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THE MANIFESTATION OF GENDER INEQUALITY IN THE GIVING OF DOWRY IN THE FORM OF WHITE CLOTH/SHROUD

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ABSTRACT: The article titled “The Manifestation of Gender Inequality in the Giving of Dowry in the Form of White Cloth/Shroud” is inspired by a social media story about a dowry consisting of a shroud and items associated with death. This incident occurred in Central Lombok, Nusa Tenggara Barat (NTB), specifically in Prapen. The news sparked lively discussions within the Ministry of Religious Affairs, particularly among heads of Religious Affairs Offices (KUA). While such an “unusual” or unconventional dowry may seem surprising, it has become a customary practice in Balaesang Tanjung, Donggala Regency, Central Sulawesi. In contrast to the traditional understanding of dowries, which serve as markers of marriage (distinguishing it from unlawful relationships), expressions of respect, appreciation, and protection for women, evidence of a man’s commitment to his future spouse, symbols of the woman’s accountability for the dowry received, and symbols of the man’s responsibility and consent, the practice of giving a shroud as dowry raises questions about its implications for gender

equality. The study investigates how dowries consisting of white cloth/shrouds in Balaesang Tanjung manifest as gender inequality. The research employs an empirical approach, using primary data collected from community members, religious leaders, and prominent figures in Balaesang Tanjung, Donggala Regency. The methods include surveys, observations, interviews, and data collection for analysis and conclusions. The findings reveal that the practice of giving shrouds as dowries in Balaesang Tanjung reflects gender bias. This bias manifests in forms such as impoverishment or marginalization, stereotyping, subordination, violence, and the double burden experienced by women.

KEYWORDS: *Manifestation, Dowry, White Cloth/Shroud, Balaesang Tanjung.*

I. INTRODUCTION

In Islam, dowry (mahar) is a wife's right that cannot be taken by her husband without her consent, nor can it be negotiated unless she willingly agrees. Furthermore, Islamic jurisprudence (fiqh) explicitly states that providing a dowry is a mandatory obligation for the husband.¹ The provision of dowry in Islam represents a form of respect for women by granting them the right to own property.² In the pre-Islamic era (Jahiliyyah), women had no rights to own property and were instead treated as possessions that could be owned. Unfortunately, the original spirit behind the prescription of dowry in Islam has been overshadowed by perceptions and practices that treat it as a means of "purchasing" women and legitimizing any treatment of them.

In reality, dowry symbolizes the granting of property rights to women, affirming their entitlement to personally own assets within the family. This stands in contrast to the Western interpretation of dowry, where it is typically a gift from the bride's parents to the groom, based on the notion that a woman's property transitions from her father to her

¹ In Islamic jurisprudence (fiqh), the term *mahar* is also referred to as *shadaq*, *nihlah*, and *thaul*. See: Husein Muhammad, *Fiqh Perempuan: Refleksi Kyai atas Wacana Agama dan Gender* (Yogyakarta: LKiS, 2001), 109.

² Husein Muhammad, for example, places the topic of *mahar* as part of the manifestation of good conduct from men towards women. See his book: *Fiqh Perempuan...*, 143-156.

husband upon marriage. These differing views highlight the need to revisit Islamic jurisprudence (fiqh) regarding the concept of dowry.³

The provision of dowry, which is strictly mandated as the responsibility of the man, can, despite its controversial nature, be subject to negotiation in empirical reality. In certain cases, even though dowry is formally considered a gift from the man, in practice, situations may arise where the woman's higher social status or the man's inability to afford the *mahr al-mithl* (customary dowry) leads to alternative arrangements.⁴ Therefore, it is often the case that the dowry actually comes from the wife. Of course, one may argue that this should not happen if the dowry does not need to be expensive, as the Prophet himself advised that the dowry should be as simple as possible. However, in reality, many factors contribute to the amount of the dowry in marriages across various societies in Indonesia.

