THE MEANING OF MATURITY IN MARRIAGE FROM THE PERSPECTIVE OF ISLAMIC LAW

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Abstract

Marriage maturity is intended to build an adult household, although textually it is not stipulated regarding maturity in marriage does not mean that Muslims are free to marry freely without considering their level of maturity. This study aims to examine the meaning of maturity in marriage from the perspective of Islamic law. This research is a normative legal research with a philosophical approach (philosophical approach), statutory approach (statute approach), and conceptual approach (conceptual approach). The techniques for analyzing legal material are survey, question, read, recite/recal, review using a deductive way of thinking. The results of the study show that maturity according to Islamic law is that marriage is carried out within the limits of someone who has entered the baligh phase. The household needs to be built on the basis of maturity so as to give rise to the psychological maturity of each partner, whether husband or wife. Islamic law requires that people who want to marry are truly people who are mentally, physically and psychologically ready, mature and understand the meaning of marriage which is part of worship. The household needs to be built on the basis of maturity so as to give rise to the psychological maturity of each partner, whether husband or wife. Islamic law requires that people who want to marry are truly people who are mentally, physically and psychologically ready, mature and understand the meaning of marriage which is part of worship. The household needs to be built on the basis of maturity so as to give rise to the psychological maturity of each partner, whether husband or wife. Islamic law requires that people who want to marry are truly people who are mentally, physically and psychologically ready, mature and understand the meaning of marriage which is part of worship.

Key Words: *Maturity, Marriage, Islamic Law*

1. INTRODUCTION

Marriage is a holy contract and a strong bond to allow biological relations between men and women as husband and wife so that they can live side by side with full of affection, mutual respect, understanding and respect with a sacred purpose, in addition to worshiping God. God and to get good offspring, as the next generation. In order to achieve this goal, the husband and wife certainly need to prepare themselves as well as possible before entering the marriage level, both in terms of physical, mental and economic maturity in facing the responsibilities of a marriage. The readiness and maturity of both parties is very important.[1] It is generally accepted that marriage in Islam is a sacred sexual relationship between a man and a woman[2], physical intimacy that everyone must go through legally

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[1] Muhammad Agus Kurniawan and Agus Salim Metro, "Kematangan Fisik Dan Mental Dalam Perkawinan (Perspektif Hukum Islam)," *Jurnal NIZAM* 4, no. 1 (2014).
[2] M Hori and E Cipta, "The Purpose of Marriage in Islamic Philosophical Perspective," *Journal of Islamicate Studies* 2, no. 1 (2019): 51.

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(natural human activity and Islamic tradition).[3] In addition, it is not only a physical relationship but also a form of worship to the Creator.[4]

The marriage gave birth to two social consequences; both are material and immaterial, the first of which relates to demographic characteristics in which reproduction through interbreeding protects humans from extinction. In comparison, the non-material part refers to religious feelings, worshiping Allah through marriage.[5] Couples who marry not only try to love each other but also obey the divine order from Allah. Marriage maturity is intended to build a mature household. Mature means growing and maturing.[6] In addition, maturity can also give shape to personality, capacity and self-potential. So adulthood, regardless of the number, is a potential mentality that is shown in the form of attitude and responsibility. If it is associated with marriage, then maturity is indicated by the ability to carry out duties and responsibilities in the household, emotional maturity and mindset. This can be more realized if carried out at a mature age. That is, people who marry either husband or wife already have psychological and mental readiness. Thus it can be said that the implementation of marriage law in Indonesia, especially concerning marriage maturity, is quite firm.

Viewed from the side of the practice of worship, marriage is a sunnah practice that is prescribed by the Koran and Rasulullah SAW firmly, in line with sexual character and in accordance with lawful and clean channels to obtain offspring who can maintain self-respect, joy and peace of mind[7]. The creation of humans in pairs gives meaning to happiness or inner peace and continues offspring through the process of human reproduction. Maturity is very important in the household, especially for husband and wife, because every action is preceded by good and bad thoughts and calculations as well as the consequences and risks. With mature thinking, every decision will be easier to accept and implement according to the level of risk. Even though they experience failure later, adults will accept this failure as evaluation material and will try to improve it in the future[8]. According to Kelana, textually not stipulating marriage maturity does not mean that Muslims are free to marry without considering how mature they are. Furthermore even though marriage is an order of Allah SWT for all Muslims, but in this concept of course not everyone deserves to be legally married. Those wishing to marry must be legally competent. Islam talks about competence in all its laws in terms of balig[9]. The baligh condition will be one of the conditions that must be obtained by the partner, for this reason this research will examine the meaning of maturity in marriage from the perspective of Islamic law.

