

Wage-based Dowry Legal Paradigm: Perspectives of Muslim Generation Z in Surabaya

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Abstract

This paper traces the perception of Generation Z Muslims in Surabaya about marriage dowry. Data was obtained from questionnaires distributed to them and finally received 174 respondents. Two things that were tracked were their perception of the Regional Minimum Wage-based dowry quality and quantity standards and their legal paradigm towards the idea of wage-based dowry. This study shows two important things. First, most of them disagree with wage-based dowry in the context of quantity. On the other hand, in the context of quality, they agree that dowry should be of productive value. At this point, they display a unique position because productivity is interpreted dually, wage-based standards and not. Second, they respond to this issue using four paradigms: sociological, normative, anthropological, and juridical. Sociological and juridical paradigms create the value of reciprocal protection, male and female. The normative paradigm establishes the importance of patriarchal protection. While the anthropological paradigm is more binding on the preservation of tradition. Here, it can be seen that the paradigm influence of protection on women in the context of wage-based dowry standards is quite strong, although sometimes women are trapped in a patriarchal paradigm.

Keywords: Generation Z; legal paradigm; wage-based dowry

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Tulisan ini melacak persepsi Generasi Z Muslim di Surabaya tentang mahar perkawinan. Data diperoleh dari kuisioner yang disebar kepada mereka dan akhirnya diperoleh 174 responden. Dua hal yang dilacak adalah persepsi mereka terhadap standar kualitas mahar dan standar kuantitas mahar berbasis Upah Minimum Regional (UMR) dan paradigma hukum mereka terhadap gagasan mahar berbasis UMR. Kajian ini menunjukkan dua hal penting. Pertama, mayoritas dalam konteks kuantitas tidak sepakat terhadap mahar berbasis UMR. Di sisi lain, dalam konteks kualitas mereka sepakat jika mahar harus bernilai produktif. Di titik ini, mereka menampilkan posisi yang unik, karena produktifitas dimaknai secara ganda, yaitu berstandar UMR dan tidak. Kedua, terhadap isu ini mereka merespons dengan menggunakan empat paradigma, yaitu sosiologis, normatif, antropologis, dan yuridis. Paradigma sosiologis dan yuridis menciptakan nilai perlindungan resiprokal, laki-laki dan perempuan, dengan kecenderungan dominan terhadap perempuan. Paradigma normatif melahirkan nilai perlindungan patriarki. Sedangkan paradigma antropologis lebih menonjolkan proteksi terhadap tradisi. Di sini terlihat bahwa pengaruh paradigma perlindungan terhadap perempuan dalam konteks mahar cukup kuat, meskipun terkadang perempuan terjebak pada paradigma patriarki.

Kata Kunci: Generasi Z; paradigma hukum; mahar standar UMR

Introduction

Islam introduces and renews the dowry by carrying out the spirit of liberation and respect for women,¹ not taking advantage of the dowry as the economic interest of the marriage guardian² or husband.³ This effort is proven by the direct practice of the Prophet, who gave dowry to his wives with productive dowry in terms of quality and expensive in terms of quantity.⁴ This step was then followed by his Companions as assistants to the Prophet in carrying out the mission of the Prophetic treatise by providing dowry, which was also productive and costly at his time, such as Thābit ibn Qays.⁵ It is a way of liberating and respecting women through marriage in the early Islamic era whose purpose is clear that giving a dowry was to differentiate pre-Islamic marriage transactions that placed women as merchandise from the early Islamic period that put women as subjects full of rights.

This meaning is not entirely accepted and implemented by Muslim communities, including Indonesia. One reason is that, in the Indonesian context, the al-Shāfi'ī school, which is the majority school of thought, does not provide a minimum standard for dowry. The principle often used in this school is that a good dowry is manageable for the man. Moreover, the Compilation of Islamic Law (*Kompilasi Hukum Islam*), is seen as a form of reform but, in fact, only strengthens the traditional paradigm of *fiqh* and arguments, especially the al-Shāfi'ī school. The available dowry regulation contains the principle of negotiation, which is manageable for both parties, especially men.

On this basis, the Indonesian Muslim community has different standards of determination. In East Aceh, the recognized dowry is gold (*jeulamee*) with a

¹ Irwanti Said, "The Portrayal of Islamic Values and Perspective of Bugis – Makassar Culture in the Conception of Dowry for People in Bangkala Village, Makassar, South Sulawesi," *Jurnal Adabiyah* 22, no. 1 (2022): 128, <https://doi.org/10.24252/jad.v22i1a7>.

² M. Jafar, "Kepemilikan Mahar dalam Adat Masyarakat Aceh menurut Tinjauan Usul Fikih (Analisis Berdasarkan Teori 'Urf)," *Al-Manahij: Jurnal Kajian Hukum Islam* 9, no. 1 (2015): 65–78, <https://doi.org/10.24090/mnh.v9i1.512>.

³ Sarah C White, "Patriarchal Investments: Marriage, Dowry and the Political Economy of Development in Bangladesh," *Journal of Contemporary Asia* 47, no. 2 (2017): 247–72, <https://doi.org/10.1080/00472336.2016.1239271>.

⁴ Abū Ḥusayn Muslim ibn al-Ḥajjāj al-Naysābūrī, *Ṣaḥīḥ Muslim* (Beirut: Dār al-Kutub al-'Ilmiyyah, 2008), vols. II: 344–345.

⁵ Abū 'Abdullāh Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Amman: Bayt al-Afkar al-Dawliyyah, 1998), 615.

minimum standard size of 3.3 grams of gold.⁶ Here, it is clear that there is a reasonably high minimum standard. The general standard of dowry (*jujuran*), which is quite fantastic, can also be found in Tabalong, South Kalimantan. In general, *jujuran* prices for girls can reach IDR 50 million, widows up to IDR 15 million, and children up to IDR 100 million.⁷ In Central Lombok, the term multilevel dowry is known. The determination of the dowry level depends on the educational status and nobility of the woman as well as the economic capacity of the man.⁸ Some of these examples are that customary solid or traditional interests still bind dowry practices. Here, the intervention of traditional interests impacts the minimum standard of dowry, which is generally relatively high.