The wedding customs of the Balaesang tribe, for example, reflect the local wisdom of the Balaesang people (To-Balaesan), which are closely tied to their belief in the spirits of their ancestors. The wedding ceremony in the village of Kamonji has undergone changes, including modifications in the wedding process. Among these changes, the use of sago, coconut, and cloves as dowries has been replaced with a sum of money amounting to Rp. 110,000 and a set of prayer tools.⁵ However, this tradition is now also undergoing changes, where the wedding dowry includes a shroud and a set of funeral items. This is

³ Zaitunah Subhan sees that in fiqh, at least there are three standard provisions related to *mahar*:

a. *Mahar* must exist, although its form and amount are adjusted according to circumstances;
b. According to Islamic law (*syar'i*), it is the man's responsibility to give the *mahar*, not the woman;
c. If local customs or traditions allow the woman to give the *mahar*, it is permissible, but it is not an Islamic law. See: Zaitunah Subhan, *Menggagas Fiqh Pemberdayaan Perempuan*, (Jakarta: El Kahfi, 2008), 227.

⁴ *Mahar mitsl* refers to an equivalent mahar, which is the mahar given in accordance with the amount that is customary within the bride's family or the community's culture. See: Sayid Sabiq, *Fiqh al Nisâ*, Jilid II (Beirut: Dar al Fikr, 1992), 142.

⁵ Alfaina and Nuraedah, *Adat Perkawinan Suku Balaesang (Studi Kasus Di Desa Kamonji Kecamatan Balaesang Tanjung Kabupaten Donggala)*, Volume 9 No. 2 Nopember 2021, Nosarara: Jurnal Pendidikan Dan Ilmu Sosial, 99.

what has occurred in Prapen, Central Lombok, West Nusa Tenggara (NTB).⁶

Mahar, or what is referred to as maskawin in Indonesian, is essentially the name for a gift given by a man to a woman as a symbol of marriage. This dowry represents the seriousness of a man in marrying a woman, which in the Quran is called shadaq.⁷ Based on this, a woman must accept the mahar willingly, without coercion. Moreover, the mahar is something she will fully own in the future. If she has to share it, it must be by her own choice. The value of an item, whether it is considered valuable or not, can vary for each individual. However, in general, a wife needs financial security, even though she will receive support after marriage. For a man who is established and understands his responsibilities, this is not an issue. Yet, there are many men who neglect this matter. A mahar consisting of a set of prayer tools reminds the wife of her obligatory prayers as provisions for the afterlife. So, what is the significance of a mahar in the form of a shroud and a set of funeral tools for the people of Balaesang Tanjung, Donggala Regency.

Gender always favors those who are disadvantaged, whether they are men or women. However, generally, it is women who always experience 'disadvantages,' which makes gender appear to be a perspective of women. When the struggle focuses solely on women's rights, it is called feminism. The giving of mahar is not just a matter for women, but also for men, who are the ones providing it. Based on several functions of the mahar, firstly, it serves as a distinction between marriage and a temporary union. Secondly, it is a form of respect, appreciation, and protection for women, reflecting the seriousness of the man towards the woman he is going to marry. Thirdly, it symbolizes the woman's responsibility towards the mahar

⁶ Serambinews.com, Editor Muhammad Hadi, <https://aceh.tribunnews.com/2023/01/23/heboh-mahar-pernikahan-kain-kafan-dan-alat-alat-kematian-pengantin-pria-ungkap-faktanya?page=2>, Accessed on February 3, 2024, at 10:53 PM WITA.

⁷ The verse regarding mahar in Surah Al-Nisa (4:4) clearly states that the mahar comes from the man, with the command of Allah: "Give women their *mahr* with a willing heart." Departemen Agama RI, *Al-Qur'an dan Terjemahnya* (Semarang: Toha Putra, 1989), 115.

given, the man's responsibility, and mutual consent and willingness. Therefore, how does the mahar in the form of a white shroud (kafan) in Balaesang Tanjung manifest in gender injustice.

II. METHODS

This study employs empirical legal research methods, utilizing primary data from the community, religious leaders, and cultural figures in Balaesang Tanjung.

III. THE DISCUSSION

Mahar is not a requirement for the validity of a marriage, but rather an obligation that must be given by the groom to the bride. Islam does not set a specific amount for the mahar; it depends on the agreement between both parties, the man and the woman. Ideally, the main focus should be on the purpose of marriage itself, which is to form a family based on peace, love, and compassion (sakina, mawaddah, wa rahmah). However, in Indonesia, particularly, culture and tradition play a role in determining the mahar. This is evident in the case of Balaesang Tanjung, which is the focus of this research.

