

ANALYSIS OF *AL-LAJNAH AL-DAIMAH LI AL-BUHUS AL-ILMIYAH*  
WA *AL-IFTA* FATWA RELATED TO THE PHENOMENON  
OF DOWRY MEMORIZATION OF AL-QUR'AN

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**Abstract:** *The millennial generation lately, many who give dowry marriage outside the habits of society in general (a set of prayer tools or rings), but dowry in the form of memorization of the al-Qur'an. The opinion that developed at this time was that the dowry was more stable and primary compared to other dowries. There are concerns about the loss of women's rights because the dowry is not material. Then the giving of the dowry for memorizing the al-Qur'an needs to be reviewed with an appropriate legal formulation. Responding to this phenomenon, the Saudi Arabian fatwa institute also issued a fatwa related to the ruling on memorizing the al-Qur'an. This research is a literature review using an empirical juridical approach, while the data collection method was done through documentation and interviews. This study found that the phenomenon of giving the Dowry memorization of the al-Qur'an was a problem that had occurred during the time of the Prophet, but has reappeared lately with opposing motives and backgrounds. Then the purpose of this study is to bring up and clarify the legal status of the phenomenon. The results showed that the law of giving dowry in the form of memorizing the al-Qur'an was not permitted.*

**Keywords:** *Dowry, Memorization of the Qur'an, Al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta.*

### Introduction

Marriage is the most excellent means of maintaining the continuity of the offspring and strengthening relationships between people. Marriage also contributes to ensuring peace, love, and affection. The continuity of family is the hope of the prophetic treatise ordered by His Majesty the Holy Prophet, to all Muslims, the message is a bottom line that should be highly considered by Muslims in the process of preserving the descent continuity desired by him because humanity can and open other ways to make an effort to continue the continuation of their offspring outside the context of carrying out the prophetic message. Thus, the method adopted in giving birth to a human family is in a way not permitted by Islam, or outside the area of marriage.

Islamic Sharia is very concerned about all problems in marriage. The implication of marital relations to fellow social creatures is the establishment of family ties, maintaining honor and guarding it against all prohibitions, or,

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as previously stated, carry on the continuity of the offspring outside of marriage. The influence of nafsiyah felt by marriage is thought by calm in the soul, because with it can be obtained tenderness, affection, and love between husband and wife couple.

Islam strongly recommends marriage. The social benefits gained by him are that the husband will fight for his family by working, providing a living and looking after the family, while the wife educates the child, takes care of the house, and manages income. Such a process will make an orderly society and far from family problems. Allah Almighty gives a picture related to the process and the recommendation of marriage in QS al-Rum:21;

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

*And among the signs of Allah's power is to create for you a wife and wife of your kind, so that you are inclined and feel at ease with her, and made Him in your midst of affection so that you think* (Departeman Agama RI, 2012).

The right of a wife is given dowry at the time of marriage. Dowry functions to plant the seeds of happiness in a woman's heart, the dowry Prasanna in the aspect of wedding is to protect and glorify women by giving the rights requested in marriage in the form of marriage dowry whose size is determined by the agreement of both parties, therefore dowry giving should be given sincerely and sincerely. Jurists agree that dowry is an obligation for a husband to his wife both in cash and in time, the dowry payment must be under the agreement contained in the marriage contract.

Along with the times and culture, many people give dowry marriages outside the culture that developed in the community. Dowry generally in the form of a set of prayers, rings, and cash. Lately, wedding dowry that is widely used by millennials is in the way of memorization of the al-Qur'an. Background and reasons in the selection of memorization of the al-Qur'an as a dowry is very diverse, and some have right to follow the trend that gives dowry memorization of the al-Qur'an is considered exceptional, some others who want to lighten the dowry of marriage by making memorization of the al-Qur'an and as a wedding dowry.

