

# The different forms of dower in Egypt

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## 1. Motivation

In the social sciences, research on dower in Muslim societies, i.e. the transfer of money, valuable items, or economic resources from the groom and his parents to the bride at the time of marriage, has not received prominent recognition up to now. This situation is surprising, as dower, also attributed as ‘*mahr*’ in Arab language, is central for Muslim marriages and is part of civil legislations of many Muslim countries. Moreover, it takes effect on various spheres of living, like, employment of men and women, labor migration, consumption and savings, economic and social status of families, gender roles and gender relations, marital quality and stability, or women’s economic well-being and autonomy.

Moreover, only limited attention is given to the changing practice of dower. *Mahr* typically consists of an obligatory prompt component to be transferred at the time of marriage and a non-obligatory deferred one to be paid at a specific event in future, which is mostly divorce or husband’s death. The prompt component took significant changes throughout the last decades. The traditional handing over of money or economic resources to the bride became replaced by a monetary transfer coming with the expectation that the bride acquires tools and items for the conjugal home. There is also the development that prompt *mahr* only takes place in a symbolic form and in combination with *ayma*. The latter addresses the direct acquisition of furniture and domestic items by the groom and his parents and their subsequent conveyancing to the bride.

As a consequence, different forms of dower coexist: Prompt *mahr* is transferred in a token or non token manner and in combination with or without the handing over of *ayma*. The intention of the paper is to identify the prevalence of and the motivations for these different forms dower in Egypt.

## 2. Background

Marriages in Egypt are expensive and their costs may exceed several annual incomes. Contrary to other parts of the world, however, these high costs are not primarily caused by expensive ceremonies but because of different, partially obligatory transfers. Traditionally, both marital parties have to take over responsibilities for particular expenditures. The groom’s side covers the major burdens: the *shab-ka*, dower in the form of *mahr* and/or *ayma*, and expenses for housing and celebrations.

*Mahr* is a compulsory gift, i.e. a legally binding financial debt of grooms that brides can enforce in court. Muslim marriages are not legitimate without an at least symbolic payment of *mahr*. It is due as soon as the marriage contract is signed and becomes sole property of the wife at the time of marriage. In principle, she cannot be forced by her husband or other family members to spend it for particular reasons. The transfer of prompt *mahr* legitimizes the status of husband and wife as sexual partners and it establishes a set of rights and duties for both spouses that substantially shape the conjugal relationship. If *mahr* is not transferred, the wife has the right to reject all conjugal duties, which also includes cohabitation or the consummation of the marriage.

Traditionally, prompt *mahr* consists of money or objects that give wives some economic independence from their husbands and that also provide opportunities for taking investments, starting self-employment, or engaging in subsistence economy. However, these resources become replaced by all kinds of valuable consumption goods, which is in line with a general increase of expectations according to the standard of living. In Egypt, consequently, the bride typically spends her prompt *mahr* for purchasing furniture and tools. Moreover, it becomes increasingly convenient that the groom and his

family acquire these items directly and sign them over to the bride at the time of marriage. This kind of conveyancing is addressed as *ayma*. *Ayma* may accompany or replace prompt *mahr*. However, it cannot substitute prompt *mahr* in legal terms, as it is just a a marriage gift without any binding character for the couple. Consequently, it needs to be accompanied by an at least symbolic transfer of token prompt *mahr*.

Substituting real prompt *mahr* by token prompt *mahr* in combination with *ayma* or expensive wedding gifts may be differently motivated. Fees for registering a marriage depend on the amount of *mahr* fixed in the contract. A symbolic amount reduces these costs, which may be attractive for poorer families. It is also a logical consequence of the widely spread practice that real prompt *mahr* consists of items and tools instead of money or investment goods. On the other hand, *mahr* indicates the social status of the families involved. Wealthier families, therefore, are interested to fix *mahr* in marriage contracts.