Uniquely, contrary to what is determined by the custom above, some marriage cases display the practice of deciding a dowry, which is very simple. From the artist group, in 2015, Stuart Collin married Risty Tagor with a very cheap dowry, IDR 19,415.⁹ In 2019, a wedding with a dowry of flip-flops took place in Kebumen¹⁰ and in Central Lombok in 2020.¹¹ Meanwhile, in Bekasi, a man married his wife for only IDR 500.¹² Kadir's findings are also quite interesting regarding the dowry trend in urban areas in Jember, in Summersari

⁶ Muhammad Zainuddin, "Tradisi Jeulamee dalam Pernikahan Suku Aceh Perspektif Mashlahah: Studi Kasus di Kecamatan Peunaron Kabupaten Aceh Timur." [Undergraduate thesis]. (Universitas Islam Negeri Maulana Malik Ibrahim Malang, 2020), <http://etheses.uin-malang.ac.id/16428/>.

⁷ Rifqi Akbari, "Jujuran dalam Adat Banjar (Kajian Etnografis Hukum Islam dalam Perkawinan Adat Banjar)." [Undergraduate thesis]. (Universitas Islam Negeri Syarif Hidayatullah Jakarta, 2018), <https://repository.uinjkt.ac.id/dspace/handle/123456789/41086>.

⁸ Muhamad Zaenul Fiqriadi, "Pandangan Masyarakat tentang Mahar Bertingkat dalam Perkawinan Perempuan Muslim Sasak di Kabupaten Lombok Tengah." [Master thesis]. (Universitas Islam Negeri Mataram, 2021), <http://etheses.uinmataram.ac.id/2803/>.

⁹ Dedi, "5 Artis Ini Menikah dengan Mahar Murah, Ada yang Hanya Rp19 Ribu," *viva.co.id*, December 21, 2022, <https://www.viva.co.id/showbiz/gossip/1557638-5-artis-ini-menikah-dengan-mahar-murah-ada-yang-hanya-rp19-ribu>.

¹⁰ Komarudin, "Cerita Wanita Kebumen Minta Maskawin Sandal Jepit Saat Pernikahan," *liputan6.com*, January 2, 2019, <https://www.liputan6.com/lifestyle/read/3861600/cerita-wanita-kebumen-minta-maskawin-sandal-jepit-saat-pernikahan>.

¹¹ Michael Hangga Wismabrata, "Cerita di Balik Mahar Nikah Sandal Jepit dan Segelas Air, Di-bully Warganet dan Ingin Bantu Suami," *kompas.com*, July 6, 2020, <https://regional.kompas.com/read/2020/07/06/05110091/cerita-di-balik-mahar-nikah-sandal-jepit-dan-segelas-air-di-bully-warganet?page=all>.

¹² Kurnia Yustiana, "Wanita di Bekasi Ikhlas Dinikahi dengan Mahar Rp500, Alasannya Mengharukan," *Hai Bunda*, July 7, 2020, <https://www.haibunda.com/moms-life/20200707142043-68-150272/wanita-di-bekasi-ikhlas-dinikahi-dengan-mahar-rp500-alasannya-mengharukan>.

sub-district, in 2010. In more than 50% of the samples, urban people choose dowry below IDR 100,000. Some choose to use a very small nominal, IDR 10,000.¹³

Determining the amount of dowry that differs in several places is, of course, based on several important reasons. In the case of a dowry worth a ladder, the main reasons used are to respect women and show the seriousness of men. With a high dowry, the possibility of divorce will be rethought. However, on the other hand, a dowry like this is also considered to open up opportunities for new law violations because many men and women cannot get married just because of a dowry. Ultimately, they chose to take other methods, such as unregistered marriage and getting pregnant out of wedlock. The choice of being single until beyond the productive age of marriage is also unavoidable. On the other hand, the reasons used were purely economic and sensational in the case of cheap dowries. Setting a too-cheap dowry can also provide an easy opportunity for divorce, although this reason cannot be generalized. The latest fact, a marriage with a dowry of flip-flops that ended up getting divorced,¹⁴ proves that the very minimal price of a dowry does not uphold the seriousness of marriage.

Undeniably, some of the famous cases above have also become public consumption, including Muslim Generation Z. This condition impacts their perspective of viewing the standard of quantity and quality of dowries. The public, including Muslim Generation Z, ultimately does not understand comprehensively which standards represent the meaning of liberation and respect and which are burdensome. Ideally, this ambiguity should be addressed by setting standards based on the local economy by considering the regional minimum wage. Although this wage-based standard is not found in Indonesia, the authors believe it is essential to track in the context of Muslim Generation Z's thinking as agents of rapid change in Islamic family law. Thus, what they voice about dowry standards can be a determinant of the certainty

¹³ Abdul Kadir, "Penerapan Batas Minimal Mahar dalam Peraturan Perundang-Undangan: Studi Pandangan Pakar Hukum dan Praktisi KUA Kabupaten Jember." [Master thesis]. (Universitas Islam Negeri Maulana Malik Ibrahim Malang, 2013), <http://etheses.uin-malang.ac.id/7806/>.

¹⁴ Taryono, "Dulu Viral Nikah dengan Mahar Sandal Jepit, Pasangan Ini Cerai karena Selingkuh," *Tribun Lampung*, April 4, 2022, <https://lampung.tribunnews.com/2022/04/04/dulu-viral-nikah-dengan-mahar-sandal-jepit-pasangan-ini-cerai-karena-selingkuh>.

of dowry standards in Indonesia so that it can reduce cases of dowry disputes as well as motivate the enthusiasm of youth to carry out marriage.

Several dowry studies have been carried out from various perspectives. In a normative analysis, Hadi has also studied the value aspect of dowry productivity by using *ta'lili* reasoning.¹⁵ Shabah, Nahrowi, and Masyrofah looked at a comparison of differences in terms of the amount of dowry in Aceh, Indonesia and Selangor, Malaysia¹⁶ Meanwhile, within the framework of empirical studies, Gani, Akbari, and Kadir's research can be used for writing this research. Gani examines the background of limiting dowries through custom in East Kluet.¹⁷ Akbari did the same thing by reading the difference in dowries (*jujuran*) in Tabalong.¹⁸ Kadir examines a topic similar to this article. He focused on seeing the arguments of legal experts and practitioners at the Office of Religious Affairs (KUA) in Jember against the idea of imposing a minimum dowry limit.¹⁹ This last study is close to the topic to be studied by the author.

The focus of this article is undoubtedly different from the various studies above, especially with Kadir's study. This article focuses on looking at the Muslim Generation Z paradigm towards the idea of implementing regional dowry standards. Two things that will be tracked are their perceptions of the value of the quality and quantity of dowry, both of which are entry points to affirm the position of the regional dowry idea. After that, the article focuses on how they respond to the issue of wage-based dowry standards. This paper is an empirical juridical study using a conceptual and philosophical approach. The data obtained through the survey method will be processed according to variations in findings in the field.

