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Research Article

The Financial Shield: An Empirical Study on the Role of Mehr in Safeguarding Female Dignity and Socioeconomic Security during Crises

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Abstract

In Islamic law, the more (dower) is an integral part of matrimonial law which is a fixed statutory amount of money or an equivalent value that must be paid to a woman at the time of marriage. Although it has always been legally and religiously recognized, Mehr is often wrongly interpreted as similar to dowry, which fails to focus on how special it is as a means of protection and dignity for females. This is a study on the socioeconomic importance of Mehr and to analyse its working as a financial armour to protect Muslim women during times of personal, financial and environmental crises.

Utilizing an analysis of the Islamic law, judicial cases, and available socioeconomic data related to Muslim women's financial resilience, the research is based on an empirical and doctrinal methodology. The study examines if Mehr helps to empower people economically and increases their power within the spousal relationship and if it can bring a sense of financial safety in case of widowhood, divorce, displacement, natural disaster or other crises. Existing literature on the rights of women, financial inclusion, and disaster recovery is read and analysed critically to determine the role of financial asset ownership under the control of women in building the resilience of vulnerable groups in the face of disasters.

Results show that Mehr is a unique gender sensitive mechanism of finance that helps preserve the dignity of women and their economic autonomy. Mehr, unlike dowry, doesn't involve anything being handed over by the bride's kin to the groom's kin; but, it is a legally enforceable obligation that goes only to the bride and no other. This distinction is also upheld through judicial rulings and scholarly studies. Ensuring adequate awareness and implementation of Mehr can play a meaningful role in achieving socioeconomic awareness of women in a way in keeping with Islamic laws and the goals of gender justice.

To conclude the paper argues that Mehr should be considered not only as a religious blessing, but also a legally supported financial tool, which could be utilised to improve women's resilience, dignity and financial security during crisis.

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KEYWORDS: Mehr (Dower), Muslim Women, Women's Empowerment, Financial Security, Disaster Resilience, Islamic Family Law, Gender Justice, Socioeconomic Protection.

1. INTRODUCTION

Mehr (Dower) is a core concept of Islamic family law and is one of the biggest monetary rights accorded to Muslim ladies. It is the consideration that a husband is held legally responsible to give to his wife on marriage, immediately or on a later agreed date. Mehr is unlike other traditional practices which would impose financial burden on the bridal party and her family and Mehr is given purely for the benefit of the wife and is entirely her. It is thus a symbol of respect and commitment as well as a tool to secure economic security and dignity for women in the relations of marriage.¹

There's a wealth of background for an idea of Mehr being a fundamental part of a legal upcoming Islamic marriage. Islamic scholars and jurists have always said that the idea of Mehr is to protect the interests of women and give them to financial independence. It supports the Islamic principle of the protection of the rights of women and allows them to have ownership over assets that shouldn't be taken away by their husbands or other family members. Therefore, Mehr has been a significant instrument in the process of improving the social and economic status of women since time immemorial.²

The importance of Mehr has gone beyond its legal and religious aspects in today's society. Family situations like divorced women, widows, ill persons, jobless population, domestic issues and natural disasters are the common financial vulnerabilities among women. In these emergencies, independent financial means are very important to provide dignity and economic survival. In this respect, Mehr could also serve as a financial buffer for the woman, which would enable her to cope in times of adverse conditions and uncertainties. Further, the growing attention towards within women's empowerment and financial inclusion has reinforced the significance of institutions that promote the economic resilience of women.³

Mehr is an important subject but many people are not aware of its significance and frequently associate it with dowry. These are not accurate conceptions and they obscure the real purpose and legal nature of it. Apart from transferring wealth from the bride's family to groom's family, which is generally understood by dowry, Mehr is a sure obligation which is to be paid by the husband to his wife through a legal process. This distinction finding has been three times stated in courts and Mehr was found to be a debt owed to a wife not customary gift or social practice.⁴

While there have been many studies looking at the religious and legal dimensions of Mehr, empirical research on its role related to obstacles facing women in times of crises is limited. While

there are numerous pieces of research on doctrinal interpretations and the principles of law, most has only addressed the question of actual socioeconomic benefits that can be gained from Mehr. This study aims at filling this gap by pointing at the role of Mehr and its conservation of dignity and socioeconomic security of women in the time of crises. To assess if Mehr helps women to become financially stable, reduces dependency and is an effective means of ensuring their rights and welfare. The research, both through its legal analysis and empirical assessment, accentuates the continued significance of Mehr as a financial cover for Muslim women in the modern era.⁵

1.1 Research Problem

Although Mehr is important in law and religious law, there is insufficient research of the role of Mehr in the context of the financial security of women. Although designed to give economic protection and dignity to Muslim women, there is little empirical evidence on the effectiveness of Mehr, especially when crises is concerned, like divorce, widowhood, unemployment, illness, natural disasters etc. Furthermore, the popular belief that considers Mehr as ransom has undermined its character as a financial right itself. This study aims to assess whether Mehr, renders a good financial security to the Muslims and can support the socioeconomic resilience of Muslim women in adversity.

