

Volume : 5, Number : 2, Oktober 2024

## **ANALYSING THE ROLE AND MEANING OF DOWRY IN GLOBAL WEDDING TRADITIONS**

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### **Abstract**

The purpose of this research is to find out what types of goods can be used as dowry in marriage. This research is a type of library research or literature study, which involves collecting, reading, recording, and processing data from various literature sources such as books, magazines, and others. The results show that dowry in Islam is an obligatory gift from the husband to the wife as part of the marriage contract, which has symbolic and material values. The form of dowry is very diverse and can be in the form of cash, jewellery, electronic or household items, land or property, livestock, education and services, religious travel expenses, and traditional or cultural items. This flexibility in the form of dowry allows for adjustments to economic conditions, culture, and the agreement of both parties. The most important thing is that the dowry is given with sincerity, fulfils the requirements of Islamic law, and reflects the husband's commitment and responsibility in building a household. Dowry is not just a material gift, but also a symbol of the husband's love, respect and seriousness in marriage.

*Keywords: Goods/items, dowry, marriage.*

### **INTRODUCTION**

The institution of marriage serves as a gateway to the union of the hearts of two people under the auspices of a long-lasting life association. Within this association, each spouse is obliged to fulfil a number of rights and responsibilities in order to lead an honourable, happy, and peaceful life, bear children, and establish a family or household with which Allah Swt will be pleased.

Among the many legal aspects of marriage are the elements intrinsic to marriage, such as the issue of dowry. (Ridwan, 2020)

The above-mentioned verse states that a husband is required to truly and freely offer a dowry to a woman. Furthermore, this passage shows how Islam respects and honours the position of women by offering them their rights.

Women were denied their rights during the *jahiliyyah* period, when guardians had complete authority over property that belonged solely to them, and they were not allowed to hold it or have the ability to supervise transactions on it. Islam therefore liberated her from these restraints, bestowed upon her a dowry, and established the dowry as her right over men. Nothing can be taken from her, except for her own pleasure and will, by her father or her closest relatives. (Shuhufi et al., 2015)

Article 31 of KHI (Compilation of Islamic Law) says that "Determination of dowry is based on simplicity and convenience recommended by Islamic teachings". Money, gold, prayer tools, products, services and even intangibles such as memorising the *Qur'an*, and so on can all be used as dowry. Even if the dowry is just an iron ring, it is plenty for the groom and need not be extravagant. Because if the dowry causes hardship to the man, it is not justified. The full dowry that the husband gives to the bride is her property, and the husband is not allowed to touch it. Half of the dowry may be paid in cash, in cash, or in debt. Islamic Sharia stipulates that the dowry (*mahr*) must be formal and beneficial.

(Ahmatnihar, 2020)

Cash is a popular type of dowry because it is useful and has global appeal. In addition to cash, jewellery, silver, and gold jewellery are often given as dowries because they are not only highly valuable but also have symbolic and artistic importance. In addition, modern and practical dowry options for starting a new home life include technology products such as laptops and *smartphones*, as well as household appliances such as refrigerators and washing machines. Dowries can consist of non-material commodities or services in addition to tangible assets. One illustration is providing certain abilities or information, such as teaching the recitation of the Quran or serving as a guide to religious education. In addition, some people provide dowries in the form of valuable experiences, such as the cost of a Hajj or Umrah trip that has high spiritual value. (Uswatun Khasanah, Muhammad Hasan, 2023)

## METHOD

This kind of research is known as literature study or literary research, and entails collecting, examining, documenting and analysing data from various literary sources, including novels and magazines. Mahmud states that conducting literature research entails reading and collecting information from various sources. This suggests that conducting literature research entails more than just collecting data it also entails digesting that material.

## RESULT AND DISCUSSION

### Definition of Mahr and Legal Basis

The term "dowry" is of Arabic origin and refers to the noun of the abstract form or *mashdar*, i.e. "*mahr*" or verb. This implies that the dowry is an abstract object requested by the prospective spouse or agreed upon by both parties. Mahr is a legally required gift given by the groom to the bride; in the event that the bridegroom gives his dowry to the bride in the form of property or alimony due to the marriage bond, the form and type of mahr are not stipulated in Islamic marriage law; instead, both brides are encouraged to discuss and reach an agreement on the amount to be given. (Karomah, 2023)

Other synonyms, such as *shadaqah*, *nihlah*, and *faridhah*, which also imply dowry, are often used by jurists in addition to the word "dowry". According to its etymology, dowry is a gift that the bride receives from her husband and is required by law; however, the nature and quantity of the gift is left to interpretation; *Qur'anic* hadiths determine its size. (Yulianti, 2021)

Etymologically, "dowry" implies a "mask." Dowry is "an obligatory gift from the prospective husband to the prospective wife as a transparency of the prospective husband's heart to create a wife's love for her prospective husband" (Apriyanti, 2017). The husband must give a dowry to his future wife. A husband's readiness and willingness to help his wife and children during childbirth is symbolised by dower. The quantity is irrelevant as long as the dowry is only ceremonial or symbolic.