The mahar mentioned in the title, which consists of a shroud and a set of funeral items, after clarification, turns out to only be a white cloth.⁸ However, its purpose is very clear. The white cloth, of a certain size, is generally used as a shroud, to wrap the deceased. To soften the term, it is simply referred to as 'white cloth.'

This statement is supported by another statement: 'If someone passes away before us, whether a relative or a neighbor, we can lend it (the white cloth) because it is an emergency,' said Mrs. Nurkisah.⁹ This means that the white cloth in question is specifically intended as a shroud for the deceased, that is, a burial cloth. Otherwise, the white

⁸ Interview with Mrs. Danse, Balaesang Tanjung community, on July 18, 2024.

⁹ Interview on July 19, 2024.

cloth could be used to make a prayer garment (mukena), a headscarf, or even clothing.

The tradition of giving a white cloth as mahar is obligatory for certain communities. Not all people in Balaesang Tanjung follow this practice, and some even refuse it. One such brave person is Mrs. Cenni: 'I don't want a white cloth as mahar. I don't want to marry if the mahar includes a white cloth; that's what I told my parents before'.¹⁰ It is understandable why the woman rejected it, as it was considered something frightening and, to her, potentially without value.

Death is inevitable, but not everyone wishes to face it soon. Especially in the context of marriage, which inherently represents a desire to live longer together. Therefore, generally, white cloth or shrouds are not something people own. When death occurs, Islam obliges its followers to provide shrouds. This is not an individual obligation (fardu 'ain) but a communal one (fardu kifayah).¹¹ Thus, the provision of burial shrouds is a collective responsibility, not an individual one, let alone something to be used as mahar.

For some, the term mahar is seen as a transactional exchange between the man and the woman's family. By giving an expensive and high mahar, it can appear as though the woman's family is handing over their daughter as if she were a possession changing ownership. This implies that the man can treat the woman however he pleases. Such a perspective is, of course, gender-biased, as it significantly disadvantages women. Below is a discussion on how the use of white cloth or burial shrouds as mahar manifests gender injustice:

A. Marginalization

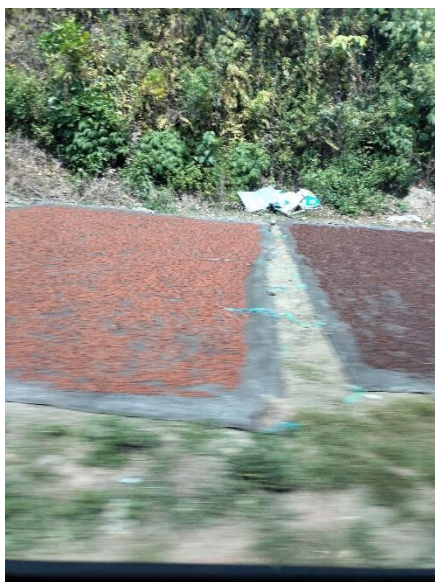
Marginalization refers to impoverishment. If the mahar is merely a white cloth or burial shroud, it holds little value for the woman's future life. Especially if the white cloth is intended for her death or the death of her family members or neighbors. A woman's married life is

¹⁰ Interview on July 20, 2024.

¹¹ M. Khalilurrahman Al Mahfani, 2008. *Buku Pintar Sholat*. PT WahyuMedia: Jakarta. 149 - 150.

not just about death but also about a long and winding journey. Moreover, if her husband depends on her labor and resources to support the family, this further compounds the issue. Fortunately, in Balaesang Tanjung, the white cloth as mahar is not the only option but rather one among several. Other forms of mahar include valuable assets, such as clove trees or other items of worth. Land and livestock are also included. As Mrs. Ika said, 'Here, only a few people use the tradition of a white cloth as mahar. Even if they do, it is accompanied by other forms of mahar, such as several clove trees, farmland, or money.'".¹²

The majority of the people in Balaesang Tanjung are clove farmers. During the harvest season, they dry their cloves along the roadsides, as shown in the image below:



If clove trees or farmland are included as mahar instead of just a white cloth/shroud, the benefits would undoubtedly return to the family. A wife, especially after becoming a mother, prioritizes everything for her family. What she owns becomes her family's property. Without being asked, if a wife sees her husband struggling to earn a living, she would willingly contribute her mahar. However, if she has nothing or only possesses a piece of white cloth, she would surely suffer. Poverty would be evident, with no assets left to utilize.