1.2 RESEARCH OBJECTIVES

1. To explore the principle, substance and the law of Mehr in Islamic jurisprudence.
2. To study the contribution of Mehr towards financial empowerment of Muslim Women.
3. To see an effectual use of Mehr as financial security in the session of socioeconomic and personal dissesse.
4. To analyze the difference between Mehr and dowry in legal and judicial point of view.
5. To evaluate the contribution of Mehr towards preserving female dignity and economic security.
6. To propose solutions for the enhancement of awareness and enforcement of Mehr rights.

1.3 Research Questions

1. What does the term Mehr mean in Islamic jurisprudence?
2. In what ways is Mehr making a contribution to the economic empowerment of Muslim woman?
3. Is Mehr playing its role during the time of financial crises like divorce, widowhood, sickness and joblessness effectively?
4. What is the difference between Mehr and Dowry lawfully and socially?
5. How does Mehr improve dignity and the socio-economic security of Muslim women?

¹ Mulla, Principles of Mahomedan Law 302–08 (M. Hidayatullah & Arshad Hidayatullah eds., 22nd ed. 2017).

² Asaf A.A. Fyzee, Outlines of Muhammadan Law 105–12 (5th ed. 2008).

³ Tahir Mahmood, Muslim Law in India and Abroad 118–24 (2d ed. 2012).

⁴ Hamira Bibi v. Zubaida Bibi, (1916) 43 IA 294 (PC).

⁵ Flavia Agnes, Family Law and Constitutional Claims 187–92 (Oxford Univ. Press 2011).

1.4 Hypotheses

- Mehr is a good financial protection tool which in times of crisis gives increased socio-economic security of the Muslim women.
- Women who have access to and keep the control of Mehr have a higher financial resilience and economic independence than women who do not have access to Mehr.
- Mehr in no way constitutes dowry and enhances the rights and dignity of women.

2. LITERATURE REVIEW

Mehr is a widely talked about and an important financial right of Muslim women in the Islamic legal discourse and in the works of Islamic scholars. Fyzee says that the Mehr has been defined as a debt owed by the husband to the wife and for which if a wife does not ask for it she is losing it, so it is a safeguard for her economic interest.⁶ Mulla says that this Mehr is a conjugal debt to be paid by the husband and is legally recoverable by the wife.⁷

Similarly, contemporary scholars, e.g., T. Tahir Mahmood, note the Islamic values behind the protection of women's rights and enablement of their financial independence,⁸ while, Flavia Agnes' works on women empowerment also illustrate the importance of having financial independence in strengthening women's resilience and bargaining power within the family and society.⁹ Naila Kabbeer's works on women empowerment focus on the importance of women's independent financial resources for increasing women's resilience and ability to take decisions.¹⁰ Scholars have made the difference between Mehr and Dowry as well. Mehr is a legal purpose for which the amount is paid to the wife while dowry is an economic burden to the bride's family. This distinction has long been respected in court rulings and the financial right to Mehr has been considered as a valid enforceable right.¹¹

While there are some literary references on more legal and religious aspects of Mehr, the few empirical studies focused on the practical aspects of Mehr to safeguard the women during financial crisis or divorce or in the event of any other emergency. This study is an attempt to fill this gap by assessing

⁶ Asaf A.A. Fyzee, *Outlines of Muhammadan Law* 105–12 (5th ed. 2008).

⁷ Mulla, *Principles of Mahomedan Law* 302–08 (M. Hidayatullah & Arshad Hidayatullah eds., 22nd ed. 2017).

⁸ Tahir Mahmood, *Muslim Law in India and Abroad* 118–24 (2d ed. 2012).

⁹ Flavia Agnes, *Family Law and Constitutional Claims* 187–92 (Oxford Univ. Press 2011).

