

# Fixation of Excessive Dower, Causes of Divorce and Its Effects: A study in Chittagong district

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## Abstract

Men are social being. Marriage is a contract and tie between the bride and groom. Dower is essential for marriage. Dower is a right of the women. It must be given to the women. Dower is fixed more high in Chittagong. It is a load for a husband if it is not fixed the ability of the husband. Dower should be fixed religious norms and capability of the husband. The husband shall give the dower amount before the consummation of marriage. Excessive dower turns into a tradition in Chittagong District. To break down this infectious tradition, all persons should realize about this bad effects and it is a burden of husband. Sometimes, excessive dower amount to a divorce and have bad impact in family life. The tradition of excessive dower in Chittagong District should be removed. Dower is not a burden; it is a token of respect of women. The purpose of the study is to find out the reasons for fixing the excessive dower by the parties. And also the aim is to find out the consequences and results of excessive dower, and to see if the excessive dower really affects the divorce rate or not? Another object is to make suggestions to get rid of excessive dower. Dower is a significant subject matter for the Muslim society. It is a sum of money or property on which the wife is entitled to receive from her husband in consideration of their marriage. The religion of Islam has maintained a balance in the society between men and women by giving its unequivocal endorsement to a practical division of responsibilities, whereby women are placed in charge of the domestic management of the household, while men are responsible for the maintenance of its victuals and livelihood in a matrimonial family.

**Keywords:** Marriage, Dower, Excessive dower, Ability, Tradition, Burden etc.

## 1. INTRODUCTION

We are human beings. We live in a society. To live in a society, a man or women need company. Making Company in all religion has formalities named “marriage”. In Sharia law, marriage is a civil contract. Marriage is not only civil contract but also a religious sacrament. In Muslim law marriage is a social need because by marriage families are established. The family is the basic unit of Islamic society. It is starting of the relationship between husband and wife. To make this relationship that is marriage, dower is so important and compulsory in Sharia law.

“And give the women (upon marriage) their (bridal) gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and easy...” (Koran IV: 4)

Dower is a thing which absolutely belongs to the wife. Dower is either sum of money or other form of property which entitled by marriage.<sup>1</sup> The husband becomes payable to the wife on marriage either agreement between the parties or by operation of law. In Muslim law, many schools say about minimum limit of dower like Hanafi’s-10 Dirhams (36741.60 in BDT), Maliki’s- 3 Dirhams (3674.16 in BDT) and Shafi’s and Shia’s has no minimum Limit. In all Schools, there has no maximum limit, any amount can fix. Prophet Mohammad (SM.) fixed 500 dirhams (At present 1, 57,500 in BDT), for his favourite daughter Fatima (Ra.). This dower is called Mahr-e-Fatemi. Fixing this dower is Sunnah.

<sup>1</sup>Ahmed, Fariduddin and Tarzid, Surina,(2015) Muslim Family Laws in Bangladesh: A Brief Introduction, First Edition,pg-139

### 1.1. Research Methodology

The methodology used in the thesis is Qualitative Methodology. I conduct this research in quantitative approach. I collect the data from sample population. I conduct this research by questionnaire survey. I collect the primary data from respondents. The respondents are husband and wife. They are married or divorce. This study is also written by taking the primary and secondary sources such as existing laws, acts, books, journal etc. This research works based on analytical study. Here, analysis the laws and facts and other circumstances. In this process of study the analytical study is necessary and important for this thesis. For our research works we followed the analytical study.

I went to the Family Court 1 and 2, Judge's Court, Chittagong to collect the data for doing quantitative method. When I went to these courts there have many respondents both male and female. Many respondents are very cooperative. They are very responsive and do response quickly. They help me by giving data. But collecting data from many respondents were very challenging. Almost all male respondents are very responsive and helpful. Also many female respondents are helpful. Almost all respondents ask that Why I collect this data? I give answer that I conduct a research and say about their privacy and details about it. They realize my answers and they understand this matter and help me.

Almost all respondents help me to collect data. But I faced many challenges and many problems that many female respondents do not feel free to give data. Their guardian forbade them not to give the data. But many female respondents are very cooperative to give data friendly.

## 2. LITERATURE REVIEW

### 2.1. Dower in The Holy Quran

Allah (SWT) has given a full right of a dower to a woman as mentioned in the Qur'an. The following verses from the Holy Qur'an will, God willing, enable us to understand the word dower as per Allah's laws. The relevant words have been highlighted for emphasis.

O you who believers! When believing women ask for asylum with you, you shall test them. Allah is fully aware of their belief. Once established that they are believers, you shall not return them to the disbelievers. They are not lawful to remain married to them, nor shall the disbelievers be allowed to marry them. Give back the dower (dowries) that the disbelievers have paid to them. You commit no error by marrying them, so long as you pay them their due dowries.<sup>2</sup>

Allah (SWT) says,

So, you shall obtain permission from their guardians before you marry them, and pay them their due dower (dowries) equitably.<sup>3</sup>

Allah (SWT) says,

So, you give them their bridal due (as) on obligation. And (there is) no sin on you concerning what you mutually agree of it (dowry) from beyond the obligation. Indeed, Allah is All-knowing, All-Wise.<sup>4</sup>

Allah (SWT) has given permission to sexual intercourses with each other by giving the dower.

O you who believers, when believing women (abandon the enemy and) ask for asylum with you, you shall test them. Allah is fully aware of their belief. Once you establish that they are believers, you shall not return them to the disbelievers. They are not lawful to remain married to the disbelievers, nor shall the disbelievers be allowed to marry them. Give back the dowries that the disbelievers have paid. You commit no error by marrying them, so long as you pay them their due dowries. Do not keep disbelieving wives (if they wish to join the enemy). You may ask

<sup>2</sup> The Holy Al-Qur'an, 60:10

<sup>3</sup> The Holy Al-Qur'an, 4:25

<sup>4</sup> The Holy Al-Qur'an, 4:24

them for the dowry you had paid, and they may ask for what they paid. This is Allah's rule; He rules among you. Allah is Omniscient, Most Wise.<sup>5</sup>

The question of dower after the divorce, Allah (SWT) says,

Divorce may be retracted twice. The divorced woman shall be allowed to live in the same home amicably, or leave it amicably. It is not lawful for the husband to take back anything he had given her. However, the couple may fear that they may transgress Allah's law. If there is fear that they may transgress Allah's law, they commit no error if the wife willingly gives back whatever she chooses. These are Allah's laws; do not transgress them. Those who transgress Allah's laws are the unjust.<sup>6</sup>

## 2.2. Dower in Sunnah

The Prophet (SAW) set the highest examples of all good principles for his ummah in that regard, so that a clear understanding of the basic principles would be implanted in the society, and the spirit of simplicity in applying them would spread among the people. Our beloved Prophet (SAW) has explained the full right to the woman in Sunnah. The following speech from the Hadiths will, Allah willing, enable us to understand the word dower as per Shariah's laws.<sup>7</sup>

Prophet Muhammad (SAW) advised that marriage as a form of contract that everyone can carry out and need to spend a suitable amount of money. It is also mentioned that the amount of the dower which is a right of the woman which is to be given by the man is available in the Sunnah, "Even if you have an iron ring, give it to a woman as a dowry."<sup>8</sup>

In the hadith of 'Uqbah ibn 'Aamir (RA.), the Prophet (SAW) said:

