانکا
Mufti Muhammad Yusuf Danka

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

جہیز

JAHEZ (Dowry Conditions set by the Groom for Marriage)

Allah ﷻ says in the Holy Qur'an: 'And whosoever disobeys Allah and his Messenger ﷺ and transgresses his limits, Allah will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.' (Surah An-Nisa s4, v14)

Allah ﷻ has revealed the ways and limits for every deed and action in this worldly life for those who obey him. This is ordained through the laws revealed in the Qur'an and the Sunnah of the Prophet ﷺ. That individual who transgresses the boundaries set by the law of Allah and chooses a way other than that of the Prophet Muhammad ﷺ, he earns for himself nothing but disgrace in this world and in the Hereafter.

Jahez is a marriage custom present in this day and age within a minority of the Muslim population, this is commonly practiced amongst people of the indo-pak region. This unislamic custom is primarily associated with Hinduism. The custom of Jahez is such that prior to marriage, the groom makes exceeding and unacceptable financial demands on the bride's family as a condition of marrying their daughter (a form of 'Male Dowry'). In the light of Shari'a, such customs are considered as Haraam and despicable, equating it to the worst form of begging.

It is related from Sayyidina Ibn Umar ﷺ that the Prophet ﷺ stated: 'The person who begs from other people, on the Day of Judgement he will appear amongst the people without any flesh on his face.' (Meaning he will be humiliated on the Day of Judgement) (Sunan Nisai #2589)

Sayyidina Hakim Ibn Hizam ﷺ related: 'On one occasion, I asked something of the Prophet ﷺ, he gave to me. I then asked of Him ﷺ again on another occasion, he also gave to me. After giving to me the second time the Prophet ﷺ stated: 'O Hakim, all this wealth is seen as good and pleasant, any individual who without greed and desire and without asking of anyone is given wealth, then that is a blessing for him. However, that person who asks with greed and desire for wealth, there will be no blessing in it for him, and the stomachs of such people will never be filled, and the upper hand is better than the lower hand (giving is better than receiving).'

Sayyidina Ibn Hizam ﷺ states: I replied 'O Prophet of Allah ﷺ I swear by Allah that you have been sent as a Prophet with the Truth. From now until the time I die, I will never ask anything of anyone.' (Sahih Bukhari/Muslim)

Hafiz Ibn Hajar رحمه الله writes: this companion (Ibn Hizam ﷺ) of the Prophet ﷺ attained a very great age of 120 years. His death being in 54 year Hijri. In the time of the Khulafa Rashideen he was offered a fund from Bait ul Maal with which to sustain his home. However, Sayyidina Ibn Hizam ﷺ never accepted anything from anyone. (Fathul Bari Sharah Bukhari)

In Islam, on the occasion of marriage (Nikah) it has been made compulsory upon the groom that he gives Haq Mahr (dowry) to his wife to be. It is also in a Hadith of the Prophet ﷺ 'that individual who does not pay his wife's Mahr and dies in that state, then from his wealth the dowry should be paid, in addition the wife must also be granted her lawful inheritance.' (Sunan Ibn Majah #1891)

People who demand Jahez are principally demanding something which is considered Haraam. These are the same people who for gaining respect and honour on the occasion of Nikah, keep the value of the dowry of the bride at such a high level, knowing full well that they will never be able to fulfil such a commitment. On many occasions, they have no intention of paying any such dowry, regardless of what is written at the Nikah. After marriage, they threaten and trouble the wife, to get the condition of dowry cancelled. The wife under duress is made to forgive her husband from paying

dowry. The Scholars have stated that such circumstances are unacceptable and unjust. (Duri Mukhtar/ Fatawa Rahimiyah vol 5, p269)

In Sunan Bayhaqi the Prophet ﷺ stated: 'The most blessed of marriages are those where there is the least amount of effort and most ease and the least expenses.'

There are three ways in which Jahez is commonly demanded:

1. Directly demanding and setting conditions for the in-laws to meet.
2. To request certain conditions through indication in speech and actions.
3. To deceive when marrying into a family with the intention to attain some worldly benefit. If on the occasion of marriage something is not attained, then to cause Fitnah and / or threaten to break the marriage off.

Many parents to get their daughters married, go down the road of obtaining loans from people, getting interest based loans from banks, utilising their life savings and even selling their homes. All of this, just in the desire to get their daughter married will be unislamic. Even then, the groom and his family are not satisfied and torment and trouble the bride that has come into their home and on occasions, we even hear stories of physical abuse.

In a democratic country such as India, which proclaims the highest levels of equality and human rights, the newspapers are filled daily with accounts of women being killed due to Jahez. And on many occasions, it is the family of the groom that are responsible for the death of the women. On other occasions, the women become so demoralised and distraught by the tormenting of their in laws that they commit suicide.

On the occasion of the Nikah of Sayyidah Fatima رضي الله عنها the Prophet Muhammad ﷺ gave her as gifts: a blanket filled with date palm leaves, a leather pillow and a clay water pot. (Sunan Nisai # 3389)

The Prophet Muhammad ﷺ was the guardian of both Sayyidina Ali رضي الله عنه and Sayyidah Fatima رضي الله عنها. Therefore The Prophet Muhammad ﷺ on behalf of Sayyidina Ali رضي الله عنه made this arrangement so that the obligation of Sayyidina Ali رضي الله عنه would be fulfilled. There is no proof from the Ahadith that the Prophet ﷺ did this for any of his other daughters Nikah. There was no tradition of Jahez during the time of Prophet Muhammad ﷺ, nor during the time of the Sahaaba رضي الله عنهم. (Mariful Hadith vol 7, p30)

Many people try to use the above Hadith to justify the matter of Jahez; this is a form of ignorance and misuse of Hadith. Are the gifts you demand under Jahez in line with that which the Prophet ﷺ gave his beloved daughter Fatima رضي الله عنها? The custom of Jahez today is only a custom of the Hindus and nothing else, it has no place in Islam or the Sunnah. Those people who follow these customs are following the ways of the polytheists.

In Mishkaat Masabih the Prophet ﷺ stated: 'whosoever follows the ways of a particular people, they will be resurrected with them'

The matter does not end here, some Muslim families who practise the custom of Jahez and their father or mother dies. The daughters are disregarded when it comes to inheritance if her marriage was conducted under the custom of Jahez. The girl's family try to justify this by claiming that they already gave a great deal to her husband on the occasion of her marriage.

Sayyidina Anas رضي الله عنه relates the Prophet ﷺ stated: 'that person who prevents a rightful heir from his or her inheritance, Allah ﷻ will prevent that person from inheriting Jannah.' (Sunan Bayhaqi/Ibn Majah #2703/ 2713)

In Jami Tirmidhi Sayyidina Ibn Umar رضي الله عنه relates the Prophet ﷺ stated: 'That person who has taken someone else's property is not one of us'.

Therefore, those people who practise the custom of Jahez and are troubling their daughters in law due to this, their daughters and sisters are also being troubled elsewhere due to this same custom. Success for Muslims is in living their life according to the laws of Allah and following the ways of his Messenger ﷺ, for in this there is the great success of this world and the hereafter.

May Allah ﷻ allow us to bring the complete understanding and practise of the Shari'ah and Sunnah into our lives, Ameen.

Mufti Mohammad Yusuf Danka
Croydon Masjid & Islamic Centre

محمد يوسف (عفى الله عنه)
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