This is consistent with the Prophet's claim that "the lightest dowry is the best." The message of the hadith is to avoid making the issue of dowry a burden for men. If a man can afford to give his future wife the largest dowry feasible, there is no prohibition against doing so. Nonetheless, a dowry is not the price of a woman, and marriage is not essentially a sales contract. Regarding the words of Allah, *QS. An-Nisa'* (4): (20-21)

[illegible]

Meaning: "And if you change your wives for another, and you have given to one of them much wealth, then do not take back from her anything. Will you take it back by way of a false accusation and by (bearing) a manifest sin? How will you take it back when you have mixed with one another as husband and wife? And they (your wives) have taken a strong covenant."

The above-mentioned *Qur'anic* verses establish a solid legal basis for men to be required to give dowry to women they genuinely wish to marry, therefore ensuring the preservation of women's rights from the outset. The above verses indicate that there is no minimum amount required for dowry. Soon, two pairs of sandals, iron scissors, and bread were enough to qualify as dowry. Moreover, overspending on dowry is makruh as it is often challenging and does not provide much in return. It is acceptable if a woman receives a man's education and has memorised all or part of the *Qur'an* as a dowry.

The Islamic faith is compassionate towards those who give dowries within reason and without exaggeration. Since Islam prohibits large dowries, a *permissible* dowry if both parties have agreed to it is not a problem; but, if one of the two objects, or even tries to stop the marriage, then makruh is allowed. Ibnul Qayyim said, "Fatwas and their differences occur according to changes in times, places, circumstances, and customs". (Setyowati, 2021)

In short, the purpose of this dowry is not to be achieved. It is important not to go overboard in the dowry system for women. The Prophet Muhammad and what I learnt from him about marrying his wife and marrying his daughter for a maximum of 12 dirhams are examples of people who are more important than you and have glory in the world or piety in the eyes of Allah Swt.

### Conditions of Mahr and the amount of Mahr

When giving a dowry, the prospective husband needs to pay attention to the requirements for doing so. The requirements for dowry are: (Ridwan, 2020)

1. Even if there is no provision for a larger or smaller dowry, property or goods have value, and it is invalid to give a dowry with nothing of value. Nonetheless, a simple yet meaningful dowry is still recognised.



2. The object can be used even if it is sacred. Giving a dowry with *alcohol*, pork, or blood is not acceptable as these items are considered haram and have no value.
3. Since the products are meant to be returned later, they are not *ghasab* goods i.e., they do not steal another person's property without that person's consent.
4. This is not an ambiguous condition item. It is forbidden to give a dowry in the form of an object whose condition is unknown or whose nature is undetermined. Consequently, the dowry offered should be a priceless sacred treasure rather than plunder or an obscure commodity. Because a man's dowry is one of the indicators of how serious he is about the woman he wants to marry.

Islam does not specify how much dowry a prospective wife should get; this is because people differ from one another. *Fauqah* agrees that paying dowry does not have a set amount and should not be too extravagant. The husband will decide how much dowry to provide based on their mutual agreement. There is nothing in sharia that specifies that the dowry can be more than twenty-five per cent. This implies that the limit of the size of the dowry is modified according to the mutual agreement of the bride and groom. It is proper and mutually agreed upon to have a dowry, but it is not advisable to be too high or low. Muhammad Syahrur also states that the payment of dowry is within the limits of Allah's law, that its value is determined by mutual consent, and that it depends on human capacity within a certain period of time. The right to show a diamond or gold ring belongs to those who are able to do so. Nonetheless, even if the dowry is in the form of an iron ring, those in need should still provide one. (Shuhufi et al., 2015)

As long as it has been mutually agreed upon by both parties, the most important requirement is that the dowry be something that can be exploited. This could be money, a very basic ring, or even instruction on the *Qur'an* and other subjects. This implies that the value of the dowry is determined by its usefulness to us in our daily lives rather than by the nominal or monetary value of the item. According to Aisha, the Prophet stated: "Verily, the most blessed marriage is the cheapest dowry". (H.R Ahmad)