The best dower for woman is that which is easy<sup>9</sup> and he (SAW) said; the best of dowers is the simplest (or most affordable). Once a woman offered herself to the Prophet (SAW) for marriage.<sup>10</sup> However, one of his Companions desired to marry her, thus, the Prophet (SAW) said regarding the dower: Bring something, even if it be an iron ring. When he could not find even this, the Prophet (SAW) then married her for the dower so that the man, from this example, would teach other believers whatever concept of the dower in the Qur'an that he knew. Narrated from Abdullah Ibn Abbas (RA.) what Hazrat Ali (RA) said; I married Fatima (RA) and said 'O messenger of Allah, let me go ahead with the marriage. He said; 'Give her something.' I said; 'I do not have anything.'" He said; 'Where is your Hutami shield? , I have it with me. 'He said, give it to her.<sup>11</sup>

## 2.3. Other Instruments

According to Islamic teaching or Sunnah, Dower is the amount of some monetary value to be paid by the groom to the bride at the time of marriage. Some of which may be delayed according to what has been agreed upon between the partners.<sup>12</sup> Dower does not fix at any amount, but the husband must pay whatever amounts that have been specified or whatever amount if not specified.<sup>13</sup>

There is a wrongful belief revolving most of the women regarding dower that the right to demand for dower only arises at the time of divorce. Apart from these, regarding cases of unregistered marriage and also when there is a non - specification of the mode of payment of dower in the Nikahnama, women cannot claim dower at the right time. By

<sup>5</sup> The Holy Al-Qur'an, 60:10

<sup>6</sup> The Holy Al-Qur'an, 2:229

<sup>7</sup> Ahammad, Syed Sahid,(2016) A Critical Analysis of Dower (Mahr) in Islam, Vol:21/7,pg-88

<sup>8</sup> Sahih-al-Bukhari, Hadith No-80

<sup>9</sup> Sahih-al-Jami, Hadith no. 3300

<sup>10</sup> Sahih-al-Jami, Hadith no. 3279

<sup>11</sup> Imam Abu Dawud ,Hadith No- 2125 and Sunane-An-Nasai, Hadith No-3375

<sup>12</sup> Ferdousi,Nahid (2019), "The Practice of Dower and Dowry in Muslim Marriage in Bangladesh: A Legal Analysis"

<sup>13</sup> Supra note

this way, the cases of dower are influenced by social practice and the question of payment arises only at the time of divorce. Because of this, women often deprived of their right and her dower money.<sup>14</sup>

Dower is an essential incident under Muslim law. Dower is not the exchange or consideration given by the man to the woman for entering into contact, but an effect to the contract imposed by the law on the husband as a token of respect for its subject to the woman.<sup>15</sup> Since it is paid to the wife herself it cannot be the price. It is a token of respect.<sup>16</sup> There are differences between the nature of mahr, definition of proper contract and conditions of enforceability depending on the regional fiqh and school of Islamic Jurisprudence.<sup>17</sup>

If dower is excessive, the husband cannot pay it. It becomes burden for husband. For these consequences, the wife is blindfold. They ill-treat their husband. And the result is divorce. Also by the power of this excessive dower, many women make business. They marry sometimes and divorce them easily for taking dower. For excessive dower the divorce rate is increasing.

#### 2.4. Case References and Laws

The inherent idea behind dower is that it is an obligation imposed upon the husband as a sign of respect to the wife.<sup>18</sup> In *Atiqul Huque Chowdhury v. Shahana Rahim*<sup>19</sup> it was decided that the dower in a Muslim marriage forms an unseparated part for the terms of the Nikahnama and thus, as the Nikahnama is intended to be registered under the Muslim Marriages and Divorces (Registration) Act, 1974.<sup>20</sup> The Act of 1974 as in force, related to the registration of Muslim marriages including dower. In this regards, as per the Muslim Marriage and Divorce (Registration) Rules 1975, rule no. 24 (1) where the Nikahnama is silent about the division of prompt and deferred part of the dower, the whole amount will be presumed as prompt i.e. payable on demand.<sup>21</sup> Dower is a right for every woman acquires in a marriage under the marriage contract known as Nikahnama and according to the clauses 13-17, 20 of the Nikahnama prescribe the right to dower.

The period of limitation is for a case to recover prompt dower is three years from the date when the dower is demanded and refused; or where the marriage is dissolved by death or divorce.<sup>22</sup> In the case of *Jesmin Sultana v. Md. Elias*<sup>23</sup> that the court has no right to reduce the prompt dower unless the wife remits it voluntarily.<sup>24</sup> The Arbitration Council instructed that the husband shall pay immediately the entire amount of the dower, whether prompt or deferred due to the existing wife or wives on which amount that was necessary. If the dower was not paid, it shall be recoverable as arrears of land revenue.<sup>25</sup> Whether the divorce was mentioned on any grounds under section 2 of Dissolution of Muslim Marriages Act 1939, the divorce cannot affect a woman's right for dower.<sup>26</sup>

### 3. QUANTITATIVE STUDY

#### 3.1. Findings on the survey

Data collects from 41 respondents. Where 14 respondents are married and 27 respondents are divorced. 18 respondents are male and 23 respondents are female. 36 respondents are from Chittagong District and other 5

<sup>14</sup> Chowdhury, Farah Deeba,(2010) 'Dowry, Women, and Law in Bangladesh', International Journal of Law, Policy and the Family, vol. 24/2

<sup>15</sup> Ahmed, Fariduddin and Tarzid, Surina,(2015) Muslim Family Laws in Bangladesh: A Brief Introduction, First Edition,pg-135

<sup>16</sup> Bharatiya, V.P, Syed Khalid Rashid's Muslim Law, pg-84

<sup>17</sup> Ahammad, Syed Sahid,(2016) A Critical Analysis of Dower (Mahr) in Islam,Vol:21/7,pg-89

<sup>18</sup> Al-Qur'an, 02:23&237 and Al-Qur'an, 04:24

<sup>19</sup> 47 Dhaka Law Report(DLR), 1995 (HCD) , Page-310

<sup>20</sup> Rule No -24(1),The Muslim Marriage and Divorce (Registration) Rules, 1975