¹⁵ Mukhammad Nur Hadi, "Mahar Produktif dalam Penalaran Ta'lili," *Qolamuna* 4, no. 2 (2019): 171–94, <https://ejournal.stismu.ac.id/ojs/index.php/qolamuna/article/view/134>.

¹⁶ Musyaffa Amin Ash Shabah, Nahrowi, and Masyrofah, "Dowry Amount in Aceh-Indonesia and Selangor-Malaysia: Between State Regulations and Customs," *Ahkam: Jurnal Ilmu Syariah* 21, no. 2 (2021): 325–56, <https://doi.org/10.15408/ajis.v21i2.19673>.

¹⁷ Burhanuddin A. Gani and Ainun Hayati Ainun Hayati, "Pembatasan Jumlah Mahar melalui Keputusan Musyawarah Adat Kluet Timur," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 1, no. 1 (2017): 174–204, <https://doi.org/10.22373/sjhk.v1i1.1575>.

¹⁸ Akbari, "Jujuran dalam Adat Banjar (Kajian Etnografis Hukum Islam dalam Perkawinan Adat Banjar) [Undergraduate thesis]."

¹⁹ Kadir, "Penerapan Batas Minimal Mahar dalam Peraturan Perundang Undangan: Studi Pandangan Pakar Hukum dan Praktisi KUA Kabupaten Jember." [Master thesis].

Dowry Regulations on Fiqh and Indonesian Islamic Law

Fiqh and the Indonesian Islamic Law Compilation have different concepts regarding the dowry standard. Scholars agree that there is no maximum standard for the dowry value. This argument is based on verse 4 of Surat al-Nisā', "And give a dowry (dowry) to the woman (whom you marry) as a willing gift. Then, if they gladly give you part of the (dowry), then accept and enjoy the gift with pleasure." A woman once used this verse to criticize Umar's intervention in determining the maximum standard of marriage dowry with the standard of the Prophet's marriage dowry.²⁰ It is because the woman disagreed that the excess value of the Prophet's dowry must be channeled to the *bayt al-māl* (state bank).²¹ This history clearly proves that regardless of the value of the dowry, women have full rights to the dowry. In this context, the prohibition of intervention only refers to the high dowry value that exceeds the Prophet's value, not the minimum dowry value.

However, in terms of minimum dowry standards, scholars differ. Al-Shāfi'iyyah and Ḥanabilah stipulate that there is no minimum standard for dowry. Anything that has value and can be traded can be used as a dowry. The Companions who agree with this opinion are 'Umar ibn al-Khattāb and 'Abdullāh ibn 'Abbās.²² Ḥanafiyah stipulates that the minimum standard for dowry is 10 dirhams of silver or its equivalent.²³ There is also a minor opinion which states that the minimum standard in the Ḥanafī School is 5 dirhams and 40 dirhams.²⁴ While Mālikiyyah stipulates that the minimum standard for dowry is four gold dinars or three silver dirhams.²⁵

Compilation of Islamic Law (the *Kompilasi*) is the only positive legal document that regulates dowry, which is explicitly discussed in Chapter V. There are nine articles that hold it, from Article 30 to Article 38. Only one article regulates the standard of quantity. Article 31 confirms that the dowry

²⁰ Wahbah al-Zuhaylī, *al-Fiqh al-Islāmī wa Adillatuh* (Damaskus: Dār al-Fikr, 1985), vols. IX; 255.

²¹ Wizārah al-Awqāf wa al-Shu'ūn al-Islāmiyyah, *al-Mawsū'ah al-Fiqhiyyah* (Kuwait: Wizārah al-Awqāf wa al-Shu'ūn al-Islāmiyyah, 2000), vols. xxix; 160.

²² Wizārah al-Awqāf wa al-Shu'ūn al-Islāmiyyah, *al-Mawsū'ah al-Fiqhiyyah*.

²³ Wizārah al-Awqāf wa al-Shu'ūn al-Islāmiyyah.

²⁴ Muḥammad ibn Aḥmad ibn Muḥammad ibn Aḥmad ibn Rushd al-Qurṭubī, *Bidāyah al-Mujtahid wa al-Nihāyah al-Muqtaṣid*. (Beirut: Dār ibn Ḥazm, 1995), 966.

²⁵ Wizārah al-Awqāf wa al-Shu'ūn al-Islāmiyyah, *al-Mawsū'ah al-Fiqhiyyah*.

has no quantity limit in the Indonesian Islamic law context. In this part, we know that the principles of simplicity and ease, which many *fiqh* scholars have emphasized are used in the *Kompilasi*.

There are also the dowry rules concerning quality and quantity, article 38. However, this article only mentions defects in dowry and the amount of dowry that still needs to be added, the dowry owed. The wife, in this case, may accept and reject. If the wife receives, the dowry that is disabled and owed is considered paid off so that the husband does not have payment dependents. Conversely, if the wife refuses, the husband must replace the defective dowry and fulfill the dowry owed.

Uniquely, the *Kompilasi* also mentioned the dowry dispute. In this case, the object of the conflict is the dowry's type and value. It means that the *Kompilasi* is also fighting for the ideal concept of quality and quantity. Automatically, this rule concerns dowry disputes of high quantity and quality. With this article, the *Kompilasi* is introducing that the quantity and quality of Indonesian Muslims have high productive and consumptive values. In practice, this article is used by judges at the Religious Courts in some instances, such as requests for the return of *jujuran* due to divorce before sexual intercourse,²⁶ mastery of part of the productive dowry by the ex-husband's parents,²⁷ and the debt dowry that the husband has not paid until the divorce is delivered in which at the same time it is the primary motivation for the occurrence of disputes.²⁸

Generation Z's Relationship with the Marriage Law

Generation Z is the generation born between 1995-2010. They are digital natives, a group born in an era of rapid technological developments.²⁹

²⁶ Imam Nurcahyo, "Sengketa Mahar Produktif dan Implikasinya terhadap Hak Isteri Perspektif Hukum Islam dan Hukum Positif: Studi Putusan Nomor: 32/Pdt.G/2020/Pa.Jnp tentang Perceraian) [Master thesis]" (Universitas Islam Negeri Raden Intan Lampung, 2022).

²⁷ M. Hamdan, "Penyelesaian Sengketa Pengembalian Mahar dan Jujuran Akibat Perceraian Qabla Dukhul di Kota Buntok." [Master thesis]. (Institut Agama Islam Negeri Palangkaraya, 2021), <http://digilib.iain-palangkaraya.ac.id/4449/>.