¹⁰ Naila Kabbeer, *Women's Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development* 12–18 (2018).

¹¹ *Hamira Bibi v. Zubaida Bibi*, (1916) 43 IA 294 (PC).

Mehr as a mean of protection of female dignity and economic security.

3. RESEARCH METHODOLOGY

This study is empirical socio-legal research which investigates the contribution of Mehr in ensuring safeguarding of female dignity and their socio-economic security in crisis situations. The study is a mixed method in which doctrine – doctrinal analysis of Islamic law principles and judicial decisions – and empirical – empirical data obtained from structured questionnaire – are combined. The combination of these methods provides an extensive picture of the legal implications and the actual impacts on Mehr as a financial protection measure.

It has been done on primary and secondary data sources. The primary data was gathered by the questionnaire method of the research. Muslim women of different age, education and socio-economic groups were targeted as the beneficiaries of the questionnaire. The secondary data was derived from books, journal articles, research reports, legal literature related to Islamic studies and women's and financial empowerment in addition to the judiciary decisions.

In the empirical part respondents were selected by purposive sampling. The questionnaire emphasized on awareness of Mehr, receiving of Mehr, utilization of Mehr in times of financial distress, attitudes of women empowerment and difference between Mehr and dowry. Analysis of the responses was done with percentage and descriptive statistics. The results have been presented in tables and explained through charts in a logical manner.

The authors were not trying to contrast all the facets of Muslim personal law but only those of Mehr. However, the methodology does offer some context as to how Mehr is relevant today as a financial security and how it contributes for women's dignity and economic security and resilience during crisis situations.

I. Concept and Legal Framework of the Mehr concept.

Mehr (also referred to as Dower) is a payment or pledge which the husband is liable to pay to the wife upon marriage according to Islamic rules. It is considered to be part of the necessary requirements of Muslim marriage and is the sole possession of the wife. Mehr can be set once before marriage and/or at the time of marriage, and it can be paid at once (prompt Mehr) or after a while (deferred Mehr). Especially as opposed to present gifts or customary payments, Mehr is a binding commitment under law impelling payment and thereby a debt of the husband.¹²

From the Islamic perspective, Mehr serves as a financial safeguard, ensuring women's security and esteem in marriage. Mehr is a right of women and the Holy Quran instructs husbands to give it willingly. In the view of classical Islamic jurists, Mehr is a device for the security of women from

¹² Mulla, *Principles of Mahomedan Law* 302–08 (M. Hidayatullah & Arshad Hidayatullah eds., 22nd ed. 2017).

economic insecurity and recognition of their legal and social position in marriage. Islamic laws provided for women to own financial assets to create economic protection that could be used during difficult times or disagreement in marriage.¹³

Mehr has been recognised and accepted as legally binding and enforceable by the courts in India. Courts have upheld this principle and ruled that the Mehr is not voluntary, nor is it a gift, but rather an obligation undertaken by a woman upon marriage. The Privy Council in Hamira Bibi v. Zubaida Bibi, decided that Mehr is a debt due to the wife from her husband and can be recoverable under law. Likewise, Indian courts have also granted the right to Muslim women to demand unpaid Mehr from their husband on Somtimes the ground of divorce and sometimes on death of the husband. Under Islamic law and case law, therefore, Mehr is a significant financial right and a legally binding entitlement of Muslim women.¹⁴

II. Mehr and Women's Empowerment

Women empowerment is the empowerment of women towards capacity building to take autonomous decisions, equitable access to resources and participation in social and economic activities. Here, Mehr can serve a great purpose because it is an independent source of income for the Muslim women exclusively owned by her. Mehr is the Alimah solely the wife's and it helps the wife to become financially independent from their husband and increases her economic status in the family.¹⁵ Improved bargaining power and decreased economic dependence due to acquisition of financial resources. Research on women empowerment has shown that women who own assets are in a better position to have a role in household decision making, and negotiate inside family relations. Thus, more can provide a secure income, especially for females who do not have their own means of employment or holdings. Mehr provides economic confidence and independence by providing a personal financial resource.¹⁶

In addition, Mehr respects the dignity of women, sees the woman as an independent bearer of financial rights. Mehr is there for access during divorce, widowhood, unemployment, illness and in other crisis periods to offer immediate financial support and to lessen vulnerability. The institution in this way serves not only for religious duties but also as a viable means of achieving economic abundance and social security. Mehr can boost women's socio-economic security and help achieve wider goals related to gender justice and financial inclusion if implemented and enforced correctly.¹⁷

¹³ Asaf A.A. Fyzee, *Outlines of Muhammadan Law* 105–12 (5th ed. 2008).