<sup>21</sup> Section – 10, The Muslim Family Law Ordinance,1961

<sup>22</sup> section 113, The Limitation Act, 1908

<sup>23</sup> 2 Bangladesh Legal Citation (BLC), Pg.- 233

<sup>24</sup> Section-5, The Family Courts Ordinance, 1985

<sup>25</sup> Section 6(5) (a), The Muslim Family Law Ordinance,1961

<sup>26</sup> Section-2, The Dissolution of Muslim Marriage Act, 1939

respondents are from out of Chittagong District. 37 Respondents partner are from Chittagong District and 4 respondents partner are from out of Chittagong District. 32 respondents place of birth is village and other 9 respondents' place of birth is town. 33 respondents partner place of birth is village and other 8 respondents' partner place of birth is town. 1 respondent's age is 18 years, 3 respondents age is 19 years, 1 respondent's age is 23 years, 4 respondents age is 24 years, 3 respondents age is 25 years, 2 respondents age is 26 years, 4 respondents age is 27 years, 5 respondents age is 28 years, 4 respondents age is 29 years, 2 respondents age is 30 years, 1 respondent's age is 32 years, 4 respondents age is 33 years, 2 respondents age is 35 years, 1 respondent's age is 38 years, 1 respondent's age is 39 years, 1 respondent's age is 40 years, 1 respondent's age is 48 years, 1 respondent's age is 51 years. 1 respondent's partner's age is 18 years, 2 respondents partner's age is 19 years, 2 respondents partner's age is 20 years, 1 respondent's partner's age is 21 years, 1 respondent's partner's age is 22 years, 1 respondent's partner's age is 23 years, 2 respondents partner's age is 24 years, 2 respondents partner's age is 26 years, 2 respondents partner's age is 27 years, 2 respondents partner's age is 28 years, 8 respondents partner's age is 30 years, 1 respondent's partner's age is 31 years, 1 respondent's partner's age is 32 years, 2 respondents partner's age is 33 years, 2 respondents partner's age is 34 years, 3 respondents partner's age is 35 years, 2 respondents partner's age is 37 years, 3 respondents partner's age is 40 years, 1 respondent's partner's age is 41 years, 1 respondent's partner's age is 42 years, 1 respondent's partner's age is 49 years. 3 respondents do Government job, 11 respondents do Private Job, 5 respondents do small business, 2 respondents do overseas, and 20 respondents are unemployed. 2 respondents partner's do Government job, 9 respondents partner's do Private job, 8 respondents partner's do small business, 3 respondents partner's do medium business, 6 respondents partner's do overseas, 13 respondents partners are unemployed. 3 respondents do Government job in the time of marriage, 8 respondents do Private Job in the time of marriage, 5 respondents do small business in the time of marriage, 2 respondents do overseas in the time of marriage, and 23 respondents are unemployed in the time of marriage. 10 respondents partner's do Government job in the time of marriage, 6 respondents partner's do small business in the time of marriage, 3 respondents partner's do medium business in the time of marriage, 8 respondents partner's do overseas in the time of marriage, 14 respondents partners are unemployed in the time of marriage. 1 respondent do marriage in 1996, 1 respondent do marriage in 1999, 1 respondent do marriage in 2002, 1 respondent do marriage in 2004, 3 respondents do marriage in 2007, 1 respondent do marriage in 2008, 1 respondent do marriage in 2009, 1 respondent do marriage in 2010, 3 respondents do marriage in 2011, 2 respondents do marriage in 2013, 5 respondents do marriage in 2014, 2 respondents do marriage in 2015, 4 respondents do marriage in 2016, 6 respondents do marriage in 2017, 4 respondents do marriage in 2018, 3 respondents do marriage in 2019, 2 respondents do marriage in 2020. 14 respondents are not divorced, 1 respondent is divorced in 2008, 1 respondent is divorced in 2011, 1 respondent is divorced in 2012, 1 respondent is divorced in 2013, 1 respondent is divorced in 2014, 1 respondent is divorced in 2015, 2 respondents are divorced in 2016, 4 respondents are divorced in 2017, 7 respondents are divorced in 2018, 3 respondents are divorced in 2019, 5 respondents are divorced in 2020. 1 respondent's age is 12 years in the time of marriage, 3 respondents age is 16 years in the time of marriage, 3 respondents age is 17 years in the time of marriage, 5 respondents age is 18 years in the time of marriage, 3 respondents age is 19 years in the time of marriage, 3 respondents age is 20 years in the time of marriage, 1 respondent's age is 21 years in the time of marriage, 2 respondents age is 22 years in the time of marriage, 2 respondents age is 23 years in the time of marriage, 4 respondents age is 24 years in the time of marriage, 2 respondents age is 25 years in the time of marriage, 2 respondents age is 26 years in the time of marriage, 3 respondents age is 27 years in the time of marriage, 2 respondents age is 28 years in the time of marriage, 2 respondents age is 30 years in the time of marriage, 1 respondent's age is 32 years in the time of marriage, 1 respondent's age is 34 years in the time of marriage, 1 respondent's age is 36 years in the time of marriage. 1 respondent's partner's age is 14 years in the time of marriage, 1 respondent's partner's age is 15 years in the time of marriage, 1 respondent's partner's age is 16 years in the time of marriage, 2 respondents partner's age is 17 years in the time of marriage, 5 respondents partner's age is 18 years in the time of marriage, 2 respondents partner's age is 19 years in the time of marriage, 2 respondents partner's age is 20 years in the time of marriage, 2 respondents partner's age is 21 years in the time of marriage, 2 respondents partner's age is 22 years in the time of marriage, 2 respondents partner's age is 23 years in the time of marriage, 4 respondents partner's age is 24 years in the time of marriage, 2 respondents partner's age is 25 years in the time of marriage, 3 respondents partner's age is 26 years in the time of marriage, 2 respondents partner's age is 27 years in the time of marriage, 1 respondent's partner's age is 28 years in the time of marriage, 1 respondent's partner's age is 29 years in the time of marriage, 5 respondents partner's age is 30 years in the time of marriage, 1 respondent's partner's age is 32 years in the time of marriage, 2 respondents partner's age is 37 years in the time of marriage. 17 respondents has no monthly income, 1 respondent's monthly income is 1000tk, 2 respondents monthly income is 1500tk, 2 respondents monthly income is 10,000tk, 2 respondents monthly income is 18,000tk, 3 respondents monthly income is 20,000tk, 1 respondent's monthly income is 25,000tk, 5 respondents monthly