²⁸ Nur Annisa Asjakaan et al., "Sengketa Mahar setelah Terjadi Perceraian (Studi Putusan Pengadilan Agama Sungguminasa No.146/Pdt.G/2017/PA.Sgm.)," *Qawanin Jurnal Ilmu Hukum* 1, no. 1 (2020): 72-85, <https://jurnal.fh.umi.ac.id/index.php/qawaninjih/article/view/50>.

²⁹ Merica Karian et al., *Gen Z Insights: Perspective on Education*, ed. Hasna Wiayati (Surakarta: Unisri Press, 2021), 4.

Therefore, of course, they have different perspectives in all aspects. The speed of transferring information that accompanies their lives makes them have many references to determine their life decisions, including marriage. The laws regarding marriage they receive from abundant digital information sources give rise to different arguments in interpreting the elements of marriage, including the dowry. Therefore, several supporting reasons for why the issue of the minimum wage-based dowry needs to be traced to Generation Z are described below.

First, Generation Z's interaction with the internet and social media has a significant impact, including on thinking. The data show that Generation Z is the generation that interacts the most and is even more addicted to the internet (8%) than other age groups, the millennial generation (3.7%) and Generation X (2.4%). The duration of their interaction with the internet is more than seven hours a day.³⁰ Uniquely, the long duration of the interaction does not make them careless in receiving information, especially from social media. Asmarantika et al. found that Generation Z is quite selective in seeking information based on media credibility and content quality. Therefore, they prefer comprehensive news over fast news but incomplete information.³¹ This data shows how their paradigm is influenced quite a lot by various contents and legal culture created by the media. It includes how they interpret the dowry in marriage. Once again, this proves that Generation Z seeks to shape its legal paradigm as ideally as possible.

Second, Generation Z's response to marriage issues shows unique results. In the context of arranged marriages by the Kiai, some Generation Z students refused because they were considered unrealistic for their future life, although some obeyed and accepted it absolutely.³² The development of the Generation Z egalitarian paradigm can also be seen in the study of Marini et al. in Medan

³⁰ Ali Mahmudan, "Survei: Generasi Z Indonesia Paling Gandrung Gunakan Internet," Data Indonesia, January 29, 2022, <https://dataindonesia.id/internet/detail/survei-generasi-z-indonesia-paling-gandrung-gunakan-internet>.

³¹ Rossalyn Ayu Asmarantika, Albertus Magnus Prestianta, and Nona Evita, "Pola Konsumsi Media Digital dan Berita Online Gen Z Indonesia," *Jurnal Kajian Media* 6, no. 1 (2022): 34–44, <https://ejournal.unitomo.ac.id/index.php/ilkom/article/view/4818>.

³² Ahmad Muflihul Wafa, "Pandangan Santri Generasi Z terhadap Perjodohan Kiai Perspektif Kafaah," *Sakina: Journal of Family Studies* 6, no. 3 (2022): 1–15, <https://doi.org/10.18860/jfs.v6i3.1807>.

City. Most of them view that marriage must be carried out on a reciprocal principle by carrying out household obligations in terms of finances, housework, and educating children together. This view belongs to the moderately egalitarian mindset.³³ Regarding prenuptial agreements, Generation Z Muslims in Banjarmasin have a different view of the practice of prenuptial agreements. They view prenuptial agreements as essential because they protect the rights of husband and wife. It is different from the opinions of previous generations, which considered marriage agreements as taboo.³⁴ At this point, it is clear that Generation Z understands the concept of protecting legal rights in marriage, and this is one step ahead of the previous generation.

These crucial findings are an essential basis for the close relationship between Generation Z and the idea of legal reform. The effect of the speed of information will determine how Generation Z responds and presents its arguments against dowry. Whether they stick to classic norms or even dare to jump with new ideas is one thing that needs to be seen further. Moreover, the choice of Surabaya as a research locus, culture and competitive culture in living life is also an essential basis that forms their paradigm of marriage laws, including dowry.

Muslim Generation Z's Perception on the Quality of Dowry

This research was conducted using a survey method via Google form distributed to the unmarried Muslim Generation Z living in Surabaya. The final data of respondents who are willing to fill out the worksheet is 174, with details of 72 respondents being male and the remaining 102 respondents being female. Its composition based on age is described as Figure 1.

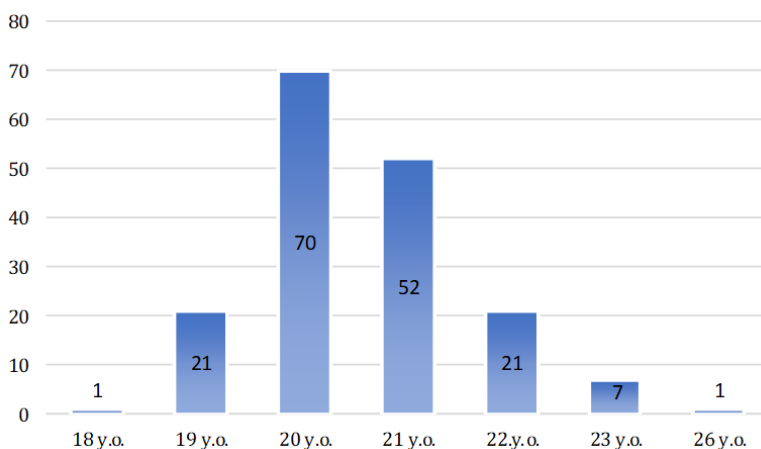
In this part, the respondents aged 20 years are 70. Meanwhile, respondents aged 21 years amounted to 53. Respondents aged 19 years and 22 years are 21. Then, respondents aged 23 years are 7. In contrast, each

³³ Liza Marini, Rahma Yurliani, and Indri Kemala Nasution, "Ekspektasi Peran Pernikahan pada Generasi Z Ditinjau dari Jenis Kelamin, Usia, Agama dan Suku," *Analitika* 14, no. 1 (2022): 89-98, <https://doi.org/10.31289/analitika.v14i1.5145>.

³⁴ Firqah Annajiyah Mansyuroh, Muhammad Haris, and Hafni bin Mahmud, "Muslim Generation Z and Globalized Knowledge: Perceptions of Muslim Generation Z of Banjarmasin on Prenuptial Agreement," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 15, no. 2 (2022): 187-206, <https://doi.org/10.14421/ahwal.2022.15202>.

respondent aged 18 and 26 years is only one person. This data shows that Generation Z Muslims in this study are dominated by respondents who have entered the age of marriage. However, most of them cannot be said to be a psychologically mature group to enter marriageable age. Regardless, their attention, especially those aged 20 to 21 years, shows that dowry is an important issue that deserves to be controlled, especially in relation to the new ide of dowry.