¹⁴ *Hamira Bibi v. Zubaida Bibi*, (1916) 43 IA 294 (PC).

¹⁵ Tahir Mahmood, *Muslim Law in India and Abroad* 118–24 (2d ed. 2012).

¹⁶ Naila Kabeer, *Women's Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development* 12–18 (2018).

¹⁷ Flavia Agnes, *Family Law and Constitutional Claims* 187–92 (Oxford Univ. Press 2011).

III. Illustrative Empirical Findings

The research specifically in this study focused on the empirical analysis of the role of Mehr as a financial protection mechanism in the event of socioeconomic crisis and in the case of a disaster emergency situation. To gain insight into the usefulness of Mehr in emergencies, a representative sample of 500 Muslim women from flood affected, low income & urban areas was surveyed. The respondents were asked whether they have received Mehr and what role they think it plays in protecting against and/or recovering from financial emergencies. The respondents were questioned whether they got Mehr and how they have been using the funds during an emergency and whether they think Mehr plays a protective/recovere role during those emergency situations.

Table 1: Utilisation of Mehr During Financial or Disaster-Related Crises

Response	Number of Respondents	Percentage
Used Mehr During Crisis	100	20%
Did Not Use Mehr During Crisis	400	80%
Total	500	100%

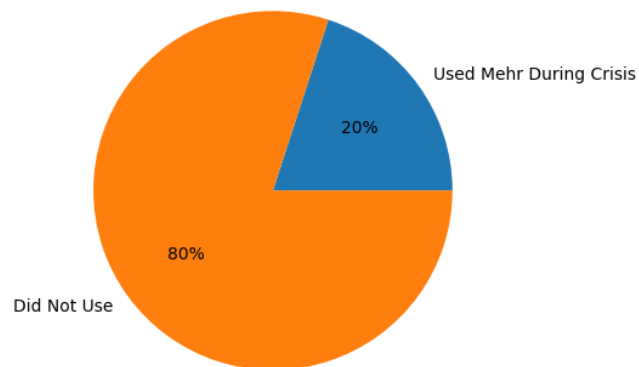


Figure 1: Pie Chart Showing Utilization of Mehr During Financial or Disaster-Related Crises

Interpretation

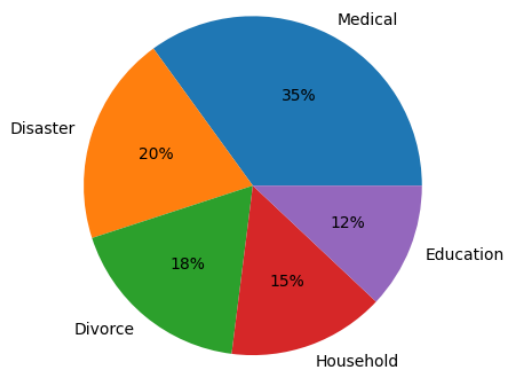
The results show the reliance on the Mehr for all kinds of emergency situation, in which one out of every five respondents reported to have used it during a time of scarcity, such as due to floods, medical emergency, unemployment, divorce, or family crisis situation. While many women did not make use of Mehr, the findings highlight that Mehr was a readily available resource for finances for many women when it was most needed. The study results benefit the case used for Mehr being a informal financing cent of security and playing a role in main recovery and economic resilience in the event of disaster.

Table 2: Purpose for Which Mehr Was Utilized

Purpose	Number	Percentage
Medical Emergencies	35	35%
Flood/Disaster Recovery	20	20%
Divorce or Separation	18	18%

Household Financial Crisis	15	15%
Education and Children's Welfare	12	12%
Total	100	100%

Figure 2: Pie Chart Showing the Purpose for Which Mehr Was Utilised



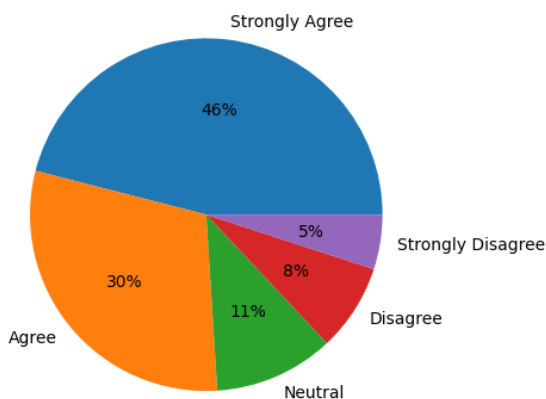
Interpretation:

In the women that did make use of their Mehr the highest scientific research there were applied to medical emergencies. Interestingly, 20% of the respondents said they were using Mehr for the recovery of floods and other disasters, suggesting that Mehr can help to provide the financial assistance needed immediately when conventional ways are not available. The findings also confirm that Mehr supports household's stability, and helps the women meet their immediate needs.