income is 30,000tk, 1 respondent's monthly income is 40,000tk, 1 respondent's monthly income is 45,000tk, 1 respondent's monthly income is 50,000tk, 2 respondents monthly income is 70,000tk, 1 respondent's monthly income is 1,50,000tk, 1 respondent's monthly income is 2,00,000tk, 1 respondent's monthly income is 3,00,000tk. 1 respondent's has no monthly cost, 1 respondent's has monthly cost 500tk, 2 respondents has monthly cost 800tk, 2 respondents has monthly cost 1000tk, 1 respondent's has monthly cost 1200tk, 1 respondent's has monthly cost 1500tk, 1 respondent's has monthly cost 2000tk, 1 respondent's has monthly cost 3000tk, 2 respondents has monthly cost 4000tk, 4 respondents has monthly cost 5000tk, 1 respondent's has monthly cost 8000tk, 4 respondents has monthly cost 10,000tk, 5 respondents has monthly cost 15,000tk, 2 respondents has monthly cost 18,000tk, 3 respondents has monthly cost 20,000tk, 2 respondents has monthly cost 25,000tk, 3 respondents has monthly cost 30,000tk, 1 respondent's has monthly cost 40,000tk, 2 respondents has monthly cost 50,000tk, 2 respondents has monthly cost 1,00,000tk. 21 respondents has no monthly savings, 1 respondent's have monthly savings 200tk, 1 respondent's has monthly savings 300tk, 1 respondent's have monthly savings 500tk, 1 respondent's has monthly savings 2000tk, 6 respondent's has monthly savings 5000tk, 6 respondents have monthly savings 10,000tk, 1 respondent's has monthly savings 20,000tk, 1 respondent's has monthly savings 30,000tk, 1 respondent's has monthly savings 50,000tk, 1 respondent's has monthly savings 60,000tk. 8 respondents educational qualification is primary in the time of marriage, 14 respondents educational qualification is secondary in the time of marriage, 13 respondents educational qualification is higher secondary in the time of marriage, 2 respondents educational qualification is honors in the time of marriage, and 4 respondents educational qualification is masters in the time of marriage. 8 respondents partner's educational qualification is primary in the time of marriage, 18 respondents partner's educational qualification is secondary in the time of marriage, 10 respondents partner's educational qualification is higher secondary in the time of marriage, 1 respondent's partner's educational qualification is honors in the time of marriage, 3 respondents partner's educational qualification is primary in the time of marriage, 1 respondent's partner's educational qualification is above masters in the time of marriage. 23 respondents said that their partner's quality is ordinary, 10 respondents said that their partner's quality is good, 8 respondents said that their partner's quality is extra-ordinary. 23 respondents partner father's educational qualification is primary, 7 respondents partner father's educational qualification is secondary, 2 respondents partner father's educational qualification is higher secondary, 1 respondent's partner father's educational qualification is honors, 3 respondents partner father's educational qualification is masters, and 5 respondents do not response about this question. 2 respondents dower is 1,00,000tk in the time of marriage, 5 respondents dower is 2,00,000tk in the time of marriage, 4 respondents dower is 3,00,000tk in the time of marriage, 1 respondent's dower is 3,50,000tk in the time of marriage, 4 respondents dower is 4,00,000tk in the time of marriage, 6 respondents dower is 5,00,000tk in the time of marriage, 4 respondents dower is 6,00,000tk in the time of marriage, 2 respondents dower is 7,00,000tk in the time of marriage, 2 respondents dower is 8,00,000tk in the time of marriage, 3 respondents dower is 10,00,000tk in the time of marriage, 3 respondents dower is 15,00,000tk in the time of marriage, 1 respondent's dower is 20,00,000tk in the time of marriage, 1 respondents dower is 25,00,000tk in the time of marriage, 1 respondents dower is 38,00,000tk in the time of marriage, 2 respondents dower is 50,00,000tk in the time of marriage. 10 respondents do not pay any dower till today, 1 respondent's pay dower 40,000tk till today, 3 respondents pay dower 50,000tk till today, 1 respondent's pay dower 70,000tk till today, 1 respondent's pay dower 80,000tk till today, 2 respondents pay dower 1,00,000tk till today, 1 respondent's pay dower 1,05,000tk till today, 1 respondent's pay dower 1,20,000tk till today, 1 respondent's pay dower 1,35,000tk till today, 1 respondent's pay dower 1,50,000tk till today, 4 respondents pay dower 2,00,000tk till today, 1 respondent's pay dower 2,50,000tk till today, 4 respondents pay dower 3,00,000tk till today, 3 respondents pay dower 4,00,000tk till today, 1 respondent's pay dower 5,00,000tk till today, 1 respondent's pay dower 6,00,000tk till today, 2 respondents pay dower 10,00,000tk till today, 1 respondent's pay dower 15,00,000tk till today, 1 respondent's pay dower 25,00,000tk till today, 1 respondent's pay dower 35,00,000tk till today. 5 respondents has no prompt dower, 2 respondents prompt dower is 50,000tk, 1 respondent's prompt dower is 75,000tk, 2 respondents prompt dower is 1,00,000tk, 1 respondent's prompt dower is 1,10,000tk, 1 respondent's prompt dower is 1,35,000tk, 4 respondents prompt dower is 1,50,000tk, 3 respondents prompt dower is 2,00,000tk, 2 respondents prompt dower is 3,00,000tk, 1 respondent's prompt dower is 4,50,000tk, 2 respondents prompt dower is 5,00,000tk, 1 respondent's prompt dower is 8,00,000tk, 2 respondents prompt dower is 10,00,000tk, 14 respondents do not response. 5 respondents has no deferred dower, 1 respondent's deferred dower is 65,000tk, 1 respondent's deferred dower is 75,000tk, 2 respondents deferred dower is 1,00,000tk, 1 respondent's deferred dower is 1,10,000tk, 6 respondents deferred dower is 1,50,000tk, 4 respondent's deferred dower is 2,00,000tk, 1 respondent's deferred dower is 3,00,000tk, 1 respondent's deferred dower is 5,00,000tk, 1 respondent's deferred dower is 10,00,000tk, 1 respondent's deferred dower is 12,00,000tk, 1 respondent's deferred dower is 15,00,000tk, 14 respondents do not response. 13 respondents did not pay any dower during marriage, 1 respondent's paid 40,000tk dower during marriage, 5 respondents paid 50,000tk dower during marriage, 1

respondent's paid 80,000tk dower during marriage, 4 respondents paid 1,00,000tk dower during marriage, 2 respondents paid 1,50,000tk dower during marriage, 5 respondents paid 2,00,000tk dower during marriage, 1 respondent's paid 2,50,000tk dower during marriage, 4 respondents paid 3,00,000tk dower during marriage, 2 respondents paid 5,00,000tk dower during marriage, 1 respondent's paid 8,00,000tk dower during marriage, 2 respondents paid 10,00,000tk dower during marriage. 10 respondents pay full amount of dower, 1 respondent's do not pay 8000tk, 1 respondent's do not pay 50,000tk, 1 respondent's do not pay 60,000tk, 1 respondent's do not pay 65,000tk, 3 respondents do not pay 1,50,000tk, 4 respondents do not pay 2,00,000tk, 1 respondent's do not pay 2,20,000tk, 1 respondent's do not pay 2,50,000tk, 5 respondents do not pay 3,00,000tk, 1 respondent's do not pay 3,50,000tk, 2 respondents do not pay 4,00,000tk, 2 respondents do not pay 4,50,000tk, 1 respondent's do not pay 5,00,000tk, 1 respondent's do not pay 8,00,000tk, 2 respondents do not pay 10,00,000tk, 2 respondents do not pay 12,00,000tk, 1 respondent's do not pay 15,00,000tk, 1 respondent's do not pay 50,00,000tk. 20 respondents think that they were capable to pay full dower during marriage, 19 respondents think that they were not capable to pay full dower during marriage, 2 respondents do not response. 5 respondents were not capable to pay any dower in the time of marriage, 1 respondent's was capable to pay 50,000tk, 2 respondents was capable to pay 1,00,000tk, 4 respondents was capable to pay 2,00,000tk, 2 respondents was capable to pay 2,50,000tk, 5 respondents was capable to pay 3,00,000tk, 2 respondents was capable to pay 3,50,000tk, 1 respondent's was capable to pay 4,00,000tk, 2 respondents was capable to pay 5,00,000tk, 1 respondent's was capable to pay 10,00,000tk, 1 respondent's was capable to pay 15,00,000tk, 1 respondent's was capable to pay 20,00,000tk, 1 respondent's was capable to pay 25,00,000tk, 13 respondents do not make any response. 11 respondents think that the affordable amount of dower is depend upon the ability of the husband, 5 respondents think that 2,00,000tk is affordable, 2 respondents think that 2,50,000tk is affordable, 8 respondents think that 3,00,000tk is affordable, 2 respondents think that 3,50,000tk is affordable, 5 respondents think that 5,00,000tk is affordable, 2 respondents think that 6,00,000tk is affordable, 1 respondent's think that 8,00,000tk is affordable, 3 respondents think that 10,00,000tk is affordable, 1 respondent's think that 25,00,000tk is affordable, 1 respondent's think that 50,00,000tk is affordable. 2 respondents strongly disagree that they have knowledge about marriage registration, 17 respondents disagree that they have knowledge about marriage registration, 3 respondents are neutral about that they have knowledge about marriage registration, 11 respondents agree that they have knowledge about marriage registration, 8 respondents strongly agree that they have knowledge about marriage registration. 5 respondents strongly disagree that they read Nikahnama during marriage, 8 respondents disagree that they read Nikahnama during marriage, 6 respondents are neutral about that they read Nikahnama during marriage, 14 respondents agree that they read Nikahnama during marriage, 8 respondents strongly agree that they read Nikahnama during marriage. 6 respondents strongly disagree that take permission from them during marriage, 10 respondents disagree that take permission from them during marriage, 1 respondent's is neutral about that take permission from him during marriage, 11 respondents agree that take permission from their during marriage, 13 respondents strongly agree that take permission from their during marriage. 2 respondents strongly disagree that they have enough knowledge about dower, 16 respondents disagree that they have enough knowledge about dower, 3 respondents are neutral that they have enough knowledge about dower, 14 respondents agree that they have enough knowledge about dower, 6 respondents strongly agree that they have enough knowledge about dower. 3 respondents strongly disagree that they have enough knowledge about rules of deciding dower, 17 respondents disagree that they have enough knowledge about rules of deciding dower, 5 respondents are neutral that they have enough knowledge about rules of deciding dower, 10 respondents agree that they have enough knowledge about rules of deciding dower, 6 respondents strongly agree that they have enough knowledge about rules of deciding dower. 7 respondents strongly disagree that they have knowledge about marriage and dower law, 7 respondents disagree that they have knowledge about marriage and dower law, 20 respondents are neutral about that they have knowledge about marriage and dower law, 5 respondents agree that they have knowledge about marriage and dower law, 2 respondents strongly agree that they have knowledge about marriage and dower law. 3 respondents strongly disagree about husband permits the right of giving divorce by the wife according to no-18 column of Nikahnama, 4 respondents disagree about husband permits the right of giving divorce by the wife according to no-18 column of Nikahnama, 6 respondents are neutral about husband permits the right of giving divorce by the wife according to no-18 column of Nikahnama, 11 respondents agree about husband permits the right of giving divorce by the wife according to no-18 column of Nikahnama, 12 respondents strongly agree about husband permits the right of giving divorce by the wife according to no-18 column of Nikahnama, 5 respondents do not response. 1 respondent's strongly disagree that dower is the right of women, 1 respondent's strongly is neutral about that dower is the right of women, 8 respondents agree that dower is the right of women, 31 respondent's strongly agree that dower is the right of women. 10 respondents strongly disagree that excessive dower keeps stable the marital relationship, 17 respondents disagree that excessive dower keeps stable the marital relationship, 1 respondent's is neutral about that excessive dower keeps stable the marital relationship, 5 respondents