As said earlier, marriages will be more fortunate if women do not seek excessive amounts of money as dowry from men. There are no clear guidelines in Islam on the minimum and maximum amount of dowry that a husband should give to his bride-to-be. Islam only advises women to be reasonable when asking for dowry from their husbands. (Yulianti, 2021) Religion does not specify a minimum or maximum amount for dowry; this is because the human ability to provide dowry differs greatly. The ability of wealthy individuals to provide a larger dowry to their

future wives is matched by the inability of the poor to do so; as a result, the amount of dowry is determined by the ability of the individual as well as the willingness and consent of each spouse. According to Mukhtar Kamal, the inability to pay the dowry should not be the reason for the inability of the marriage to proceed due to the significant amount. From the above 16 statements, it can be seen that the customs of the community concerned influence the amount of dowry. If the woman asks for a dowry and the groom cannot provide it, the dowry can be decided by mutual consent. (Setyowati, 2021)

Certain fuqoha hold that dowry is a fundamental element of the marriage contract, while others hold that it is merely a legal prerequisite for marriage and not a pillar. These people include the following: (Apriyanti, 2017)

1. Imam Syafi'iyah states that a husband must pay a dowry in order to receive benefits from his wife, both financial and biological.
2. In accordance with the Malikis, who hold that the dowry is the cornerstone of the marriage contract and that its absence renders the union void, the union remains valid even in cases where the dowry is not included in the contract.
3. Mahr is seen by the Hanafiyah as something that does not need to be included in the marriage contract.
4. According to Ash-Shukani, dowry is merely a customary practice rather than a requirement or source of marital peace; any legally exploitable property or asset can be used as dowry.

### **Types of Mahr**

The dowry given to the bride immediately is what the *mu'ajjal* dowry indicates. Based on the hadith, the legal *Sunnah* is to give the wife her mascot immediately: "Katsir ibn 'Ubaid Al Himshi narrated to us, Abu Haiwah narrated to us from Shu'aib ibn Abu Hamzah, Ghailan ibn Anas narrated to me, Muhammad ibn 'AbdurRahmān ibn Tsauban narrated to me, from a man who was a companion of the Prophet (peace and blessings of Allaah be upon him), that when 'Ali married Fatima bint the Messenger of Allaah (peace and blessings of Allaah be upon him) and wanted to have intercourse with her, the Messenger of Allaah (peace and blessings of Allaah be upon him) forbade him until he gave her something. Then he said: O Messenger of Allah, I do not have anything. Then the Prophet said to him: "Give him your armour!" Then Ali gave it to Fatima, and

he had intercourse with her. Katsir ibn 'Ubaid narrated to us from Abu Haiwah, from Shu'aib, from Ghailan, from Ikrimah, from Ibn 'Abbas, in this manner." (Abu Daud)

This hadith is a postulate that shows the prohibition of giving the bride the dowry before sexual activity because it greatly affects the emotions of women, as is known. b) Mu-ajjal dowry A delayed mahr, or *muajjal*, is a mahr that is not given to the wife. The fiqh scholars believe that, when it comes to implementation, paying the *musamma* mahr is legally required if:

Meaning: "And if you wish to change your wives for other wives, and you have given to one of them a large sum of money, then do not take back from her any of it. will you take it back by way of false accusation and by (bearing) a manifest sin?" (QS. An-Nisa': 20).

According to the above passage, in the event of dukhul between the husband and wife, the husband is not allowed to reclaim the amount of dowry given. In the above poem, "replacing the wife with another wife" refers to divorcing the wife one does not like and marrying a new one. Asking for and claiming back a gift is not acceptable, even if he is divorced from his previous spouse. One of the husband and wife dies. This is according to Ijma'. If the husband has mixed with his wife and the marriage breaks down for any reason, for example, it turns out that the wife is his mahram, the mahr *musamma* must also be given in full. However, according to Allah's statement in the *Qur'an* surah Al-Baqarah (2) 237, if the wife divorces before marriage, she only has to pay half.

Meaning: "If you divorce your wives before you have mixed with them, and you have determined the dowry, then pay one-half of the dowry that you have determined, unless your wives forgive or are forgiven by the one who holds the marriage bond, and your forgiveness is closer to piety. and do not forget the virtue between you. Verily, Allah sees all that you do" (alBaqarah: 237).