The case of giving dowry in the form of memorization of the al-Qur'an had occurred in the time of the Prophet. Sahl bin Said al-Saidi is a friend who is the perpetrator of the marriage of memorizing al-Qur'an. However, the background that occurs today contradicts what happened during the time of the Prophet. The inability to give material dowry is *rukhsah*, which is then allowed to make memorization of the al-Qur'an as the price. Marriage perpetrators who make the memorization of the al-Qur'an as a marriage dowry is rife by millennials. For example, Maulana Yusuf married Ghaisa Zahira Binti Abdullah Gymnastiar with a memorization of al-Qur'an memorizing 30 juz in Bandung in March 2015, Munawwar Juanan Raden married Dauha Muawiyah with memorization of 30 Juz and memorization of 500 traditions in Damascus in May 2016, Dodi Hidayatullah married Auliya Rahmi Fadhilah with Dowry memorized al-Rahman's letter in July 2011, Darja Wiharja married Princess Diana with Dowry memorized al-Rahman in Pare-pare. Muzammil Hasballah married Sonia Ristanti with a recitation dowry for QS al-Nisa 34-35, and al-Tahrim verse 6 on July 2017 in Banda Aceh (Jusmaindah, 2018).

Various views from jurists, figures and fatwa institutions also provide comments related to the phenomenon that is happening, among them is the

opinion of religious leaders namely Abdus Somad, (Teguh Prasetyo, 2018). Buya Yahya, both of them justify the gift of marriage dowry in the form of memorization of the al-Qur'an. Fatwa from the official institution of Saudi Arabia's Work *al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta*\* participated in marrying the response to the practice, the fatwa does not justify the practice of marriage using the memorization of the al-Qur'an, but which allowed is to teach the al-Qur'an to his wife later in the wading of the household ark.

This article will raise the theme around the concept of marriage dowry in Islamic law, and *al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta* fatwa on marriage dowry in the form of memorization of the al-Qur'an.

### Study of Dowry Marriage Theory

Etymologically, Dowry is another term for Arabic syllables (الصداق) al-Sadaq, which has meaning; (دفع المال المشعر بالرغبة في عقد النكاح) property given for seriousness of the marriage contract process (Abdurrahman Al-Jaziri, 96AD). Some linguists define a term that dowry is al-Atiyah, a voluntary gift and a gift (Sa'di Abu Habib, 1988).

In terminology, the jurists' define it with a variety of editors, including them, Imam Nawawi, from among the Syafi'iyahfuqaha defines dowry with the term (المال الواجب للمرأة على الرجل بالنكاح أو الوطاء), *property that is mandatory given to a woman from a man when he wants to marry her* (Al-Nawawi, 1991). Wahbah Mustafa al-Zuhaili, from contemporary jurists, define Dowry as, (ما يجعل للزوجة في نظير الاستمتاع بها), *something that is made or given to a wife as a reward for mixing a husband with his wife* (Wahbah Mustafa Al-Zuhaili, 2005).

Jurists mazahib define marriage dowry with a variety of views, including; Malikiyah; dowry is the principle, and the basis of a husband may have intercourse with his wife. In the Maliki school, a wife is permitted to refuse solicitation or sexual relations from her husband when the husband has not yet given a marriage dowry (Teungku Muhammad Hasbi Ash Shiddieqy, 2001). Syafi'iyah; dowry is a designation for a property or material provided by men to women at the time of the marriage contract and because it is prohibited from having intercourse between the two (Abdul Azis Dahlan, 2003). Hanafiyahthinks that dowry is a treasure that is obliged to the men as

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\*The establishment of the institution of *al-Lajnah al-Daimah Li al-Buhus Wa al-Ifta*, or it can be called al-Lajnah ad-Daimah Li al-Fatwa, is on the Intrussi of King No. (1/137) dated 8/7/1391 H: *The Council of Senior Ulema of Saudi Arabia was instructed to form a permanent Committee which was functioned from its members. The scope of work is to prepare scientific research needed by these institutions to be studied in scientific discussion forums, then issue edicts that are needed by the community in matters of faith, muamalat and personal law. The newly formed institution is called al-Lajnah al-Daimah Li al-Buhus Wa al-Ifta.* The King's instructions contained an order to immediately establish an official state institution that functioned from the association of senior scholars in Saudi Arabia (هيئة كبار العلماء). The fatwa institution is in charge of two important rules in the country: First, issuing fatwas that are the needs of the community and issued verbally and textually. Second, prepare and carry out research or scientific work around contemporary issues or *nawazil* needed. With these two important tasks, it was instructed to establish a fatwa institution under Hai'ah Kibar al-Ulama known as *al-Lajnah al-Daimah Li al-Buhus Wa al-Ifta*.

a reward for being able to engage in a husband's sexual relations with his wife after the marriage contract (Syarifuddin, 2009). Hanabilah; dowry is a treasure given, clearly stated, and witnessed in a marriage contract. The dowry is produced based on an agreement between the bride's family or determined by the judge (Teungku Muhammad Hasbi Ash Shiddieqy, 2001).