II. RESEARCH METHOD

This research is a normative legal research, because the legal materials that form the basis of policies on marital issues are mostly formulated in laws and expert opinions which are formulated in various references, journals and research results. Then this study uses a philosophical approach (philosophical approach), statutory approach (statute approach), and conceptual approach (conceptual approach). Analysis of legal materials uses various ways of interpretation, namely: grammatical, systematic, historical, and futuristic interpretations. In analyzing legal materials, researchers use a deductive way of thinking. In carrying out this interpretation, the researcher uses a technique of analyzing legal material which is carried out in stages called SQ-3, namely survey, question, read

III. RESULT AND DISCUSSION
The Importance of Maturity in Marriage

Islam is a universal religion that covers all aspects of life. There is no problem, in this life, that is not explained. And there is no problem that is not touched by Islamic values, even though the

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[3] N Zaman and M Hashmi, "Woman's Marriage Age in Sharī'ah: Traditional and Modern Approaches," *Ma'arif E Islami* 18, no. 1 (2019).

[4] A R S Sialvi, "Status and Necessity of Second Marriage in Islam," *Journal Al-A'Jaz* 2, no. 2 (2018): 1–10.

[5] M Zarean and K Barzegar, "Marriage in Islam, Christianity, and Judaism," *Relogous Inquiries* 5, no. 9 (2016): 67–80.

[6] Monks, *Psikologi Perkembangan* (Yogyakarta: Gajahmada Press, 1992).

[7] Abdul Azis Salim Basyarahil, *Tuntunan Pernikahan Dan Perkawina* (Jakarta: Gema Isnani, 2004).

[8] Ihromi Kelana, *Perkembangan Pergaulan Remaja Abad 21* (Jakarta: Binangkit, 2012).

[9] Fauzan Muhammadi, Eva Wulandari, and M Hajir Susanto, "Islamic Triangle Concept of Marital Age: Indonesian Experience," *Legality: Jurnal Ilmiah Hukum* 29, no. 2 (2021).

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problem seems small and trivial. That is Islam, a religion that gives mercy to all of nature. In matters of marriage, Islam has spoken a lot. Starting from how to find the criteria for a potential life partner, to how to treat him when he officially becomes the heart's comforter, Islam guides him. Likewise, Islam teaches how to create a lively wedding party, but still get blessings and not violate the guidance of the Sunnah of the Prophet Muhammad, as well as a simple wedding but still full of charm and radiate the value and light of Islam in it.

  Maturity is a phase in human life that describes the achievement of mental balance and mindset in every word and deed[10]. Another issue that really needs attention is household life after the marriage contract. It is quite difficult to realize a good household life without being accompanied by the maturity of the husband and wife. Without maturity, the problems of married life often evoke emotions that are difficult to control. neglected if it is not based on high awareness. How difficult it is to foster and educate children without being based on the maturity of husband and wife. Furthermore, one can imagine how difficult the life of a husband and wife who are not yet mature when their household is shaken by differences of opinion. Due to the lack of maturity of husband and wife, religious rules that provide guidelines for dealing with differences of opinion in the household are often overpowered by uncontrolled emotions. Therefore, the dissolution of household life through divorce is very easy to tempt husband and wife who are unable to control their emotions and who do not have foresight. The goals and wisdom of marriage are very difficult to materialize if the rowers of the ark of household life do not have maturity. Thus, maturity is one of the factors that determines the success or failure of a household.[11]

Maturity in Marriage from the Perspective of Islamic Law

  Marriage has a very important meaning and position in the order of human life. Because with marriage, social relations can be formed between two people of different types officially in a husband and wife bond to become a family. Furthermore, the family continues to develop into a community group. Islamic law in general includes five principles, namely protection of religion, life, lineage, property, and reason. Of these five universal values of Islam, one of them is the religion of maintaining lineage (hifdzu al nasl). Therefore, in order for the lineage to be maintained, sexual relations that have religious legality must go through marriage. If religion did not prescribe marriage, surely geoneology (line of descent) would be even more obscure.[12] Islamic law textually does not set limits on maturity in marriage. Even if there are countries with Muslim populations that stipulate this marriage maturity limit in their marriage law, then it is more textual in nature and more based on the demands of the times. The scholars of the madhhab have different opinions in determining the age of puberty. Shafi'i and Hambali were fifteen years old, both boys and girls. Maliki specified seventeen years without explaining the specificity of his gender. Meanwhile Hanafi sets the age of eight years for boys and seventeen years for women. Imamiyah prescribes fifteen years for boys and nine years for girls.[13]