The mahr *mitsil* is the amount of mahr that is determined according to the amount usually received by the wife's family, because at the time of the marriage contract the amount of mahr has not been determined<sup>30</sup>. The permissibility of this mahr *mitsil* is based on the words of Allah Swt. in the *Qur'an* surah Al-Baqarah (2) : 236 .Meaning: "You do not have to pay the dowry if you divorce your wives before you have mixed with them and before you have fixed the dowry". (QS. Al-Baqarah: 236)

This verse indicates that a husband may file for divorce from his spouse before they are married and may not give his wife a specific dowry. The wife is entitled to a *mithil* dowry in this situation. The husband is required to pay the mahr mitsil if the divorce takes place before sexual intercourse (*qabla dukhul*) and the value of the mahr is unknown. As stated in the hadith, specifically: "Ibn Mas'ud, from Al-Qamah, was once asked about a man who married a woman; She did not choose a mascot for him and did not match him until he died. "She is entitled to a mascot like any other woman, no less and no less," added Ibn Mas'ud no more, she is obliged to do *iddah* and get inheritance. "The Messenger of Allah (peace and blessings of Allah be upon him) once decreed against Barwa' bint Washiq one of our women as you have decreed," said Ma'qil bin Sinan al-Ashja'i. Ibn Mas'ud rejoiced after hearing this statement (HR Ahmad and Al-Arba'ah. Saheeh hadith according to At-Tirmidhi and hasan according to a group of hadith scholars).

The woman should get the *mithil* dowry in the following circumstances: *Tafwidh* marriage: Under Islamic law, a woman gives her guardian or another third party the authority to marry her through a process known as *tafwidh*. In this situation, the woman gives another person a guardian, family member, or any other person deemed qualified to make the best decision the authority to decide about her marriage. If the amount and rate of dowry is not specified in the marriage contract, it is likely that the husband has mingled with the bride or died before mingling. In the case of a marriage deemed void after the dowry is not paid and the husband has an affair with his spouse.

### **Forms of marriage dowry**

According to the teachings of Prophet Muhammad, marriage is a serious and sacred commitment. Therefore, you cannot tamper with it. A man expressing his commitment about getting married to a woman is shown by entering into a bride price. This is in line with what Allah Swt states in Surah *An Nisa* verse 24 of the Qur'an.

Meaning: "*And (it is also forbidden to you to marry) married women, except slaves whom you own (Allah has decreed this law) as His decree upon you. And it is forbidden to you besides these (i.e.) to seek wives with your wealth for marriage, not for adultery. So those wives among whom you have had pleasure, give them their dowries (in full), as an obligation; and there is no blame on you for what you have mutually consented to, after determining the dowry. Verily, Allah is All-knowing, All-wise.*" a. Money



Money is one of the most commonly given dowries. The form can be sent as elegantly wrapped cash or as digital currency through transfer channels. An agreed notional amount is given by some grooms; examples are five hundred thousand, one million, five million, ten million, fifty million, and so on. (Shuhufi et al., 2015) b. *Gold bars*

Precious metal wedding dowries made of gold are currently becoming popular. Considering that gold is a source of pride, has a fixed value, tends to increase in price over time, and is sought after, choosing it as a dowry makes sense. In addition, gold is seen by Muslims as a treasure that will last long after others have lost interest in it. (Yulianti, 2021) Gold can be offered as a dowry in the form of jewellery or bars. However, due to its higher selling value, gold bars are actually more commonly chosen as a dowry. c. *Shares, livestock and land titles* As technology advances, the growth of bridal dowries in the form of property is becoming increasingly diverse. Offering a dowry in the form of a stock investment in a company might be the best option for those with vision. Shares are available for purchase from domestic companies that can be listed on the Indonesian capital market through an initial public offering (IPO). Alternatively, you can buy shares in a company that you support and give them to your spouse as a dowry.

A land certificate dowry is an unconventional additional bridal payment. This document certifies one's ownership and rights to land. This state-administered document is essential for the continued existence of organisations. Receiving a dowry in the form of a land certificate gives you ownership of the property. Given that the value of land is constantly increasing, one of the most lucrative dowries is one in the form of a land certificate. especially if the property is located in a prime region. (Ridwan, 2020) Another option is to provide livestock as dowry. As we said at the beginning of our discussion on property as dowry, the Prophet Muhammad gave this to Khadijah bint Khuwailid radiullahuanha when she got married.