### **Dowry Marriage in the form of memorization of the Qur'an**

Dowry memorization of the Qur'an is given (recited) after the marriage contract takes place. The technique is generally diverse, giving wedding dowry in the form of memorization of the al-Qur'an in the description is done by the bridegroom to the woman at the time of the marriage contract, and memorization of the al-Qur'an is read in the presence of the marriage ceremony. However, some people read it after the marriage contract took place with a process of time lag. For example, a marriage ceremony is held in the morning, and recitation of the memorization of the al-Qur'an begins to be read and witnessed at night until it is finished.

The number of memorization that is read to be used for dowry varies in quantity. The Qur'an Foundation of Hamasah Bandung in October 2016 conducted a survey related to the selection of memorizing dowry, namely the letters of al-Qur'an which are often used as marriage dowry, the survey results show that al-Rahman is a surah that is commonly used as a wedding dowry (Yayasan Qur'an Hamasah, 2016).

Some of the motivations that encourage a bride or bridegroom to ask for a dowry in the form of memorizing the al-Qur'an are as follows:

1. Choosing memorization of the al-Qur'an as a dowry that is Surah al-Rahman, because it is full of questions from Allah, about which will be denied by humans. Because marriage is perfecting half the religion and seeing around it there are still many women who have not been blessed by God a companion, so as a sense of gratitude for a marriage, Dowry surah al-Rahman feels very appropriate as a reminder to always be grateful for the blessings of God very much.
2. Want to relieve the prospective husband, as the Prophet said, that the best possible dowry that makes it easier, so Dowry al-Rahman be a solution.
3. Part of the woman wants dowry in the form of memorization of the al-Qur'an is the influence of reading the book he read, in detail, it is mentioned the title of the book or novel that inspired him is the Ayat-AyatCinta books.
4. Very like surah al-Rahman who tells about angels being pinned down, some even say they do not want to be appreciated with anything, whether rings, money, or any material as a dowry but will be very happy if bought with surah al-Rahman.
5. Prospective wives choose surah al-Rahman as a dowry to motivate them to continue to increase the memorization of the Qur'an, the prospective husband (Yayasan Qur'an Hamasah, n.d.).

### **Dowry Laws and Their Purpose**

Dowry is an obligation for men. As we will see in this chapter, it is related to the propositions that advocate giving dowry. In the principles of fiqh, there are several *dilalah al-amr*, a purpose of meaning that arises from lafaz al-'amr or a command (الأصل في الأمر الوجوب) an order shows a mandatory

understanding. Then the husband, wife, and guardians do not have the power to require a marriage contract without dowry.

The obligation to give a wedding dowry that is sourced from the al-Qur'an is the word of Allah which is found in QS al-Nisa' 4;

وَأَتُوا النِّسَاءَ صَدُقَتِهِنَّ فُلْغَةً

*Give the dowry (dowry) to the woman (whom you marry) as a gift that is full of willingness* (Departeman Agama RI, 2012).

Likewise the word of God Almighty contained in QS al-Nisa verse 24;

فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً

*Then the wives that you have enjoyed (interceded) among them, give them the dowry (ideally), as an obligation* (Departeman Agama RI, 2012).

While the hadis of the Holy Prophet, which hinted that to give dowry when about to hold a marriage contract is the following hadis;

عن عامر بن ربيعة أن امرأة من بني فزارة تزوجت على نعلين فقال رسول الله صلى الله عليه وسلم: أَرْضَيْتِ عَنْ نَفْسِكَ وَمَالِكَ بِنَعْلَيْنِ، فَقَالَتْ: نَعَمْ. فَأَجَازَهُ. (رواه أحمد و ابن ماجه والترمذی)

*From 'Amir bin Rabi'ah: Verily, a woman from the BaniFazaroh marries a pair of sandals. Rasulallah SAW. Then ask the woman: Are you happy with the dowry of a couple of shoes? The woman answered: Yes. Rasulallah finally passed it* (Muhammad Nasaruddin al-Albani, 1991).