  The definition of marriage according to Islamic law is a contract/agreement to legalize sexual relations between men and women in order to realize the happiness of married life filled with a sense of peace and love blessed by Allah SWT. According to his nature, God equips humans with sexual tendencies (sexual libido). Therefore, God has provided a legal basis for this distribution to be carried out according to the degree of humanity. However, marriage is not meant solely to fulfill this biological desire. If only that, the purpose of marriage has the same value as marriage that is adhered to biologically, namely bringing together men and women to simply meet the reproductive needs of generations. Marriage taught by Islam includes many aspects[14] namely the first, personal aspects. On the personal aspect, there is a distribution of biological and procreative needs. Second, the social aspect. The social aspect that is built from marriage is the desire for a good household as the foundation of a good society. Because by getting married, humans will unite in harmony, unite to face

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[10] Ramayulis, *Psikologi Agama* (Jakarta: Kalam Mulia, 2012).

[11] Ramayulis.

[12] Azwandi, "Kedewasaan Menikah Perspektif Hukum Islam Dan Hukum Positif Di Indonesia," *Jurnal Program Studi Ahwal Syakhsiyyah*, 2012.

[13] Muhammad Jawad Mugniyah, *Fiqh Lima Mazhab* (Jakarta: Lentera, 2010).

[14] R Hakim, *Hukum Perkawinan Islam* (Bandung: Pustaka Setia, 2000).

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the challenges of navigating the ship of life. So that it will create peace in worship. It is only the elements called the Qur'an mawaddahnrohmah, that is what causes them to be so strong in sailing the ark of this life. In addition, other social aspects of marriage make people creative. Because, marriage also teaches us responsibility for all the consequences that arise because of it. From this sense of responsibility and affection for the family arises the desire to change things for the better in various ways. Married people always try to make their family happy. This encourages him to be more creative and productive, unlike when he was single. Third, the ritual aspect is following the sunnah of the Prophet and carrying out the commands of Allah SWT. Fourth, the moral aspect. With marriage, humans are required to follow religious rules or norms, while other creatures are not required to do so. So, marriage is a demarcation line that distinguishes humans from other creatures to channel the same interests. Fifth, the cultural aspect. Apart from distinguishing humans from animals, marriage also differentiates between civilized humans and savage humans, as well as between primitive humans and modern humans. Although in the primitive world there may have been rules of marriage, it is certain that our rules are much better than theirs. This shows that we have a better culture than early or primitive humans. Thus a person is considered to have maturity and is eligible to enter into a marriage if he is able to fulfill the five aspects of marriage taught in Islam.

Maturity shows maturity in thinking and perfect physical growth and psychological maturity will affect maturity in acting. This condition will give birth to a sakinah family life and each party can be more mature to carry out their respective duties and obligations (Sholeh, 2009). Maturity is always a measure of the responsibility of an act, why is that because only someone who is an adult is considered to have his actions perfectly accounted for, we can see this from several legal provisions which provide qualifications for actions which in principle can only be carried out by those who grown up, including matters of marriage. Maturity is always a measure of the responsibility of an act because only someone who is mature is considered to be perfectly responsible for his actions. We can see this from several legal provisions which provide qualifications for actions that in principle can only be carried out by those who are adults. including marriage.[15]

IV. CONCLUSION

Based on the discussion above, it can be concluded that maturity according to Islamic law is marriage carried out within the limits of someone who has entered the baligh phase. The household needs to be built on the basis of maturity so as to give rise to the psychological maturity of each partner, whether husband or wife. Islamic law requires that people who are about to marry are truly people who are mentally, physically and psychologically ready, mature and understand the meaning of marriage which is part of worship.

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[15] Sucipto, "Kedewasaan Dalam Akad Nikah Dalam Perspektif Interdispliner," *Jurnal ASAS* 6, no. 2 (2014): 38–53.

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