Figure 1
Age Distribution of Muslim Generation Z



In addition to age dominance, gender dominance is also found here. Most respondents were women in each category of ages. A significant difference presented in the age categories of 20 years and 21 years. Only in the age group of 23 years, the number of male respondents is slightly more than the number of female respondents. This position shows that the paradigm presented is certainly dominated by the women as dowry recipients. However, whether their dominance can shift the established perspective on dowry is what will be unraveled here (see Figure 2).

This research wants to trace the point of view of Muslim Generation Z towards the wage-based dowry standard. However, this picture can only be obtained by tracing the concept of the dowry quality they received. In this position, the researcher found an interesting variant of answers and reasons.

By providing productive values, consumptive value, productive-consumptive value, and other values, the findings in this study are quite interesting (see Figure 3).

Figure 2
Gender Distribution of Muslim Generation Z

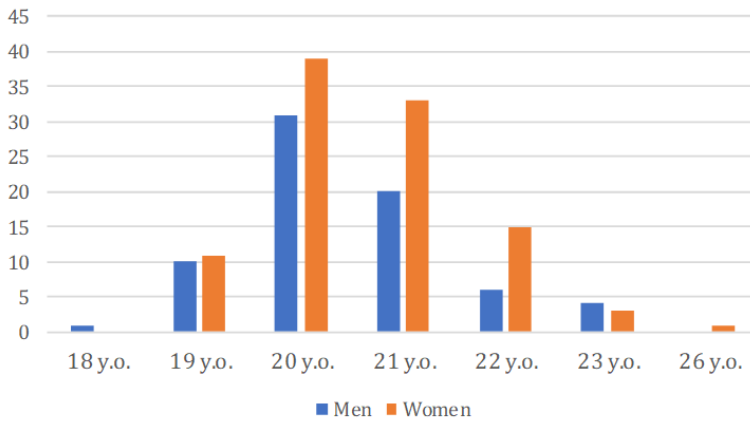
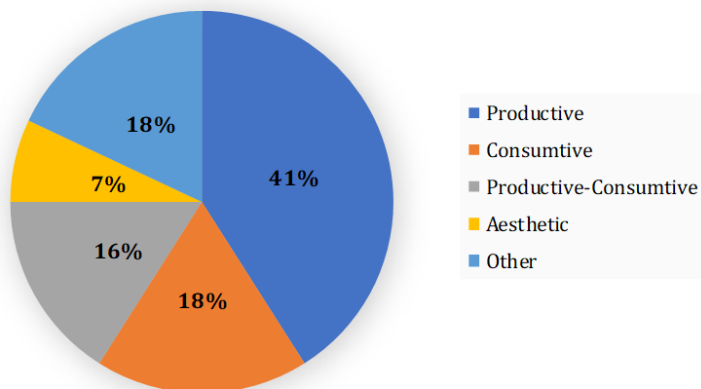


Figure 3
Muslim Generation Z's Perception of the Dowry Quality



First, 18 % of Muslim Generation Z who answered that the dowry quality must be productive have diverse and strong arguments. They argue that productive dowry can be in any form that can generate added value and generate profits when the wife owns it. It is because the productive dowry has a long-term beneficial value, so its use does not run out efficiently and provides more benefits for the future wife. They also emphasized that dowry is not just a show of luxury but is also a dynamic asset in the context of value so that it can be used to achieve optimal results.

Furthermore, this group believes that productive dowry's benefits can reach a collective context. The dowry initially intended only for the wife will grow and can be used for the life of the husband and wife and their family. When a woman receives a productive dowry, she can help to fulfill education for her children, increase household income, and build the future economy for households if she wants to contribute financially. Another implication of this productive dowry is that it allows women to be more confident in managing their assets and gain more control over their living conditions and circumstances. Therefore, if a woman wants to play a voluntary role, the family's economy can also be supported through the productivity of her dowry.³⁵

Second, 18% of Muslim Generation Z who answered that dowry is just a consumptive value have quite similar reasons to those who answered that dowry must be productive. They argue that the dowry must be something valuable or have a sale value to be used for the wife consumptively. If the dowry is consumptive, the wife can use it directly and take advantage of it. When the husband is in a downturn in economic conditions, the wife can use her dowry to meet the needs of daily life. Actually, this reason supports the argument of the first group. However, they agree more if the consumptive value of the dowry comes together with the productive value. Original consumptive values are not clearly visible here. While other reasons actually strengthen the perspective of the first group.

Third, 16% of Muslim Generation Z argue that the dowry value must fulfill productive and consumptive values. Besides, apart from having a sale value that can be used at any time according to the wife's needs, the dowry must also be productive. Therefore, the dowry value can increase anytime and be very

³⁵ Nur Hadi, "Mahar Produktif dalam Penalaran Ta'lili," 189–90.

profitable for the wife. Some argue that dowry is a gift that contains a blessing value. If the dowry is the money and then it is used as business capital, blessings will be easy to obtain by the husband.

Fourth, 7% of Muslim Generation Z think the dowry value should be aesthetic. For them, the beautiful dowry value can be enshrined into memories that can be created through beautiful decorations for documentation and decoration purposes during the wedding procession. In addition, because the wedding procession is sacred and only done once in a lifetime, for them, the value of beauty can describe respect for the woman. It, for example, occurs when the value of the dowry is decided according to essential moments such as the date of birth, the date they first made love, or the date of the wedding. Such methods are considered to create meaning for them because the nominal dowry can remind them of many things to be grateful for, such as the happy day, the reason for their marriage, and the purpose of their marriage. It shows that the value of the dowry is still closely related to the rituals of the wedding procession. Their argument for aesthetic value is similar to the aesthetic dowry culture in Paberasa, Sumenep,³⁶ so it might be appropriate to emphasize here that aesthetic value can generate psychological value because it impacts the bride and groom's happiness.

Muslim Generation Z's Perception on the Quantity of Dowry

Against 174 respondents, the researchers gave them three answer choices: yes, no, and maybe, to the possible wage-based dowry standard. The results we get are quite unique. When compared with data on the quality of dowry, which many agree on the productivity of the dowry value, the data in the quantity section actually seem to go against the dominant trend regarding the quality standard of dowry agreed upon by Muslim Generation Z (see Figure 4).