On another occasion, the Messenger of Allah Muhammad suggested the roots if giving a bride price even though it was in the form of iron;

قال رسول الله صلى الله عليه وسلم : تزوج ولو بخاتم من حديد .

*Rasulullah saw, said: marry you even with an iron ring* (Muhammad bin Ismail Abu Abdillah al-Bukhari, 1422).

The above hadis shows dowry obligation also though something is a little. Likewise, there is no statement from the Prophet that he left the dowry at marriage. Supposing the dowry was not obligatory, of course, the Holy Prophet had left him even though once in his life that showed no obligation. But he never left, this explains his commitment. Ibnu Abbas ra, narrate;

لَمَّا تَزَوَّجَ عَلِيٌّ فَاطِمَةَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: أُعْطِيَ شَيْئًا، فَقَالَ: مَا عِنْدِي مِنْ شَيْءٍ، قَالَ: أَتَيْنَ دِرْعُكَ الْحَطِيمَةَ؟ قَالَ: هِيَ عِنْدِي، قَالَ: فَأَعْطَهَا إِيَّاهُ .

*When Ali ibnAbiTalib married Fatima, the Messenger of Allah said to him: Give him something (dowry), Ali replied: I have nothing, Rasulallah saw, asked: Where is your armor ?, Ali replied: There is me, then Rasulallah saw said: Give it to him* (Abu Daud Sulaiman bin al-Asyab bin Ishaq, 2009).

When Ali ibnAbiTalib married Fatima, Rasulallah the Messenger of Allah said to him: Give him something (dowry), Ali replied: I have nothing, Rasulallah saw, asked: Where is your armor ?, Ali replied: There is me, then Rasulallah saw, said: Give it to him. Regarding this, Allah swt, said in Surah al-Baqarah verse 236;

لَا جُنَاحَ عَلَيْكُمْ إِنْ طَلَقْتُمُ النِّسَاءَ مَا لَمْ تَمْسُوهُنَّ أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً.

*There is no sin for you if you divorce your wives that you have not touched (interfered) with or have not yet determined the price* (Departeman Agama RI, 2012).

Ibn al-Jauzi also expressed his views regarding the verse; this verse shows that dowry may not be mentioned in the marriage contract. However, to avoid differences of opinion and disagreement, the dowry is better

mentioned when the implementation of the marriage contract (Abu Malik Kamal, 2015).

Ijmafukaha, there has been a consensus on the disbursement of the dowry and the mandatory law. Fukaha agreement on dowry is compulsory. Obligations due to the marriage contract or the cause of the mixing of husband and wife justify the relationship between husband and wife, and the second cause is very dominant and famous among jurists (Abdul Aziz Muhammad Azzam, 2011).

### Kinds of Dowry

As for what may be made as a dowry in the form of material. Lately, material or property is sometimes not in a stand-by situation in cash or cash, whereas non-cash, in the contract agreement (now) or in the contract area (later), because the essence of a dowry is a gift that contains elements of benefits, even non-cash material is allowed. Fukaha agreed that valuable property should be made a dowry. Therefore gold, silver, money, measurements, scales, paper money, and others are legitimately used as dowries because they are material in the view of Islamic law. Likewise, they agreed that something which has no material value in the view of syara 'is not legal to be used as a dowry such as pigs, carcasses, and liquor (Al-Nawawi, 1991).

In this case, al-Syairazi argues, allowed dowry with something useful such as devotion, teaching the al-Qur'an, and others of things that are useful and allowed, based on the word of Allah swt, QS al-Qasas 27;

قَالَ إِنِّي أُبْذِرُكَ وَإِنِّي أُبْذِرُكَ إِخْدَىٰ ابْنَيْ هَاتَيْنِ عَلَىٰ أَنْ تَأْخُذَنِي ثَمَانِي حَجَّجَ

*He (Syu'aib) said, Verily I intend to marry you with one of my two daughters, provided that you work for me for eight years* (Departeman Agama RI, 2012).

