

***Fiqh Munakahat* Review on Divorce Caused by Parental Interference in Padang Lawas District**

Pahrur Rozi Hasibuan¹⁾, Sahmiar Pulungan²⁾ & Fatimah Zahara³⁾

¹⁾ Faculty of Sharia and Law, Universitas Islam Negeri Sumatera Utara, Medan, E-mail: rozipahru0@gmail.com

²⁾ Faculty of Sharia and Law, Universitas Islam Negeri Sumatera Utara, Medan, E-mail: sahmiarpulungan@gmail.com

³⁾ Faculty of Sharia and Law, Universitas Islam Negeri Sumatera Utara, Medan, E-mail: fatimahzahara@uinsu.ac.id

Abstract. *Marriage is an act ordered by Allah and also recommended by the Prophet. Household stability and continuity of life between husband and wife are the main goals of marriage and this is very much taken into account by Islamic law. Carrying out married life does not require the possibility of divisions and disputes that cause the condition of the household to experience disharmony. It is phenomenal that more involvement by parents in the household will lead to dependency problems which always involve the parents and are not discussed beforehand between husband and wife, the existence of the family can sometimes be a problem in the household. So the relationship between in-laws and daughters-in-law often becomes a thorny relationship. This case will be studied from the Fiqh Munakahat legal review. Divorce based on the wishes of parents that occurs in the Padang Lawas community is not valid, because there are conditions and harmony that are not fulfilled. The will and willingness to carry out an action are the basis for taklif.*

Keywords: Court; Divorce; Fiqh; Marriage.

1. INTRODUCTION

Marriage in Arabic *fiqh* literature is referred to by two words, namely *nikah* (نكاح) and *zawwaj* (زواج). These two words are used in the daily life of the Arabs and are found in the Qur'an and the hadith of the Prophet. Marriage is an act commanded by Allah and also recommended by the Prophet. Marriage is a *sunnatullah* that applies to all creatures of God, whether humans, animals, or plants. All that Allah created in pairs and matches, as applies to humans. The purpose of marriage according to Islam is to fulfill religious instructions in order to establish a harmonious, prosperous and happy family. That is the principle of marriage in Islam which must be based on mutual consent. So that the stability of the household and the continuity of the life of husband and wife is the main purpose of marriage and this is very concerned by Islamic Sharia.¹

Law of the Republic of Indonesia Number 1 of 1974 concerning Marriage and Presidential Instruction Number 1 of 1991 concerning the compilation of Islamic Law,

¹ Abdul Rahman Ghozali, (2008), *Fiqh Munakahat*, Cet. Ke-3, Jakarta: Kencana, p. 22

has formulated that "Marriage is a physical and mental bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the divinity of the Almighty".² In carrying out household life, it does not demand the possibility of a split and conflict that causes the condition of the household to experience disharmony. Family disharmony does not occur by itself, but is preceded by circumstances that cause a rift in the household that leads to disharmony and harmony in the family.³ Therefore, husband and wife are obliged to maintain the bond of marriage, and they should not try to damage and break the bond. Although in Islamic law a husband is given the right to divorce, it is not permissible for a husband to use his right rashly and at will, let alone just indulging his lust.⁴

Talak or divorce is the last alternative, as an "emergency door" that can be taken, when the ark of household life can no longer be maintained in integrity and continuity. The phenomenon that occurs, that more involvement by parents in the household will lead to dependence on problems always involving parents and not discussed in advance between husband and wife, the existence of family can sometimes be a problem in the household. So that the relationship between in-laws and sons-in-law often becomes a thorny relationship. Misunderstandings and wounds abound, and it is not uncommon for the relationship between husband and wife to be affected and deteriorated due to this problem. First, we must look at the various problems that often arise between them and then look for solutions. Divorce without a justifiable reason is a despicable act, cursed and hated by Allah. Therefore, the one who is forced to do something (in this case, divorce) is not responsible for his actions.⁵

In the explanation of the preventive measures above, there is no information that allows divorce based on parental interference. However, there are several cases of divorce based on parental interference that occurred in Padang Lawas Regency. These divorce cases are divorces based on parental interference. Among the divorce cases that occurred in Padang Lawas Regency are Sibuhuan Religious Court decision number 151/pdt.G/2023/PA.sbh and religious court decision number 141/pdt.G/2023/PA.sbh In the case of a divorce decision that occurred in the sibuhuan religious court, it was influenced by parents. This case will be studied from the legal review of *Munakahat* Jurisprudence. This fact is a strong motivation and inspiration for researchers, to conduct research on social symptoms and factors behind the occurrence of divorce due to parental interference.