A worship kit is one of the most common dowries presented to brides. This dowry undoubtedly goes hand in hand with the deep meaning of worship the main component of marriage. In addition, prayers, *dhikr*, reading the Quran, and other acts of worship complement it. You can even offer your bride the Quran as a bridal dowry. This holy book serves as a reminder that you will follow Allah's instructions as given in the Quran when running your family. In addition, the Quran can also be seen as a reminder that the Quran and its teachings will be read aloud throughout the house. (Halomoan, Putra, 2015)

Basically, any kind of property can be used as a bridal dowry as long as it is valuable and useful. Some provide dowries in the form of cars, houses, shrouds, music boxes, fried meatballs,

and other items. The Prophet Muhammad's daughter was married to Ali bin Abi Talib, who gave her a dowry of armour that could not be pierced by sword blows. A couple had received a pair of sandals as dowry from their spouse. The Prophet asked about the woman's satisfaction before agreeing to the payment. (Ahmatnizar, 2020) But according to scholars, the donated property must be valuable, practical, pure from impurity, known in moderation, and . If the dowry fulfils any of these criteria, it is invalid: (Tihami and Sohari Sahrani., 2018)

1. Not significant. For example, rubbish and building debris.
2. Things that are not useful. For example, used items that are thrown away as worthless.
3. Goods that cannot be . A fish swimming in the vast ocean is an example.
4. A thing whose location is a mystery. For example, lost and irreplaceable objects may or may not be recovered.
5. Haram and impure. Examples include faeces, pigs, dogs, *alcohol*, blood, and carrion.

Prophet Musa AS had this experience. He was talking to an old man who wanted to marry Prophet Moses' daughter. Allah states in the *Qur'an* that Prophet Moses and his father-in-law decided to give Prophet Moses' commitment to work as a bridal dowry to his father-in-law. Verses 27-28 of Surah *Qhasash* of the *Qur'an* provide this information.

Meaning: "He (the old man of Madyan) said: "I intend to marry you to one of my two sons, on the basis that you will work with me eight years, and if you give me ten years, that is (a favour) from you; I do not wish to burden you. And you will, God willing, find me among the good". "He (Moses) said: "That is the covenant between me and you. Whichever of the two appointed times I fulfil, there shall be no further charge upon me. And Allah is witness to what we say".

Prophet Moses (peace be upon him) was forced to work for his in-laws for eight years, as described in this text. If Moses fulfilled it for 10 years, it was an additional bonus. This second agreement serves as the basis for the legitimisation of giving dowries in exchange for goods or services that can be exchanged for money.

The bride price can be given in the form of profits to be returned to the woman, as well as property or anything that can be taken for her services or salary. An example of this discussion is given below. (Setyowati, 2021) a. Liberating Slavery When the Prophet married Shafiyah bint Huyayin, he did this. After Shafiyah was freed, he made her freedom the bride's dowry and they were married. According to a hadith reported by Anas bin Malik through Imam Bukhari number 4696, this is said. (Pura, Halomoan, 2015)

Quran memorisation taught It is important to remember that the Qur'anic knowledge being taught is what can be used as a dowry. Certain academics oppose the practice of memorising the Qur'an as a dowry. It is acceptable to use "teaching knowledge of the good possessed" as a dowry as this is also applicable. (Karomah, 2023) Most scholars agree that dowry in the form of assets, including cash, is preferable to alternative forms of payment. This is based on the teachings of the Prophet Muhammad (PBUH), who gave property as a priority for dowry. When the spouse did not have property, Prophet Muhammad (PBUH) provided alternative forms of dowry. This shows the benefits of property dowry over other types of dowry. (Sohari Sahrani and Tihami, 2018)

## **CONCLUSION**

One way of expressing a man's seriousness about marrying the woman he is going to marry is through the wedding dowry. A bride price is something that is necessary in Islam for a marriage to be successful. In Islam, a dowry is a tangible and symbolic gift that a husband must give to his wife as part of their marriage contract. Dowry can take many forms: money, jewellery, home goods or electronics, land or property, animals, education and services, travel expenses for worship, or traditional or cultural things. The flexibility of dowries allows both partners to adapt to their own cultural, economic, and mutually agreed circumstances. The dowry should be solemnly provided, according to Islamic law, and demonstrate the husband's commitment and responsibility to start a family. These are the three most important factors. Besides being a tangible gift, the dowry serves as a sign of the husband's sincerity, respect, and care for his spouse.

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