In the above verse, the shepherding is made a dowry. The Prophet Muhammad saw, also married a woman who gave herself to her applicant with memorized verses of the al-Qur'an. Dowry should not be something as unlawful as teaching the Torah and doing the Qur'an to women (non-Muslim), because the woman gets answers and.

Dowry is not always in the form of money or goods. Among Muslim students, there had been a marriage with a dowry in the form of the prospective husband's ability to teach his future wife to read the holy book of the al-Qur'an until graduation, among Muslim students better known as the khatam al-Qur'an (Al-Syairazi, 1996).

### Sense and Dowry Purpose

The sense of a dowry in dowry in marriage is in place of the halation of a woman or the halal mixing with her husband. Also, dowry is an effort made and endeavored by the husband in glorifying and respecting the woman and as a sign of the woman's position, has become the husband's right (Saleh ibn Saleh Al-Fauzan, 2014).

Dowry prescribed by Allah swt, to elevate the degree of women and explain that this marriage contract has a high place and position. Therefore, Allah Almighty obliges him to men not to women, because he is more able to try. Dowry is required to him as well as all material burdens. The wife is generally supported in preparing herself and all her equipment, which is not assisted by her father and relatives. By giving a marriage dowry to his wife,

the husband will also benefit directly from himself by gaining a feeling of happiness, peace of mind and comfort in his activities both at home and outside the home.

Dowry charged to a husband is rationally acceptable. Then the wisdom is the cause of a husband not in a hurry and hurriedly drop divorce on his wife because of the consequences of the dowry, such as the surrender of the over dowry, the dowry surrender for the woman he marries afterward and also as collateral for the woman when reared (Abdul Aziz Muhammad Azzam, 2011).

### **Dowry Marriage in the form of memorization of the Qur'an**

Hadis, which becomes a reference in the dowry in the form of memorizing the al-Qur'an is the Hadis Sahl bin Said al-Saidi. So it cannot be denied that the text of the hadis explicitly does mention that the dowry is in the form of memorization of the al-Qur'an, and is a common thing when it is understood that the dowry may be in the way of memorizing the al-Qur'an. The complete hadis is as follows;

عَنْ سَهْلِ بْنِ سَعْدٍ أَنَّ النَّبِيَّ جَاءَتْهُ امْرَأَةٌ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنِّي وَهَبْتُ نَفْسِي لَكَ. فَقَامَتْ قِيَامًا طَوِيلًا. فَقَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ اللَّهِ زَوِّجْنِيهَا إِنْ لَمْ يَكُنْ لَكَ بِهَا حَاجَةٌ. فَقَالَ رَسُولُ اللَّهِ: هَلْ عِنْدَكَ مِنْ شَيْءٍ تُصَدِّقُهَا بِهَا؟ فَقَالَ: مَا عِنْدِي إِلَّا إِزَارِي هَذَا. فَقَالَ النَّبِيُّ إِنْ أَعْطَيْتَهَا إِزَارَكَ جَلَسَتْ لَا إِزَارَ لَكَ فَالتَّمِسْ شَيْئًا. فَقَالَ: مَا أَجِدُ شَيْئًا. فَقَالَ: الْتَمِسْ وَلَوْ خَاتَمًا مِنْ حَدِيدٍ. فَالتَّمَسَ فَلَمْ يَجِدْ شَيْئًا. فَقَالَ لَهُ النَّبِيُّ: هَلْ مَعَكَ مِنَ الْقُرْآنِ شَيْءٌ؟ قَالَ: نَعَمْ. سُورَةُ كَذَا وَسُورَةُ كَذَا لِسُورٍ يُسَمِّيَهَا. فَقَالَ لَهُ النَّبِيُّ: قَدْ زَوَّجْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ.