2. RESEARCH METHODS

Decision number 151_pdt.G_2023_PA.Sbh: has been registered in the Sibuhuan Religious Court with a lawsuit letter dated July 04, 2023 as Isbat nikah kamulasi divorce gugat. Decision Number 46/Pdt.G/2022/PA.Sbh dated February 23, 2022 there was a divorce that was decided at the Sibuhuan Religious Court. Where previously there was a marriage between the husband and wife on April 21, 2014 at the Religious

²Law no. 1 of 1974 concerning Marriage article 1

³Jamaluddin, (2010), *Hukum Perceraian dalam Pendekatan Empiris*, Medan: Pustaka Bangsa Press, p. 2

⁴Ghozali, *Fiqh ...*, p. 212

⁵ Wahbah Zuhaili, (2010), *Fiqih Imam Syafi'i Jilid II*, Jakarta: almahira, p. 589

Affairs Office of Ulu Barumun District, Padang Lawas Regency. Decision Number 183/Pdt.G/2023/PA.Sbh: There was a divorce decided by the Sibuhuan Religious Court on Tuesday, August 29, 2023 in Decision Number 183/Pdt.G/2023/PA.Sbh. Previously there was a marriage between the husband and wife on December 17, 2011 in accordance with the marriage certificate issued by the Religious Affairs Office of Batang Onang District, North Padang Lawas Regency.

3. RESULTS AND DISCUSSION

3.1. Analysis of the Sibuhuan Religious Court Decision on the Nature of Divorce Due to Parental Interference in Padang Lawas Regency

After conducting research in the field by interviewing the parties concerned and also corroborated by several documents obtained from the Sibuhuan Religious Court, it can be seen that there are differences in the reasons for divorce presented in the lawsuit / application and the results of the interview. This occurs because some parties try to manipulate evidence in divorce, for example false witnesses so that what is informed to the Judge is news that has been engineered. In addition, there is restraint from parents towards their children, so that the divorce trial does not take a long time.

Of the several cases of divorce at the will of parents that occurred in the Padang Lawas community, the backgrounds were:

1. Weak economic factors.

The lack of job vacancies in the regions as it happens in the community in Padang Lawas causes the economy of the people in this area to be weak, which in turn can be a source of conflict for young families (families who have just carried out marriage), this happens because most young families in this area once married they have not been able to have their own homes, or in other words, they are still living with the in-laws, so that when there is a little conflict in the household, in-laws or parents interfere, so that the problem occurs.

2. Low human resources (HR) factors.

The low human resources factor is one of the factors that can lead to the breakdown of marital relations or divorce, this is due to the low level of public education in the fields of religion, akhlaq and general education, so that people's insights about ethics in living a household life are minimal, so that when they are hit by conflict in the family, their thoughts or views are narrow, so they decide more to divorce than to try to be patient and islah.

3. Because of the parents' lack of acceptance of their son-in-law's economic income

Including the greedy attitude of the in-laws towards their sons-in-law when the economic income of their sons-in-law is less able to meet the needs of their children's families, as if a son-in-law is required to work even harder or even work beyond his ability, so that when his income is below the expected standard, the in-laws demean

their sons-in-law as if they do not accept their sons-in-law's efforts, this can be a source of conflict that leads to divorce.

4. Parental intervention in their children's households.

The attitude of parents who interfere too much in their children's home life can be a source of divorce, because a little or a lot of parental intervention can affect the mindset of their children if one day their children are experiencing turmoil in the household. Because there are still many children who are married but still we ibunen or we bapanen.