*Mahr* is also a symbol for traditional marriages. It gets the system of conjugal maintenance and obedience going, thereby assigning a subordinating role to women and perpetuating patriarchal structures and gender inequalities. Hence, token prompt *mahr* can be used to demonstrate that a couple intends to lead a modern marriage between equals. This applies particularly to urban marriage partners with higher education or to women with wealth or well paid jobs, who can afford to forgo real prompt *mahr*. In rural areas, token prompt *mahr* symbolizes the turning away from traditional agricultural activities towards a life as a consumer focused on the conjugal home. In this situation, prompt *mahr* in the form of money is not required any more and wedding gifts from the groom' side fit better to the new role. In general, agreements on token prompt *mahr* are closely linked to expensive *ayma* or wedding gifts. These express, on the one hand, increasing consumerism. For less wealthy brides, on the other hand, sellable gifts like gold may be an important source of economic security. However, the substitution of real prompt *mahr* by a combination of token prompt *mahr* and *ayma* or wedding gifts may be a risky strategy for women. A symbolic payment of *mahr* constitutes a marriage, but promises of wedding gifts are not binding and cannot be legally claimed. Consequently, wedding gifts and household items become increasingly registered in marriage contracts

The replacement of traditional real prompt *mahr* by prompt *mahr* or *ayma* in the form of household items implies a significant change of the character of dower: from a mean of improving economic independence outside marriage to a mean of ensuring economic certainty in an indirect manner by stabilizing a marriage and buffering economic hardships if a marriage ends. As prompt *mahr* or *ayma* cover substantive parts of the conjugal household, wives can use them as a bargaining chip in order to increase control over their marriages. Non-fault based divorce, which can easily be initiated by a husband, may become a costly enterprise, because the wife is allowed to keep her dower completely. Thus, the former husband has to acquire these items again in order to be able to enter a new marriage. The same logic applies if the husband does not fulfill his conjugal duties and the wife is able to threaten with fault-based divorce. Dower may also make non-fault based divorce initiated by the wife attractive for the husband, as she would have to retransfer all marriage-related payments and assignments from the groom's side.

### 3. Research questions

Dower has important consequences for women's living conditions during and after marriage. These consequences, however, do not only rest on the amount of dower but also its different forms: token prompt *mahr* or non-token (real) prompt *mahr* in combination with or without *ayma*. In first step, the prevalence of these different forms of dower in Egypt is identified. In a second step, factors motivating

particular forms of dower are explored. These factors cover four general perspectives: the intended character of a marriage, women's economic dependence on dower, the social status of the marriage partners' families, and their bargaining power during negotiations on marriage contracts.

(1) According to the intended character of a marriage, prompt *mahr* should be associated with a more traditional understandings and *ayma* with more modern ones. Possible empirical determinants are bride's and groom's level of education, bride's work before or after marriage, and an urban or rural place of living. Higher levels of education provides individuals with opportunities to learn about new ideas and to develop more personal autonomy toward traditional institutions. This applies additionally to urban contexts of living. Many women work before marriage in order to take more active roles in financing marriages, determining positions on marriage markets, and influencing the conditions of marital life. Women's work after marriage may indicate that their households have to rely on their incomes, but it may also typify a more modern understanding of a marriage, as women deviate from traditional gender roles, receive more autonomy to hold down their work, and their husbands are not the sole breadwinners.

(2) Marital transfers build a rare opportunity for women to accumulate wealth. Thus, only women from wealthy families or who work in stable and well paid jobs are able to afford abstinence from these transfers. Non-token prompt *mahr* and *ayma* should be less present for women who work after marriage or who stem from families of high socio-economic status. They should also be less present the higher the bride's education or if the couple lives in an urban context. Both variables indicate better employment opportunities for women.

(3) Wealthier families of grooms should be motivated to transfer prompt *mahr* as it provides the opportunity to display their wealth and social status in public. They are also more able to afford the additional costs for registering *mahr* in the marriage contract. Less wealthier families should prefer token prompt *mahr* in combination with *ayma* in order to avoid these expenses.

(4) The bride and her family should be more able to achieve their interests according to dower in a non-token form the higher their bargaining power during the negotiations on the marriage contract. This should be particularly the case if the bride has desirable characteristics, like an appropriate age or higher education, and the higher the socio-economic status of her family. At the same time, however, the groom and his family have to be able to satisfy these demands. This should apply to grooms with higher income potentials – indicated by their educational level –, higher age – because there was more time to accumulate resources –, and wealthier parents – expressed by their socioeconomic status.