*From Sahal bin Sa'ad al-Saidi that the Prophet Muhammad saw, was approached by a woman who said, "O Messenger of Allah I have given myself to you", the woman stood up long ago and stood a man who said, "Yes Rasulallah saw, just marry me if you don't want to marry her". Rasulallah saw, the Messenger of Allah said, "Do you have something to make a dowry? He said," Not except only my sarong "The Prophet replied," if you give me your sarong you will not have any more sarong, look for something ". He said," I did not get anything "Rasulallah saw, the Messenger of Allah said," Look for even a ring of iron." He searched for it again and did not get anything. Then the Prophet said again," Do you memorize the Qur'an? ". He replied," Yes this and that letter "while mentioned the letter he memorized, the Prophet said, "I have married you both with the recitation of your Qur'an recitation"(Muhammad bin Ismail Abu Abdillah al-Bukhari, 1422).*

Then the disagreements and disputes between Fukaha contained in the book *Al-Mawsu'ah al-Fiqhiyyah* are mentioned on this issue. Fukaha Hanafiya hand Malikiyah in their masyhurpopular opinion, also one of the views of Imam Ahmad, stated that it is not permissible to make the memorization of the Qur'an as a dowry for women because the female genitals are only lawful if the dowry is in the form of property (Departemen Agama RI, 1993).

Allah swt, in his firm QS al-Nisa verse 24 is the basis of the thoughts expressed by the previous jurists, Allah said;

وَأَحِلَّ لَكُمْ مَا وَرَاءَ ذَلِكَ أَنْ تَبْتَغُوا بِأَمْوَالِكُمْ مُحْصِينَ غَيْرَ مُسَافِحِينَ

*And it is permissible for you other than such (that is) to look for wives with your property to be married not to commit adultery (Departemen Agama RI, 2012).*

It is fitting to memorize the al-Qur'an as a form of *taqarrub* (worship) for those who memorize it. Fukaha from the Shafi'i circles said that, including some of Malikiyah jurists' opinions, which disregarded the notorious opinions, they stated that it was possible to make memorization of the al-Qur'an as a dowry for the marriage contract. Since it is said that the Prophet Muhammad saw, never married (as mentioned in the hadis Sahl bin Sa'id al-Saidi, the Prophet married him to a woman<sup>†</sup> with the down of memorizing the al-Qur'an, through his saying; I have married the two of you with your recitation dowry.

***Al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta'* fatwas About Dowry memorization of the Qur'an**

*Al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta'* Fatwa, Number. 6029, this fatwa was prepared based on the deliberations of several religious experts, as the chairman of Abdul Aziz bin Abdullah bin Baz, while acting as the representative was Abdurrazzaq 'Afifi, and the members who participated in it were Abdullah bin Ghadyan, Abdullah bin Qu'ud;

يَصِحُّ أَنْ يُجْعَلَ تَعْلِيمُ الْمَرْأَةِ شَيْئًا مِنَ الْفَرَانِ مَهْرًا لَهَا عِنْدَ الْعَقْدِ عَلَيْهَا إِذَا لَمْ يَجِدْ مَالًا .

*It is permissible to make the teachings of the Qur'an as a wedding dowry given to a bride when she has no possessions* (Ahmad bin Abdurrazak al-Duwaisi, 1409).

Expressed in the principles of *al-Lajnah al-Daimah Li al-Buhus Wa al-Ifta'* is to provide answers to a question directly to the subject matter and answer it with appropriate law and can be carried out by the person who specifically asked it and the Muslim community in particular general. The text of the fatwa is a response to questions that depart from anxiety and also various phenomena that occur amid Muslim society. Therefore, the legal advice and direction given in the fatwa are understood as follows:

*First*, Dowry marriages in the theme of the al-Qur'an are to teach the al-Qur'an to future wives. The teaching can be carried out later after and when establishing domestic life. Therefore, the household is always close and full of nuances of the al-Qur'an and makes the home a strong foundation for a relationship between a married couple through the teaching of the al-Qur'an.

*Second*, Dowry marriage in the form of teaching the al-Qur'an is the second choice (second object) in the selection process or agreement to determine the dowry of a marriage. That is, not the main dowry in a marriage dowry. However, being a companion dowry or complementary dowry of the main dowry.

*Third*, the fatwa is at the end by an exception, which becomes the legal foundation of origin rather than the issue of dowry of marriage, i.e., if no property is found. This exception allows the teaching of the al-Qur'an as a marriage dowry for couples who want to have a wedding and makes the property an original law of marriage dowry. The wealth is material that can

<sup>†</sup>As for the woman mentioned above, and who gave herself to the Messenger of Allah, to be married, Ibn Jarir al-Tabari explained in his interpretation of QS al-Ahzab ; 50, and the hadis Sahal bin Sa'ad al-Saidi was *sabab al-nuzul* of the verse, that the verse the woman's name was Maimunah bint al-Haris, according to the mufasssir other names namely Umm Sharik, in another narration mentioned Zainab bint Khuzaimah (Muhammad bin Jarir bin Yazid bin Kasir bin Ghalib bin al-Amali Abu Ja'far al-Tabari, 2000).



be felt by the senses, so that the eyes can be known dowry should be in the form of material or property, as the fatwa states in the exception.