Group 1: Agree with Wage-based Dowry Standard

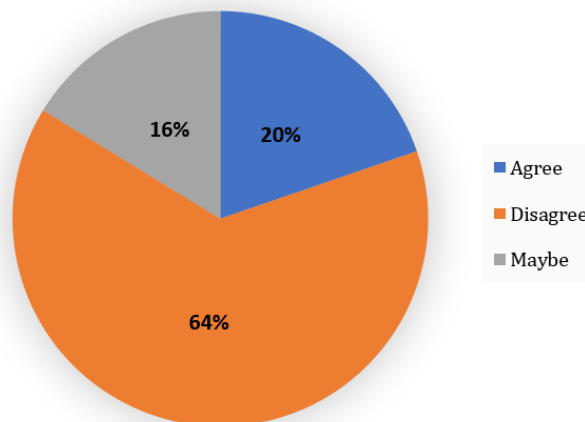
This group has various reasons. They used equality, justice, sustainability, and household life stability after marriage. However, to make it easier to read,

³⁶ Khoirin Nisa' and Darmawan, "Transformasi Mahar Perkawinan melalui Estetika di Desa Paberasan Kabupaten Sumenep," *Al-Hukama: The Indonesian Journal of Islamic Family Law* 11, no. 2 (2021): 162.

the authors group these reasons into two broad outlines: economic and juridical.

In an economic context, they argue that a limited dowry can help avoid excessive financial stress and allow for more prioritization of day-to-day needs or even long-term finances. This reason is similar to the results of the Alvara Research Center research, which describes Generation Z as a group of people who pay enough attention to long-term finances, even though it is less than 10%, as cited by Sarswati and Zidnia.³⁷ The findings align with the minimal number of respondents in this group.

Figure 4
Muslim Generation Z's Perception on the Idea of Wage-based Dowry Standard



They also consider that the dowry must be following one's financial condition. By setting the wage-based dowry standard, their burden of life will be lighter because the dowry standard is known, so they can prepare optimally. Men can give dowries without compromising their own needs or those of their dependent families, thereby preventing the possibility of providing unrealistic dowries, which can lead to ongoing financial stress.

³⁷ Ade Maya Saraswati and Rizqa Zidnia, "Pelatihan Perencanaan dan Pengelolaan Keuangan Syariah untuk Generasi Z dalam Mewujudkan Kebebasan Keuangan," *Jurnal Surya Masyarakat* 5, no. 1 (2022): 10-17.

Muslim Generation Z, who have an income reaching the regional wage standard, feel that giving a dowry is right. In this way, men have a clear measure according to their ability to provide dowries and avoid ambiguous positions between dowries that are not burdensome but do not demean women so that they remain within the limits of respecting the dignity of the woman they will marry. Therefore, for them, dowry and gender equality have a critical correlation. One of the goals is to eliminate the perception of "buying" towards women through dowries.

Several respondents, a minority voice, see the idea of a wage-based dowry from a juridical perspective. They responded that it was important for the government to respond to this determination through regulations. The aim is to have standard clarity, not ambiguity, and have a clear footing. At this point, legal certainty becomes an important priority in determining the dowry.

Group 2: Disagree with Wage-based Dowry Standard

This group dominates arguments over other groups. Their reasons can be mapped on economic, social, and religious aspects.

First, the biggest reason that burdens Generation Z in terms of dowry according to wage-based dowry is the economic aspect. In the context of the determined dowry, the most fundamental problem that raises questions is the difference in salary. Referring to the current age range of Muslim Generation Z, it cannot be generally ascertained that all of them have received income according to the minimum wage. In addition, some of them are too young to enter the workforce.

Furthermore, they see that the difference in regional wage standards in Indonesia can create gaps related to the context of dowry in marriage. Setting a dowry based on regional wage standards can make it difficult for couples needing help to pay according to the standards. Some regions may have a higher regional wage standard, requiring them to provide a more significant dowry than others. The implication is that these differences can create an unrealistic financial burden for couples without economic stability.

Some Muslim Generation Z also expressed that not everyone, Generation Z and Millennials or other generations, received a salary according to the regional wage standard. Several parties cannot be generalized in this group, including those who earn income below that standard or find it challenging to

find work with the salary of that standard. Such conditions in marriage can be considered unrealistic and not follow the economic reality of those who often face difficulties due to the high cost of living.

The refusal of Muslim Generation Z to link dowry with the regional wage standard gives the concept that the income or economic status of the family concerned determines the dowry value. Even though there is no obligation that someone's value is measured by their financial background. Therefore, they emphasize the importance of personal rights in determining the dowry. Another thing that needs to be explained is that this Generation supports relationships built on mutual respect and support responsibility rather than monetary considerations. That is, the debate over determining the dowry is not a primary issue compared to matters of responsible commitment.

Second, the following reason for refusal relates to the social aspect. It is because determining dowry in marriage involves social norms and interactions with society at large. Along with the changing generations, the perspective on marriage has also changed. Muslim Generation Z is more open to various forms of relationships and marriage changes no longer bound by traditions or material values.³⁸

They see that determining wage-based dowry standards can be categorized as measuring marriage value based on material aspects. Some aspects that should be prioritized in marriage are emotional construction, togetherness, and equality in relationships. Furthermore, they view such a dowry as a practice that strengthens social inequality because it encourages differences in financial ability to meet wage-based dowry standards. This is based on the awareness of Generation Z, who are more likely to have a high understanding of the social inequalities in society.³⁹

Third is religious reasons. Each Muslim Generation Z can form individual beliefs and moral values within the framework of their religion. In his

³⁸ Vizcardine Audinovic and Rio Satria Nugroho, "Persepsi Childfree di Kalangan Generasi Zilenial Jawa Timur," *Jurnal Keluarga Berencana* 8, no. 1 (2023): 1-11, <https://doi.org/10.37306/kkb.v8i1.132>; Herliana Riska and Nur Khasanah, "Faktor yang Memengaruhi Fenomena Menunda Pernikahan pada Generasi Z," *Indonesian Health Issue* 2, no. 1 (2023): 48-53, <https://doi.org/10.47134/inhis.v2i1.44>; Marini, Yurliani, and Kemala Nasution, "Ekspektasi Peran Pernikahan pada Generasi Z Ditinjau dari Jenis Kelamin, Usia, Agama dan Suku."

³⁹ Hebe Schallée et al., "Gender Inequality in Sport: Perceptions and Experiences of Generation Z," *Sport, Education and Society* 26, no. 9 (2021): 1011-25, <https://doi.org/10.1080/13573322.2021.1932454>.

argument, there are three main reasons: the absence of a measuring value for dowry and the willingness of both parties so that it is not burdensome for both. Some consider the Qur'an and hadith ideal and sacred values to be followed. They reinforce this argument with the letter al-Nisā' verse 4, which means:

"Give a dowry (dowry) to the woman (whom you marry) as a gift willingly. Then if they give you part of the dowry with pleasure, then eat (take) the gift (as food) which is delicious and the result is good."