agree that excessive dower keeps stable the marital relationship, 8 respondents strongly agree that excessive dower keeps stable the marital relationship. 2 respondents strongly disagree that dower should be fixed as per the ability of the partner, 1 respondent's disagree that dower should be fixed as per the ability of the partner, 10 respondents agree that dower should be fixed as per the ability of the partner, 28 respondents strongly agree that dower should be fixed as per the ability of the partner. 7 respondents strongly disagree that excessive dower is needed to prevail the social status, 15 respondents disagree that excessive dower is needed to prevail the social status, 1 respondent's is neutral about that excessive dower is needed to prevail the social status, 8 respondents agree that excessive dower is needed to prevail the social status, 8 respondents strongly agree that excessive dower is needed to prevail the social status. 24 respondents strongly disagree that employed women do not need dower as a means of wedding security, 12 respondents disagree that employed women do not need dower as a means of wedding security, 2 respondents are neutral about that employed women do not need dower as a means of wedding security, 3 respondents agree that employed women do not need dower as a means of wedding security. 9 respondents strongly disagree that giving more dower to employed women means making women over empowered, 8 respondents disagree that giving more dower to employed women means making women over empowered, 3 respondents are neutral that giving more dower to employed women means making women over empowered, 16 respondents agree that giving more dower to employed women means making women over empowered, 5 respondents strongly agree that giving more dower to employed women means making women over empowered. 2 respondents strongly disagree that dower should be paid before consummation of marriage, 2 respondents are neutral that dower should be paid before consummation of marriage, 12 respondents agree that dower should be paid before consummation of marriage, 25 respondents strongly agree that dower should be paid before consummation of marriage. 7 respondents strongly disagree that dower works as a restraint of divorce, 14 respondents disagree that dower works as a restraint of divorce, 2 respondents are neutral that dower works as a restraint of divorce, 14 respondents agree that dower works as a restraint of divorce, 4 respondents strongly agree that dower works as a restraint of divorce. 22 respondents agree that dower is paid as a token of respect of women, 18 respondents strongly agree that dower is paid as a token of respect of women, 1 respondent's is neutral that dower is paid as a token of respect of women. 4 respondents strongly disagree that dower works as a catalyst of divorce, 18 respondents disagree that dower works as a catalyst of divorce, 5 respondents are neutral that dower works as a catalyst of divorce, 9 respondents agree that dower works as a catalyst of divorce, 5 respondents strongly agree that dower works as a catalyst of divorce. 11 respondents strongly disagree that dower should be paid after marriage, 13 respondents disagree that dower should be paid after marriage, 2 respondents are neutral about that dower should be paid after marriage, 10 respondents agree that dower should be paid after marriage, 5 respondents strongly agree that dower should be paid after marriage. 12 respondents strongly disagree that dower should be paid after the death of husband, 19 respondents disagree that dower should be paid after the death of husband, 2 respondents are neutral about that dower should be paid after the death of husband, 3 respondents agree that dower should be paid after the death of husband, 5 respondents strongly agree that dower should be paid after the death of husband. 11 respondents strongly disagree that dower should be paid after divorce, 16 respondents disagree that dower should be paid after divorce, 2 respondents are neutral that dower should be paid after divorce, 3 respondents agree that dower should be paid after divorce, 9 respondents strongly agree that dower should be paid after divorce. 34 respondents strongly disagree that dower should not be paid at all, 1 respondent's disagree that dower should not be paid at all, 3 respondents are neutral that dower should not be paid at all, 1 respondent agree that dower should not be paid at all, 2 respondents strongly agree that dower should not be paid at all. 6 respondents strongly disagree that they did not demand dower amount ever, 7 respondents disagree that they did not demand dower amount ever, 5 respondents are neutral that they did not demand dower amount ever, 8 respondents agree that they did not demand dower amount ever, 7 respondents strongly agree that they did not demand dower amount ever, 8 respondents do not make any response. 16 respondents strongly disagree that my partner paid dower willingly, 4 respondents disagree that my partner paid dower willingly, 6 respondents are neutral that my partner paid dower willingly, 2 respondents agree that my partner paid dower willingly, 4 respondents strongly agree that my partner paid dower willingly, 9 respondents do not make any response. 3 respondents strongly disagree that dower is fixed as per religious norms, 8 respondents disagree that dower is fixed as per religious norms, 6 respondents are neutral that dower is fixed as per religious norms, 17 respondents agree that dower is fixed as per religious norms, 6 respondents strongly agree that dower is fixed as per religious norms, 1 respondent do not make any response. 1 respondent strongly disagree that dower is fixed as per social status, 2 respondents disagree that dower is fixed as per social status, 1 respondent is neutral that dower is fixed as per social status, 27 respondents agree that dower is fixed as per social status, 10 respondents strongly agree that dower is fixed as per social status. 1 respondent strongly disagree that dower is fixed as per tradition of the family, 4 respondents disagree that dower is fixed as per tradition of the family, 6 respondents are neutral that dower is fixed as per tradition of the family, 16 respondents agree that dower is fixed as per tradition of the family, 14