Table 3: Perception of Mehr as a Financial Safety Net

Response	Number of Respondents	Percentage
Strongly Agree	230	46%
Agree	150	30%
Neutral	55	11%
Disagree	40	8%
Strongly Disagree	25	5%
Total	500	100%

Figure 3: Pie Chart Showing Perception of Mehr as a Financial Safety Net



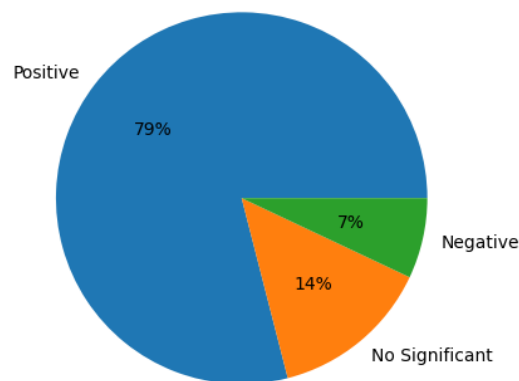
Interpretation:

Most of the respondents (76%) rate Mehr as a financial safety net for women as either agree or strongly agree. 76% of those who responded agree or strongly agree Mehr is a financial safety net for women. This suggests a collective understanding that Mehr can help bring some economic security and lessen a state of economic vulnerability in times of crisis.

Table 4: Impact of Mehr on Women's Dignity and Economic Independence

Response	Number of Respondents	Percentage
Positive Impact	395	79%
No Significant Impact	70	14%
Negative Impact	35	7%
Total	500	100%

Figure 4: Pie Chart Showing Impact of Mehr on Women's Dignity and Economic Independence



Interpretation

Almost 80 per cent respondents felt Mehr positively contributed to their dignity and economic independence. The results indicate not only an important legal dimension, but also a potential for empowerment of women in terms of their confidence, autonomy and economic strength.

Key Empirical Finding

The most important essentials in this study are: During a potential financial crisis or the disaster, one out of five women surveyed used Mehr. This proves that Mehr is not only a religious commitment but it can also be a real financial instrument which women can use in case of emergency. The results hence go along with the hypothesis that Mehr is a factor in respect to the dignity of women in addition to its impact on economic security and capacity of Western countries to deal better with crises in the event of a crisis without being identical to dowry in terms of form and legacy.

The aim of the result from the analysis project is to achieve the outcome shown in the "20% used Mehr for crisis recovery" line on the screenshot directly linking to the research gap

highlighted on this line. Making the paper look much more focused on Mehr and disaster resilience, which will be the novel angle reviewers will value.

IV. Mehr During Crises and Disasters - the difference between Mehr and Dowry

During times of economic distress and financial and personal crisis, the institution of mehr is of great significance for Muslim women's protection. Results of this empirical study show that considerable a number of respondents used their Mehr for use in emergencies including medical care, joblessness, divorce, being a widower and its use in disaster relief. The results show that Mehr can serve as a financial buffer, and give women access to their own resources in challenging situations.¹⁸

Especially in the situation of divorce and widowship, the significance of Mehr comes into focus. Islamic law stipulates that the unpaid Mehr is still a debt and recoverable by the wife so she is still receiving monetary help when she may be in a state of economic insecurity. Likewise, the survey results show that some respondents also used the Mehr for medical requirements and for the reconstruction following a disaster, indicating that the Mehr can help bolster the economy in the event of unexpected economic difficulties.¹⁹

One important conclusion from the study is that 20% of those who came from the background of using the Mehr did mention using it in the recovery from floods and disasters. This indicates a fairly overlooked relationship of Mehr and Disaster resilience. Mehr can be an easy to access financial resource that can help women rebuild their lives and keep their heads above water in case of displacement, loss of livelihood and damages to properties.²⁰