This group also saw that the dowry should not be burdensome nor forced. It means that giving dowry must be under the voluntary will and without coercion or pressure from any party. Therefore, the amount and value of the dowry must follow the financial capabilities and mutual agreement between the two parties who are getting married. These arguments align with the provisions in the *Kompilasi* article 31, which emphasises that the dowry is determined by mutual agreement.

Group 3: Moderate Position against Wage-based Dowry Standard

There are 16.09% of the 174 Muslim Generation Z standing in a moderate position (see Table 1). However, the reasons presented by them are similar to the grounds in the agree or disagree category. Regarding the ability of the couple to provide the wage-based dowry standard, they argue that this ability is still based on the agreement of both parties or families involved and does not burden the couple. Another possibility is that that dowry standard may become a valid standard. However, on the other hand, Indonesia, as a developing country, has a different minimum wage for each region, and the salary is also different. Not only that, although on the one hand, the stipulation aims to provide benefits like the dowry is not too low and seems to demean women, they see that there are still many points that need to be straightened out as a result of the implementation of the idea of wage-based dowry standard.

Minor opinions show that Muslim Generation Z relates this issue to cultural reasons. They argued that local cultural standards that were still strong could become an obstacle to the application of the wage-based dowry standard as a progressive idea. Negotiations between custom and regional dowry provisions are a tug-of-war that may never be completed because, on the one hand, customary interests are more substantial. On the other hand, these regulatory interests also want to change the paradigm of dowry essence. Therefore, at this point, it can be understood that even though this idea carries a spirit of renewal for women's and family's lives after marriage, it must be

contrary to cultural customs that have been going on for a long time so that efforts to be accepted directly are somewhat difficult. In other words, they view cultural traditions as having a more decisive influence than any progressive.

Intersection of Muslim Generation Z Arguments: Productive Value over Consumptive Value

This part outlines the synchronization of the perspective of Muslim Generation Z on the quality and quantity of dowry. This explanation can make it easier to what extent the choice of quality value goes hand-in-hand with the option of wage-based dowry standards. This portrait is even more interesting if it is mapped with gender distribution as Table 1.

The results of data processing described in Table 1 show quite interesting facts. Most women agree that the value of dowry must be productive; 8 respondents are in the "agree group", 31 respondents are in the "disagree group", and 9 respondents are in the "moderate group". However, most of the women who agree with the productive dowry also rejected the wage-based dowry standard; 31 respondents. It can also be read in other categories of values, such as consumptive, aesthetic, and productive-consumptive, where women, even though they agree with these values, still want dowry does not need wage-based dowry standards.

On the category of groups that agree on a wage-based dowry is the fact that the opposite is true. Men dominate in this section. It is not half-hearted; the men's agreement to a standard wage-based dowry must be realized with productive and consumptive values. This data actually shows that Muslim Generation Z men pay great attention to the relationship between dowry and women's interests and the essence of marriage.

This difference indicates an interesting progress in strengthening women's rights. Here, it is seen that the male group dominates and has a strong voice in clarifying the respect of women in marriage through the dowry. On the other hand, even though women also voiced their voice in the men's position, they became the most dominant party to hinder progressive efforts to strengthen their financial rights in marriage through dowries. Simply put, Muslim men in Generation Z pay different attention to supporting gender issues than Muslim men in other generations, who tend to corner gender issues and even agree with the dominant patriarchal reasoning. At this point, it can be said that women have a dominant voice in rejecting or approving with moderate ideas.

Table 1
Gender Distribution in the Dowry Value Category

	Productive	Consumptive	Aesthetic	Productive-Consumptive
Agree	14	10	2	8
Man	6	2	2	6
Woman	8	8	0	2
Disagree	51	18	24	19
Man	20	6	10	9
Woman	31	12	14	10
Moderate	12	7	0	9
Man	3	4	-	4
Woman	9	3	-	5

Productivity values are the main criteria regardless of their position, whether they agree with the minimum wage standard or not. It means, on the one hand, the productive value of the dowry will be achieved if it meets the wage-based dowry standard. Conversely, on the other hand, productivity values cannot be standardized with wage-based dowry standards. Even if the value is small, anything that can have a sustainable impact is still considered a productive dowry. It is where we should realize that there is an awareness of the economic value of dowry. Nevertheless, for us as writers, the productive value of dowry can be achieved perfectly if explicit provisions regarding the dowry quantity standard accompany it.

Muslim Generation Z Legal Paradigm on Wage-based Dowry Standard: Creating Protection Values

Regarding the minimum wage standard idea, Muslim Generation Z presented four paradigms; sociological, normative, and anthropological paradigms. However, the data shows that the sociological paradigm has become dominant. It was found in groups that disagreed with the idea as the dominant group and in groups that agreed.

The sociological paradigm is displayed with a narrative of economic protection and gender justice. The protection referred to here comes in three

ways. First, setting the minimum standard can protect men from asking for a dowry that exceeds their ability. Thus, the marriage can continue without burdening the man's and family's economic dependents. This narrative certainly aligns with the excessive practice of dowry, as has occurred in several locations in Indonesia and India. Second, this standard, on the one hand, is also considered as a protection against the degree of women as well as protecting men from economic exploitation. In Indonesia, several areas that have customary solid influences force men to issue dowries beyond their means.⁴⁰ In India, to make matters worse, dowry can sometimes become business land for the family because marriage is an achievement of honor⁴¹ and even parents and siblings have access to the dowry.⁴² Third, the dowry-based dowry concept attempts to create a sustainable economy. It is where the family's long-term economic protection comes in. Here, it can be seen that the aspect of benefit highlighted is reciprocal-based benefit as well as long-term benefit.⁴³ That is, the concept of benefit in protection is not only for men but also for women in the context of the moment and for the benefit of the future. In addition, long-term benefits for the family's finances are also born here.

The groups that reject the idea of the wage-based dowry standard use economic narratives to protect men with a different perspective. If the previous group covered men to avoid exploitation of dowries, this group presented men's protection on the pretext that everyone's income was different. Setting the wage-based dowry standard actually makes a man's life even more burdensome. The freedom of dowry is even more considered to protect the male economy. On another point, this group also believes that economic values in the dowry do not significantly impact responsibility and mutual respect in marriage. Financial stability also does not closely correlate

⁴⁰ Hamdan, "Penyelesaian Sengketa Pengembalian Mahar dan Jujuran Akibat Perceraian Qabla Dukhul di Kota Buntok." [Master thesis].