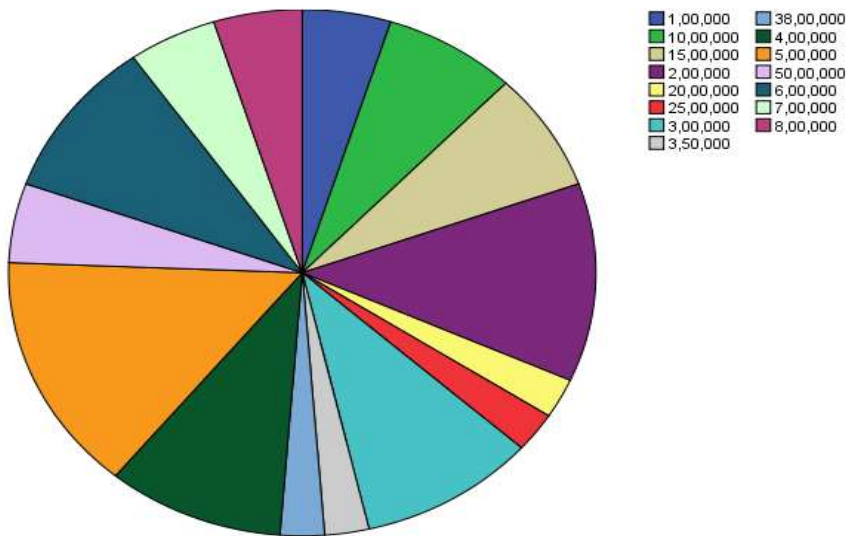


respondent strongly agree that dower is fixed as per tradition of the family. 3 respondents strongly disagree that there is no specific law to fix dower in our country, 5 respondents disagree that there is no specific law to fix dower in our country, 28 respondents are neutral that there is no specific law to fix dower in our country, 3 respondents agree that there is no specific law to fix dower in our country, 2 respondents strongly agree that there is no specific law to fix dower in our country. 12 respondents strongly disagree that dower amount is fully realized at the time of marriage, 26 respondents disagree that dower amount is fully realized at the time of marriage, 2 respondents are neutral that dower amount is fully realized at the time of marriage, 1 respondent strongly agree that dower amount is fully realized at the time of marriage. 9 respondents strongly disagree that dower amount is fully realized after marriage, 26 respondents disagree that dower amount is fully realized after marriage, 3 respondents agree that dower amount is fully realized after marriage, 3 respondents strongly agree that dower amount is fully realized after marriage. 6 respondents strongly disagree that in our society dower is fixed excessively high, 1 respondent disagree that in our society dower is fixed excessively high, 3 respondents are neutral that in our society dower is fixed excessively high, 9 respondents agree that in our society dower is fixed excessively high, 22 respondents strongly agree that in our society dower is fixed excessively high. 9 respondents strongly disagree that dower was high in consideration of ability, 11 respondents disagree that dower was high in consideration of ability, 2 respondents are neutral that dower was high in consideration of ability, 8 respondents agree that dower was high in consideration of ability, 11 respondents strongly agree that dower was high in consideration of ability. 7 respondents strongly disagree that dower was fixed without considering the ability, 11 respondents disagree that dower was fixed without considering the ability, 3 respondents are neutral that dower was fixed without considering the ability, 9 respondents agree that dower was fixed without considering the ability, 11 respondents strongly agree that dower was fixed without considering the ability. 8 respondents strongly disagree that dower is not paid even partially, 23 respondents disagree that dower is not paid even partially, 1 respondent is neutral that dower is not paid even partially, 5 respondents agree that dower is not paid even partially, 4 respondents strongly agree that dower is not paid even partially. 8 respondents strongly disagree that dower was fixed with the consensus of bride and groom, 12 respondents disagree that dower was fixed with the consensus of bride and groom, 1 respondent is neutral that dower was fixed with the consensus of bride and groom, 14 respondents agree that dower was fixed with the consensus of bride and groom, 6 respondents strongly agree that dower was fixed with the consensus of bride and groom. 9 respondents strongly disagree that dower is not paid fully, 13 respondents disagree that dower is not paid fully, 12 respondents agree that dower is not paid fully, 7 respondents strongly agree that dower is not paid fully. 12 respondents strongly disagree that dower was not paid due to financial insolvency, 11 respondents disagree that dower was not paid due to financial insolvency, 2 respondents are neutral that dower was not paid due to financial insolvency, 8 respondents agree that dower was not paid due to financial insolvency, 8 respondents strongly agree that dower was not paid due to financial insolvency. 4 respondents strongly disagree that dower was not paid due to partner's unwillingness, 12 respondents disagree that dower was not paid due to partner's unwillingness, 4 respondents are neutral that dower was not paid due to partner's unwillingness, 9 respondents agree that dower was not paid due to partner's unwillingness, 12 respondents strongly agree that dower was not paid due to partner's unwillingness. 2 respondents strongly disagree that excessive dower has effect on mental health, 2 respondents disagree that excessive dower has effect on mental health, 4 respondents are neutral that excessive dower has effect on mental health, 14 respondents agree that excessive dower has effect on mental health, 19 respondents strongly agree that excessive dower has effect on mental health. 6 respondents strongly disagree that excessive dower has effect on happy family life, 20 respondents disagree that excessive dower has effect on happy family life, 1 respondents are neutral that excessive dower has effect on happy family life, 7 respondents agree that excessive dower has effect on happy family life, 7 respondents strongly agree that excessive dower has effect on happy family life. 8 respondents strongly disagree that excessive dower leads divorce, 6 respondents disagree that excessive dower leads divorce, 4 respondents are neutral that excessive dower leads divorce, 15 respondents agree that excessive dower leads divorce, 8 respondents strongly agree that excessive dower leads divorce. 14 respondents are not divorced, 1 respondent's age is 16 years at the time of divorce, 2 respondents age is 17 years at the time of divorce, 1 respondent's age is 18 years at the time of divorce, 1 respondent's age is 19 years at the time of divorce, 1 respondent's age is 20 years at the time of divorce, 2 respondents age is 21 years at the time of divorce, 3 respondents age is 22 years at the time of divorce, 3 respondents age is 23 years at the time of divorce, 1 respondent's age is 24 years at the time of divorce, 2 respondents age is 25 years at the time of divorce, 3 respondents age is 28 years at the time of divorce, 1 respondent's age is 30 years at the time of divorce, 2 respondents age is 32 years at the time of divorce, 1 respondent's age is 37 years at the time of divorce, 1 respondent's age is 40 years at the time of divorce, 1 respondent's age is 42 years at the time of divorce, 1 respondent's age is 48 years at the time of divorce. 14 respondents are not divorced, 1 respondent's partner's age is 17 years at the time of divorce, 2 respondents partner's age is 20 years at the time of divorce, 3 respondents partner's