#### **4. Data and variables**

The empirical analyses rest on the third and fourth wave of the Labor Market Panel Survey for Egypt (ELMPS) from 2012 and 2018. The ELMPS is a representative household panel, which has started in 1998 and with subsequent waves in 2006, 2012, and 2018. Information on household members is used to identify couples. They build the units of analysis, if the following characteristics apply. Both couples participated in the survey, are Muslims, aged 18 to 39, are married first, and the marriage took place during the last 10 years before the interview. This leads to the consideration of 7,189 couples for the analyses.

The dependent variable addresses the different kinds of dower at the time of marriage: “token prompt *mahr* and no *ayma*”, “non-token prompt *mahr* and no *ayma*”, “token prompt *mahr* and *ayma*”, and “non-token prompt *mahr* and *ayma*”. As these categories are closely related, they violate the criterion of irrelevant alternatives required for multinomial logit analysis. Consequently, the multivariate

analyses rest on a multinomial probit choice model, which results are subsequently used for estimates of probabilities and average marginal probabilities.

The independent variables address bride's and groom's age at marriage and their level of education. Bride's employment informs whether she was employed exclusively before marriage, exclusively after marriage, or before and after marriage. For men, a variable is created that covers the duration of employment (in years) before marriage. The social status of bride's and groom's families is represented by the status of their fathers. Due to data limitations, only fathers' levels of education can be used as status-related indicator. The variables "year of marriage", "place of living", and "consanguineous marriage", i.e. whether the couple is related by kin, address general characteristics of the marriage.

## 5. Empirical Results

*Ayma* is more or less a standard in Egypt, as it is present in around 90 per cent of all marriages. Prompt *mahr*, however, takes primarily place in its token form. Only around one fourth of all brides receive payments via this traditional channel and first and foremost in combination with *ayma*. In the majority of marriages, consequently, the transfer of dower exclusively takes place via assignments of goods and items to the bride, because prompt *mahr* is handed over only in a symbolic manner.

The multivariate analyses indicate that prompt *mahr* and *ayma* are not just mutual substitutes of dower at the time of marriage. They are of different character because their presence and their combinations are differently influenced by basic characteristics of bride and groom, their family background, and the general context in which the marriage takes place.

There is primarily evidence for different understandings of a marriage. The exclusive transfer of *ayma*, i.e. prompt *mahr* is only handed over in a symbolic manner, is associated with less traditional understandings, expressed by positive influences of bride's working activities and level of education. This interpretation is also supported by the general positive effect of bride's education on the presence of token prompt *mahr*. Moreover, these effects are particular present if the couple lives in an urban area. The positive relationship between an exclusive transfer of *ayma* and bride's and groom's employment activities also indicates a stronger orientation towards the conjugal home and the couple's ability to display its social status by furnishing it properly. The bride, in particular, documents her willingness and ability to take an active role in this process.

The exclusive transfer of *ayma* is also sensitive to bride's and groom's age at marriage, but in a different manner. The older the couple-to-be, the less frequent this kind of dower takes place. There is no clear evidence whether the exclusive assignment of tools and items simply becomes less important or whether it is superseded by kinds of dower that are more adequate to couple's age. In general, however, there is a tendency that real prompt *mahr* gains in importance, irrespective of the kind of prompt *mahr*. Thus, older brides and grooms either express a more traditional understanding of a marriage, which may be caused by longer periods of acquiring the resources in order to finance real prompt *mahr*, or by a more modern one, which is already indicated by their comparatively high ages.

The analyses do not identify particular constellations of bargaining power between bride and groom during marriage negotiations, but the substantive influences of bride's characteristics on the different kinds of dower indicate the latter's general influence on this process. There is also no evidence according to bride's economic dependence on dower. This may rest on inadequate indicators used in the analyses, but it may also imply that the amount but not the kind of dower matters in this context. Also no systematic influences of the social status of bride's and groom's families are present. This may rest on an inadequate representation of social status in the analyses.