⁴¹ Sajid Ali et al., "An Analysis of Dowry Practices and Its Religious Aspect in Rural Area of District Swat-Pakistan," *Journal of Philosophy, Culture, and Religion* 41 (2019): 1–7, <https://doi.org/10.7176/JPCR>.

⁴² Abdul Waheed, "Dowry among Indian Muslims: Ideals and Practices," *Indian Journal of Gender Studies* 16, no. 1 (2009): 47–75, <https://doi.org/10.1177/097152150801600103>.

⁴³ Euis Nurlaelawati, "Problematika Isbat Nikah: Dualisme Kepentingan dan Perlindungan terhadap Perempuan dan Anak dalam Legalisasi Poligami Siri," in *Membela Hak-Hak Masyarakat Rentan: HAM, Keragaman Agama, dan Isu-Isu Keluarga*, ed. Noorhaidi Hasan (Yogyakarta: Pascasarjana UIN Sunan Kalijaga Press, 2021), 83–118.

with how much dowry must be born. The benefit value that they generate here is only on one side. We can call it a patriarchal benefit (*maṣlahat*), not a reciprocal benefit. This is because the perspective used is based only on men's condition. Reciprocal collective benefit like allocating for the family economy was not born here.

How does the social justice narrative emerges in in the sociological paradigm? This narrative is commonly found in groups that reject the wage-based dowry standard. This group argues that social inequality will be created if the dowry is set to one standard. Different economic abilities are the primary determinants for carrying out marriages. Again, the reason for the ability of men is the main focus. Instead, they emphasized that togetherness and equality are the main priorities. The author argues that this narrative does not view marriage as a sacred practice that ideally can be prepared in advance. At this point, the problem that arises, again, is only to protect men from differences in marriage opportunities.

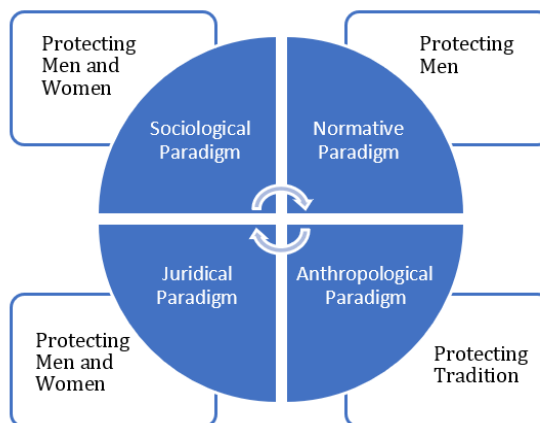
The normative paradigm stands out in groups that disagree with the wage-based dowry standards. The main narrative is that the dowry must be realized voluntarily and mutually. Unfortunately, although they understand that this concept is explained in *fiqh* and originated from the Qur'an and hadith, they do not include these sources in detail. At this point, they present the idea of mutuality in mutual agreement. What they understand is also actually strengthening the provisions in the *Kompilasi*. Therefore, they indirectly use the normative paradigm to assess that the *Kompilasi* continues to create benefits and is relevant to the practices of giving dowries.

The anthropological paradigm stands out in groups that are moderate towards this idea. The paradigm is clearly read when looking at the influence of custom in determining the dowry in several places. Even though they believe that the wage-based dowry idea has great problematic value, the existence of tradition that intervenes in determining dowry must be addressed. No matter how great the benefit of an idea is, if it goes against the dominant good custom or tradition, it is still considered not beneficial. Thus, the form of protection manifested is not towards men and women but towards tradition. The power of tradition must be recognized as something capable of changing the direction of protection for the public interest. Therefore, sometimes it is quite ambiguous between protecting the public interest or tradition.

The last paradigm is juridical. This paradigm is not dominant. However, this paradigm shows that awareness of the certainty of the value of the dowry among Muslim Generation Z indicates positive things. That is, they indirectly understand that a clear standard in positive law will clarify the concept of protection and resolve social inequality or jealousy. The protection value they are trying to achieve is for women and men. This is because the dowry standards in positive law will provide certainty to protect men and women from economic exploitation and, at the same time, reinforce respect for women through dowry.⁴⁴

The various paradigms above have unique tendencies when viewed in the context of protection. They create forms of protection values that range from individual to collective contexts. Everything was made with a variety of diverse considerations. The distribution of protection can be briefly described in Figure 5.

Figure 5
Protection Values on Wage-based Dowry Standard



⁴⁴ Abdul Haq Syawqi, "Mahar dan Harga Diri Perempuan (Studi Kasus Pasangan Suami Istri di Kecamatan Singosari dan Kecamatan Dampit Kabupaten Malang)." [Master thesis]. (Universitas Islam Negeri Maulana Malik Ibrahim Malang 2016).

However, the value of protection has been created, and the protection reasons, which still need to be advocated for vulnerable groups, must be a separate focus. This is because Muslim Generation Z dramatically influences the environment, both in digital and real-world contexts. As previously described, this generation has more than 7 hours of interaction power. The power of this interaction can create new influences and worlds about the idea of dowry and how it should be practiced. If protection reasons are published, the paradigm of protecting civil and financial rights can influence the public and impact how law is in action. If, on the contrary, there is significant work to transform a more advocative perspective.

Conclusion

This paper concludes with several important points. First, regarding the quality of dowry, Muslim Generation Z Muslims in Surabaya tend to interpret dowry as productive rather than consumptive and aesthetic. Second, this tendency has no impact on their alignment with the idea of wage-based dowry standards. The majority agreed to reject the idea with various paradigms, such as sociological, normative, juridical, and anthropological, with the sociological paradigm as the dominant paradigm. Third, uniquely, in the context of perception of the idea of dowry, both those who accept and reject it are dominated by women. It proves that women still do not realize the importance of dowry as a medium that strengthens their position in marriage. In other words, Muslim Generation Z women in Surabaya are still trapped in the patriarchal paradigm. It is increasingly seen when the embodiment of protective values is realized for the interests of men rather than women because men are seen as a group that is vulnerable to being oppressed in this context.

The perceptions and paradigms formed by the Muslim Generation Z in Surabaya towards the wage-based dowry standards are important notes for the future development of Indonesian Islamic family law. The more they display patriarchal and normative narratives, the slower the progress of Islamic family law, both in the context of discourse in the digital world and not. At this point, tracking and continuing to monitor their shifts in perception and paradigm is a must. Ignoring their perceptions is equivalent to creating new challenges for constructing Indonesian Islamic family law.[a]

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