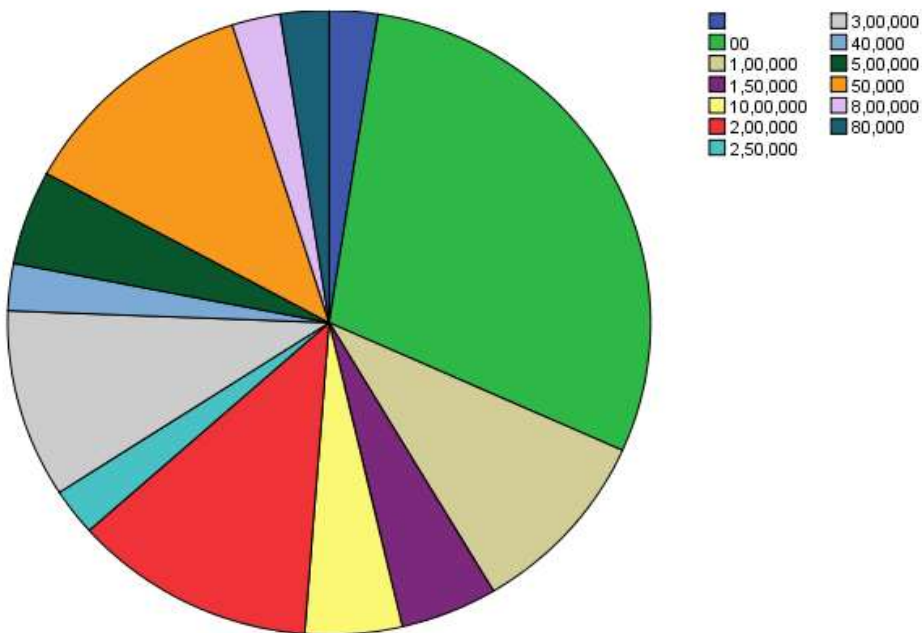
age is 22 years at the time of divorce, 1 respondent's partner's age is 23 years at the time of divorce, 1 respondent's partner's age is 24 years at the time of divorce, 2 respondents partner's age is 25 years at the time of divorce, 2 respondents partner's age is 27 years at the time of divorce, 2 respondents partner's age is 28 years at the time of divorce, 1 respondent's partner's age is 29 years at the time of divorce, 4 respondents partner's age is 30 years at the time of divorce, 1 respondent's partner's age is 31 years at the time of divorce, 3 respondents partner's age is 32 years at the time of divorce, 3 respondents partner's age is 37 years at the time of divorce, 1 respondent's partner's age is 40 years at the time of divorce. 14 respondents are not divorced, 1 respondent is divorced in 2008, 1 respondent is divorced in 2011, 1 respondent is divorced in 2012, 1 respondent is divorced in 2013, 1 respondent is divorced in 2014, 1 respondent is divorced in 2015, 2 respondents are divorced in 2016, 4 respondents are divorced in 2017, 7 respondents are divorced in 2018, 3 respondents are divorced in 2019, 5 respondents are divorced in 2020. 15 husbands initiated divorce, 12 wives initiated divorce. 15 respondents said that the reasons behind divorce is marital unhappiness, 4 respondents said that the reasons behind divorce is demand for dower, 17 respondents said that the reasons behind divorce is extra marital affairs, 11 respondents said that the reasons behind divorce is physical torture, 15 respondents said that the reasons behind divorce is mental torture, 15 respondents said that the reasons behind divorce is infidelity, 11 respondents said that the reasons behind divorce is demand for dowry, 4 respondents said that the reasons behind divorce is drug addiction, 1 respondent said that the reasons behind divorce is husband did not return from foreign land. 25 respondents said that divorce affected their mental health, 21 respondents said that divorce affected their physical health, 19 respondents said that divorce affected their financial condition, 21 respondents said that divorce affected their family life, 26 respondents said that divorce affected their social life. 27 respondents said that divorce affected their mental health by anxiety, 14 respondents said that divorce affected their mental health by stress, 23 respondents said that divorce affected their mental health by depression, 21 respondents said that divorce affected their mental health by insomnia, 27 respondents said that they feel loneliness. 23 respondents said that divorce affected their physical health by blood pressure, 2 respondents said that divorce affected their physical health by diabetes, 9 respondents said that divorce affected their physical health by heart disease. 21 respondents said that divorce affected their social value that people look down upon them, 1 respondent said that divorce affected his social value that friends do not share time with him, 12 respondents said that divorce affected their social value that people raise question about their character. 15 respondents said that divorce affected their children by mental health problems, 2 respondents said that divorce affected their children that children do not go to school, 1 respondent said that divorce affected his children that children do not play with other children, 11 respondents said that divorce affected their children that children feel lonely, 6 respondents said that divorce affected their children that children become irritate.

### 3.2. Graph Charts

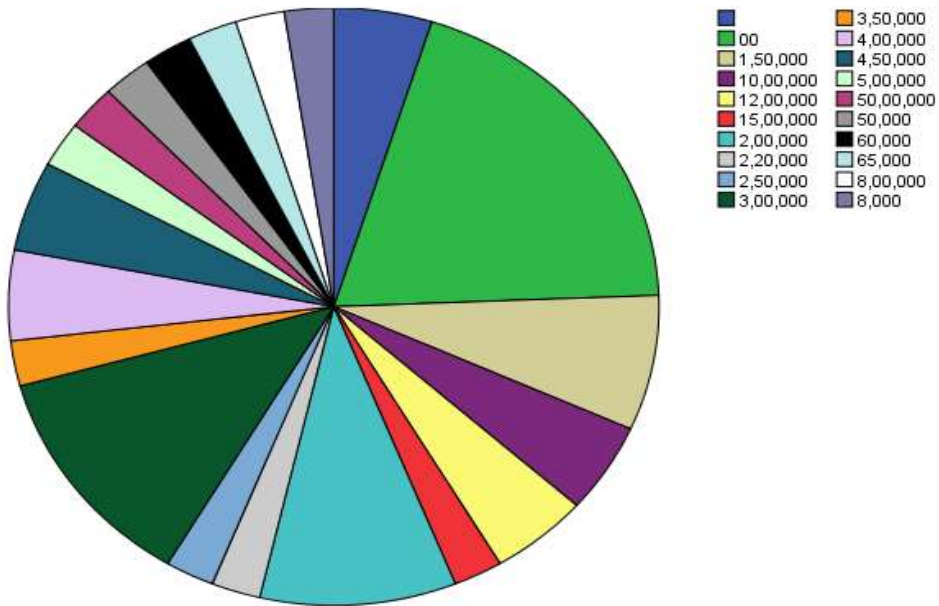
Dower in the time of Marriage



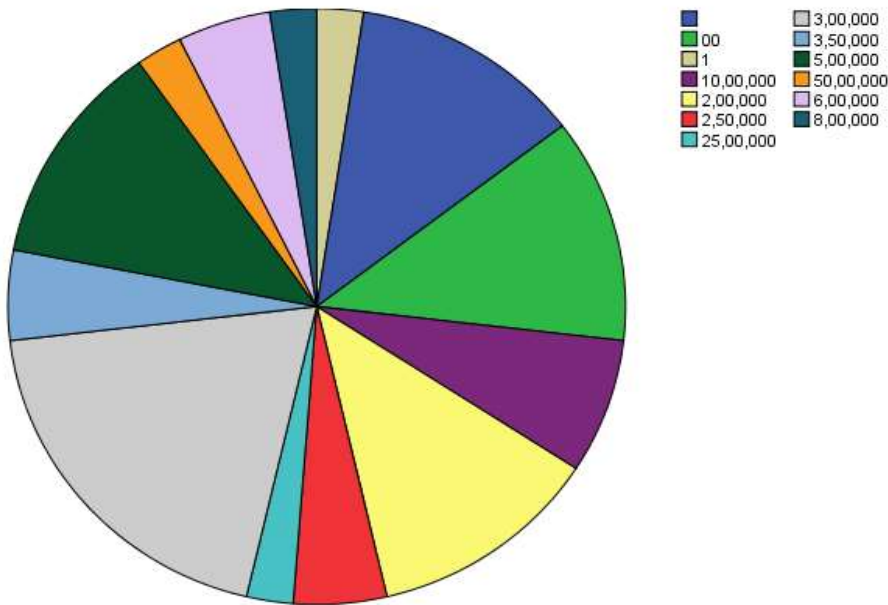
How many Dowries are paid in the time Marriage?