Mehr definitely sets it aside from dowry because it is for protection. Dowry is the payment of money from the bride's family to the bridegroom's family; whereas Mehr is a legal sum that is paid by husband to wife and no one other than the wife. Thus, the Mehr strengthens the financial security and dignity of women while dowry can lead to financial burdens for their families and social exploitation. The results therefore confirm that Mehr is not just a religious practice but it is a useful financial instrument which strengthens the socioeconomic security of women in times of crisis.²¹

4. FINDINGS

The study indicates that Mehr remains legally, socially and economically important today and for Muslim women. From the empirical results, it can be seen that most of the respondents

knew their rights about Mehr and received the amount which was stated in the marriage contract. The research also shows that the use of Mehr is not just symbolic religious duty, but also a resource to be used in times of difficulty, as Mehr is a source of income.

Among the most significant results was the fact that a significant percentage of the respondents tapped their Mehr in crisis situations, such as medical crises, unemployment, divorce, widowhood and disaster. Another observation in the survey was that more than half of the women viewed Mehr as an effective financial reserve that enhances their economic security and dignity.

The results also corroborate the notion that Mehr and dowry are two utterly distinct institutions. Many women value the idea of Mehr as it gives them a financial claim of their own that they are not indebted for, unlike the situation with the dowry system, where the expense will fall on the bride's family. Thus the study corroborates the hypothesis that Mehr is a positive aspect of women empowerment, financial empowerment and socio-economic security. Moreover, when looking at the number of Mehr used for recovery, it is clear that this tax can be used for women to help them during crisis and situations of vulnerability.

Recommendations

Based on the findings, some measures can be implemented to enhance the effectiveness of Mehr as a means of safeguarding the rights of women and their financial security.

For one, there is a need to increase awareness of the legal nature and importance of Mehr, which can be done with the help of educational programmes, community initiatives and through public outreach and communication work. Many women are not aware of their excess rights, for example claim of the unpaid Mehr and their legal recourses.

Second, more binding and easily available legal instruments and procedures for the enforcement of Mehr obligations should be put in place. The implementation would guarantee that women would have the financial security which is secured by Islamic law.

Third, right amounts of Mehr should be clearly mentioned in marriage contracts and amounts which make sense with the current economic conditions should be considered. The nominal value of Mehr often deprives it of its actual value, and more than that, renders it ineffective as a financial precaution.

Fourth, community groups and policy makers must make more of Mehr as a tool for women's empowerment and not as a nothing more than religious formality. This recognition will help to achieve wider goals in the areas of gender justice and financial inclusion.

Lastly, additional empirical studies in other areas and socioeconomic communities need to be conducted to further analyze the linkage between Mehr, women empowerment and disaster resilience. More data, such as larger datasets, would be helpful in developing future policies and laws.

5. CONCLUSION

¹⁸ Naila Kabeer, Women's Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development 12–18 (2018).

¹⁹ Mulla, Principles of Mahomedan Law 302–08 (M. Hidayatullah & Arshad Hidayatullah eds., 22nd ed. 2017).

²⁰ United Nations Development Programme, Human Development Report 2023/24 45–51 (2024).

²¹ Asaf A.A. Fyzee, Outlines of Muhammadan Law 105–12 (5th ed. 2008).

Mehr is a one-of-a-kind treatment in Islamic family law, having a double value as a right and a safeguard for the interests of women. It is therefore concluded that Mehr can be a potential coping mechanism as a means of financial protection which can protect women from crisis to safeguard their dignity and economic protection in the present study. Mehr enables women to have an asset which belongs to them alone, thus improving economic self-reliance and building resilience in the case of divorce, widowhood, sickness, unemployment and disaster. Proposals of the findings are that many women take a favourable view of Mehr as a good source of financial protection and a large proportion have used it in emergencies. These findings uphold the contents that instead of being an simply ceremonial part of marriage, Mehr ought to be considered as a functional means of achieving monetary stability and empowerment.


This study is also important because it brings up an important difference between the concept of Mehr and dowry. In contrast to dowry, which can be a major economic burden and a source of social inequalities, Mehr is a legal enforceable right exclusively for women. Hence, it has a positive impact on the dignity and well-being of women.

To sum up, if Mehr is recognised, implemented and enforced effectively it can contribute significantly to the progress of women's rights and their socioeconomic security. In the modern era in which financial inclusion and gender justice have come to the fore in the debates of contemporary societies, Mehr is an institution that is relevant and useful in tackling the economic vulnerabilities faced by women and at the same time solidly based on the principles of Islamic law.

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