¹² Interview on August 1, 2024.

B. Stereotypes

Stereotypes involve negative labeling. As previously discussed, Islam does not specify the amount of mahar. However, in Indonesian tradition, the size of the mahar often symbolizes respect or status for the woman. If the mahar consists of just a piece of white cloth or a burial shroud, it could be used as an issue to suggest that the woman is not in good standing or lacks honor. Consequently, not all women in Balaesang Tanjung are willing to accept such mahar.

Ideally, white cloth can have uses beyond being a burial shroud, such as for prayer garments, headscarves, turbans, and more. However, men in this context offer white cloth specifically as a shroud, not for other purposes. This is supported by an interview with Mrs. Nizar, who stated, 'In addition to the white cloth, we also still accept a set of prayer tools'.¹³

C. Subordination

Subordination refers to the relegation or perception of someone as secondary or unimportant. Women are often relegated to secondary status, whether in matters of education, economics, or family. In some Indonesian communities with patriarchal cultural systems, men are naturally prioritized. The provision of a white cloth as mahar, supposedly a symbol of purity, becomes a foundation for confining women to restrictive roles.

In the name of purity, women are often prohibited from leaving the house and are expected solely to care for their families. Consequently, it is deemed unnecessary for women to control wealth or manage the family economy. Based on this reasoning, a white cloth is considered sufficient as their mahar.

The notion of the white cloth as a symbol of purity was expressed by Mrs. Asrina in her interview: "White symbolizes purity, so we are given white cloth as mahar to remind us to always preserve our purity as women."¹⁴ Ideally, purity is not only required of women but also of

¹³ Interview on August 2, 2024.

¹⁴ Interview on August 3, 2024.

men. A white cloth, if stained, will change its color to that of the stain or another contaminant. Thus, white cloth as mahar, symbolizing purity, reflects the notion that women remain secondary because it is the husband who is seen as “coloring” the woman.

Another interpretation of white cloth/shroud mahar is as a symbol of love or marriage until death. Nothing should separate or end the marriage except death. This aligns with Mrs. Sofiana’s statement: *“The white cloth or shroud given as mahar symbolizes the hope for a lasting marriage until death parts the couple.”*

Everyone is free to interpret the meaning of the white cloth, but if it is given only to women, it implies that only women are expected to fulfill such hopes, while men are not.

D. Violence

Violence refers to various forms, including physical, mental, verbal, sexual, and others. When the provision of white cloth/shroud as mahar falls into the categories of marginalization, stereotyping, and subordination, it manifests as verbal, cultural, and mental violence against women. Physical violence often follows when these forms of violence accumulate in the conscious mind of a man, leading him to justify coercion or even physical abuse of his wife. Men may resort to physical violence for reasons they claim are for “discipline” or “guidance.” What is intended as a “gift” becomes a source of violence, which is deeply harmful and contributes to gender bias.

E. Double Burden

Double burden refers to the dual responsibilities women often bear. Women are tasked with managing the household, raising children, and other domestic duties. As stated in Article 34, paragraph (2) of Indonesian marriage law, a wife is obligated to manage household affairs to the best of her ability.

At first glance, this seems unproblematic, but upon closer inspection, issues arise. In an ideal marriage, if both husband and wife fulfill their roles as stipulated by the law, the family remains harmonious. Problems arise when the husband fails to provide for his wife as

required. If the wife refuses or cannot divorce him, or the husband refuses to divorce her for various reasons, the wife is often forced to contribute financially. As a result, in addition to her domestic duties, the wife must also earn a living. This dual responsibility—managing household affairs and earning an income—is what is referred to as the double burden.

While white cloth or shroud as mahar is not prohibited by religion or law, it would be better if the mahar were something that could support the family's economy. Ideally, the mahar should ease the wife's burden, not add to it. A mahar should bring joy and comfort to the wife, not fear.

If the mahar consists of assets, those assets could be used as business capital or to increase family income. This way, the wife could stay at home without the additional mental and physical burden of providing for the family. Eliminating this double burden would relieve the wife and create a more balanced partnership.

IV. CONCLUSION

The conclusion of the above discussion is that the provision of white cloth/shroud as mahar in Balaesang Tanjung reflects gender bias. It manifests through marginalization (impoverishment), stereotyping (negative labeling), subordination (secondary status), violence, and the double burden placed on women.

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