*Fourth*, the Fatwa responds at the same time to correct various phenomena that occur in the community. This phenomenon is found among young millennials who make many readings of the al-Qur'an both bi al-occult and bi al-nazar as dowry at their marriages. That is, according to the fatwa, the gift of marriage dowry in the form of reading al-Qur'an both bi al-gaib and bi al-nazar as dowry cannot be justified and should teach the al-Qur'an to their partners to be used as dowry for their marriage.

*Fifth*, the inaccuracy of making the reading of the al-Qur'an both bi al-occult and bi al-nazar as a dowry at marriage is because the dowry can only be witnessed and played, or it may be felt special when the marriage contract takes place, while the essence of the dowry is as known, should contain elements of benefit for the couple, and the benefits can be felt directly by the couple during and after the contract, or when undergoing and wading through the household.

The wife does not directly feel the al-Qur'an reading, and only limited text can be felt when the marriage contract takes place and lacks the principle of benefit or benefit. Therefore, the institution of *al-Lajnah al-Daimah Li al-BuhusWa al-Ifta* in his fatwa mentioned legal recommendations directly to the subject of his problem, namely the dowry should teach the al-Qur'an to his wife. This is because teaching is a process that is undertaken by both after the marriage contract takes place. When the wife is taught a particular science, the wife can be said to have benefited from the knowledge taught by her husband. These benefits are the purpose of applying dowry for the wife, namely that women feel the benefits of marriage dowry given by her husband.

The evidence which is the basis of the fatwa is a case that occurred at the time of the Prophet, which is almost similar to the phenomenon of today's society. It's just that the hadis is casuistic that happened to one of the companions of the Prophet, Sahl bin Sa'd al-Saadi only. But it can still be used as evidence. It is known that the institution of *al-Lajnah al-Daimah Li al-BuhusWa al-Ifta* 'in principle is mustaqil an mazhab, not fanatical to one particular mazhabfiki, but will be argued to use various mazahibs, as well as on numerous occasions to have an Islamic origin or have a jihadist basis. Use the arguments that are there (Ahmad bin Abdurrazak al-Duwaisi, 1409).

The basis of this fatwa is the hadisSahl bin Sa'd. The emergence of this fatwa is based on a question from one of the men, a Saudi citizen who asked about the fact that he was about to marry a woman who was planned to give a Dowry al-Qur'an.

*First*, giving a Manuscript as a dowry is also permissible, because, in the most persuasive opinion, a Manuscript may be traded.

*Second*, If a divorce occurs before the husband pays the dowry he has determined during the contract, the wife may request half of the dowry if the separation occurs before she is paid. But if he has sex, then he gets all the dowry. Unless the wife allows the bride price not to be paid, whether she has been intercourse or not, or they agree to replace it with other objects that are allowed.

I sifted through, the *al-Lajnah al-Daimah Li al-Buhus al-IlmiyahWa al-Ifta* 'does not recommend memorizing the memorization of the al-Qur'an to

be used as a dowry in a marriage contract, but a teaching of the al-Qur'an adjusted to one's condition and distinguished from the others, because this acquisition is conditional, meaning that if someone has enough property to be used for dowry in marriage, then he should use his property for dowry, but if you do not have property at all, not too have dowry in material form, then make dowry in the form of teaching the al-Qur'an then allowed.

#### **Analysis of the *Al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta* fatwa on the dowry of memorizing the al-Qur'an**

Responding to the fatwa above related to memorization of the al-Qur'an should be in the form of teaching the al-Qur'an and not memorization of the al-Qur'an, as is often the case among students, the dowry is devotion to certain pesantren. If it refers to Rasulullah saw is Rasulullah saw, himself never gives dowry to use or recite memorization of the al-Qur'an. Even though His Majesty, the Holy Prophet, is the person with the highest degree in memorization of the al-Qur'an. However, his dowry to his wives remained in the form of property. To the Khadijah.a reportedly the price of 10 or 100 camels. To Aisha and others in the way of 500 silver dirhams of money.