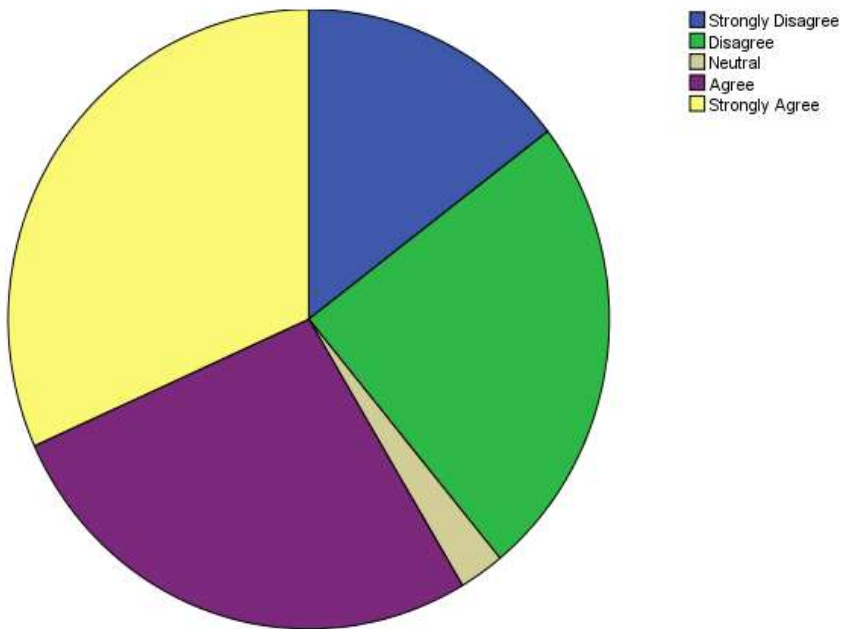
How Many dowers are not Paid?



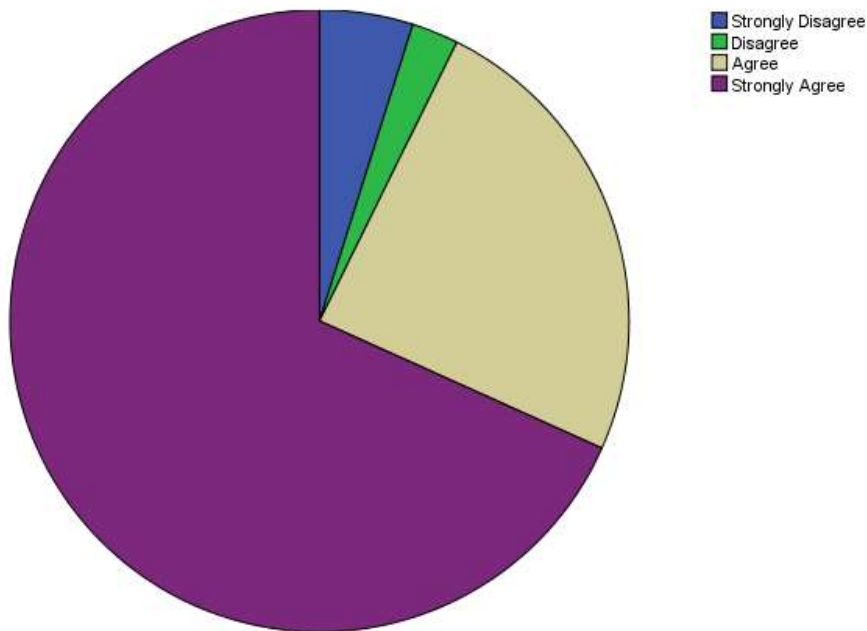
During the time of marriage, what amounts are reliable?



**Do they take permission to you during the time of deciding Dower?**



**Dower should be fixed as per the ability of the partner?**



### 3.3. Discussion

There are 41 respondents where 18 are male and 23 are female. 32 respondents place of birth is village and other 9 is town. Almost 80% are from rural area. 10% age is 18-20 years, 61% age is 21-30 years, 24% age is 31-40 years, 2.5% age is 48 years and 2.5% age is 51 years. 12% partner's age is 18-20 years, 46% partner's age is 21-30 years, 34% partner's age is 31-40 years, and 8% partner's age is 41-50 years. More people's age is 21-30 years. More than 50 % are unemployed. 5% do marriage in 1996-2000, 20% do marriage in 2001-2010, and 75% do marriage in 2011-2020. More marriage is held in 2011-2020. 4% divorce held in 2006-2010, 22% divorce held in 2011-2015, 74% divorce held in 2016-2020. More divorce held in last 5 years, a very alarming message for our society. 44% has no monthly income, 5% income is below 5000tk, 41% income is 10,000-50,000tk, 3% income is 50,000-1,00,000tk, 7% income is above 1,00,000tk. More persons are unemployed and income is low. 51% has no monthly savings, 39% monthly savings is 1000-10,000tk, and 10% monthly savings is above 10,000tk. More persons has no monthly savings and below 10,000tk. 27% dower is 1,00,000-3,00,000tk, 46% dower is 3,00,000-10,00,000tk, 20% dower is 10,00,000-25,00,000tk, 7% dower is above 25,00,000tk. More persons dower is high and some persons dower is excessively high. Almost all persons say that dower should be determine the capacity and ability of the husband and it should be 1,00,000-4,00,000tk. Not to take any permission to decide dower amount and almost all persons has not enough knowledge about dower and rules of dower and dower law. But 95% persons say that dower is the dower of women and it should be given to the women. They say that, excessive dower do not need for social status. Dower is paid as a token of respect of women and dower should be paid before consummation of marriage. More than 55% persons think that giving more dowers to employed women means making women over empowered. Almost 90% persons say that they do not pay dower willingly due to financial insolvency and unwillingness of partner's. Also they do not know that have fix law or not. 70% persons think that in our society, dower fix as religious norms. 90% persons think that in our society, dower fix as social status. 75% persons think that in our society, dower fix as tradition of family. 70% persons think that in our society, dower is fixed excessively high and dower is high in consideration of ability of partner. 80% persons think that Excessive dower has effect on mental health and leads to divorce. 15% divorces are held for demanding the dower.

### 3.4. Suggestions

By analysis, 70% persons think that the reliable dower is 2,00,000 - 5,00,000tk. And it should be fixed with the ability of the husband and dower should be fixed with religious norms. Our society, dower amount is fixed high. Excessive dower amount has impacts in mental and physical health and also divorce. Dower should be fixed by mutual understanding and should be taken consent from bride and groom. Dower should be fixed ability of the husband not his family and social perspective. Dower should be fixed religious norms and Sunnah that is Mahr-e-Fatemi. Affordable dower is good for husband and they release from mental sick and physical sickness and also reduce divorce.

## 4. CONCLUSIONS

Dower is an essential and necessary part of the marriage. Dower is the right of women. She must entitle it. Dower is paid by the husband to the wife. If dower is excessive, it is a burden of the husband. For that, Dower should be fixed with the capacity of the husband. If we are of this infectious things and fixed the dower by mutual understanding and follow the religious norms and capacity of husband then the tradition of excessive dower shall be reduced. Dower should be paid for the respect towards the women.

## 5. ACKNOWLEDGEMENT

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