كَانَ صِدَاقُهُ لِأَزْوَاجِهِ بِنَى عَشْرَةَ أُوقِيَّةً وَنَشَأَ قَالَ: قَالَتْ: أَتَدْرِي مَا النَّشْءُ؟ قَالَ: ثُلُثٌ؛ لَا! قَالَتْ: نِصْفُ أُوقِيَّةٍ؛ فِثْلُكَ خَمْسِمِائَةِ دِرْهَمٍ. فَهَذَا صِدَاقُ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لِأَزْوَاجِهِ ..

*Aisyah said Dowry Rasulullah to his wives is 12 Uqiyah and one nasy. Ayesha said,; do you know what texts are? AbdurRahman said: No. Ayesha said: half Uuqiyah. So all 500 dirhams. This is the dowry of the Messenger of Allah to his wives (Abu Abdirrahman Ahmad bin Syuaib bin Ali bin al-Khurasan al-Nasai', 2001).*

Imam Nawawi concludes the hadis of Sahl bin Sa'd al-Saidi above by stating that dowry is good in the form of teaching the al-Qur'an. His opinion is as follows;

وَفِي هَذَا الْحَدِيثِ دَلِيلٌ لِحُجُوزِ كَوْنِ الصَّدَاقِ تَعْلِيمِ الْقُرْآنِ .

*In the hadis, there is the argument that dowry may be in the form of teaching the al-Qur'an (Al-Nawawi, 1994).*

Study a hadis should read it in its entirety and not randomly or take a fragment. The above hadis is a description of a case that had happened to His Majesty Rasulullah, how the Prophet recommended or allowed the man to give dowry in the form of memorizing the al-Qur'an. However, when viewed comprehensively, there is a negotiation process prioritizing dowry of material nature, which in the end allows some memorization of the al-Qur'an to be used as a marriage dowry. At first, the Prophet asked for a dowry in the form of an object or a treasure, but because the man was poor and did not have any assets, the Messenger of Allah allowed a minimal value, which was only an iron ring. But it has been sought and sought, apparently still not obtained as well, in the end the Messenger of Allah also invited the dowry in the form of memorizing verses of the Qur'an. When marriage dowry uses memorization of the al-Qur'an, the election should be placed at the last option after trying to give dowry in the form of property. Therefore, it is not permissible to provide dowry marriage in the way of memorizing the al-Qur'an without being based on the prioritization of objects or material.

Al-Qur'an memorization is memorized by someone who he remembers in his mind or heart. So memorizing the al-Qur'an in his head is not

something that can be given to others. When the al-Qur'an memorizes marriage dowry, there will be a contra understanding of the concept of dowry in Islamic law. Because dowry is a gift in the form of material, and memorization of the al-Qur'an cannot be given handover.

### Conclusion

Dowry is something material, that is, a property given from a man to a woman for marriage or mixing. The phenomenon of giving dowry using memorization of the al-Qur'an has a personal motive and background, or the desire of his wife, family, or requests for conditions for marriage. The phenomenon that is currently developing is not the same as the case that occurred in the time of the Prophet at that time. Where the background that made Saad bin Sa'id al-Saidi make memorization of the al-Qur'an as a wedding dowry is due to economic factors. Whereas lately, making marriage dowry in the form memorizing of al-Qur'an is due to factors that will eliminate a wife's rights, namely the right to ownership of property given by her husband at the time of the marriage contract.

Dowry memorization of al-Qur'an has been claimed by the fatwa institution *al-Lajnah al-Daimah Li al-Buhus al-Ilmiyah Wa al-Ifta* is not allowed. Whenever he wants to give his dowry in the form of the theme of the al-Qur'an, he should instruct his wife in the way of guiding his wife to be more intelligent and closer to the al-Qur'an. The legal status of the issue of giving dowry in the form of memorizing the al-Qur'an is not allowed. When a wedding dowry is given along with other objects, namely a set of prayer tools, rings, and other materials, this is permissible, because there is an element of ownership of the property by the wife.

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