5. High egoism among parents.

Selfish attitudes can sometimes lead to conflict in the family, this often happens in the lives of households whose marriages lack the blessing of parents, this kind of marriage relationship is very sad that divorce occurs, because of the attitude of parents who are too idealistic in choosing a son-in-law, so that when their children get a partner who does not match their parents' choice, then all that time the in-laws will hate and not even want to recognize their son-in-law.

Thus, if the child takes his own policy in his household, it can have an impact on the hatred of the parents, especially if the status is son-in-law. This happens because parents assume that their married sons and daughters are their children, so even though they already have their own families, parents still feel that they have them. The reality of forced divorce has begun to develop in the Padang Lawas community. Because for them divorce is not something that is shameful, so they feel normal and consider it valid.

The majority of the people of Padang Lawas work as farmers where they depend on the weather or season, so that in a year they are unemployed for almost 5 months. This has an impact on their economy which is increasingly concerning, because the income and expenses are not balanced. Meanwhile, a person's socioeconomic condition can be measured by their income level. The higher a person's income, the higher their socioeconomic status. In this regard, Spencer said that the status of a person or group of people can be determined by an index. This index can be obtained from the average number of scores, for example, that a person achieves in each area such as education, family income and employment of the head of the household.

From the results of observations in the field, it turns out that the perpetrators of the Padang Lawas community are dominated by farmers. There are various types of farmers, namely laborers, tenant farmers and landowners. Farm laborers usually have a lower status when compared to tenant farmers and landowners. Farm laborers in the real sense earn their income mainly from working for wages from landowners or tenant farmers. Thus, it can be seen that the perpetrators of divorce stem from their low economic level, so that they cannot maintain the integrity of the family from the constraints of the in-laws.

3.2. Review of *Fiqh* Law on the Sibuhuan Religious Court Decision on Divorce Due to Parental Interference in Padang Lawas Regency

The scope of the review of Islamic law used as a benchmark for the practice of divorce against the will of parents in the Padang Lawas community includes a review of the arguments of the Qur'an, Hadith, scholarly opinion (*Fiqh*) and a review of the opinions of scholars related to the practice of divorce against the will of parents carried out by the Padang Lawas community and a review according to the laws and regulations in force in Indonesia.

Divorce or divorce to end a marriage is an act permitted by Allah. Although it is allowed, on the other hand, divorce is something that is hated by Allah. Regarding the legality and Allah's hatred of the practice can be seen in the following hadith: *It was narrated from Ibn Umar r.a., who said that the Messenger of Allah. Said: "The lawful action that is most wrathful to Allah is divorce." (H.R. Abu Daud and Ibn Majah, Al-Hakim rated this Hadith as Sahih).*⁶

This hadith indicates that some of the lawful means are displeasing to Allah if they are not used properly, and the most displeasing to the one who uses them without justification is divorce. Therefore, divorce has no reward and cannot be regarded as an act of worship. This hadith also indicates that the husband must always refrain from divorce while there is still a way to avoid it. Husbands are only allowed to divorce if they are forced to, there is no other way to avoid it, and divorce is one of the ways to create a benefit.⁷

Therefore, the hadith can be seen that although it is permissible to divorce, Islam does not justify divorce that is carried out carelessly without any basis from the provisions of Islamic law. One of them is the need for the presence of a *hakam* who is a party to seek peace between the conflicting husband and wife. This is as mentioned in one of the words of Allah, Surah An-Nisa verse 35:

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَأَبْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا
إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا ٣٥

Meaning: And if you fear that there is a dispute between them, then send a *hakam* from the man's family and a *hakam* from the woman's family. if the two *hakam* intend to make amends, surely Allah will help the husband and wife. Indeed, Allah knows best.⁸

From this verse there is a direction for *islah* (reconciliation) to the husband and wife through the determination or appointment of two *hakam*. Indeed, one alternative to *islah* is sometimes divorce after two *hakam* conduct research and study of the

⁶Ibnu Hajar al-Asqalani, (t.t), *Bulugh al-Maram*, Beirut-Libanon: Dar al-Kitab al-Ilmiyah, p. 223

⁷Abdul Rahman Ghozali, (2008), *Fiqh Munakahat*, Cet. Ke-3, Jakarta: Kencana, p. 212-213

⁸Yayasan Penyelenggara Penerjemah/Penafsir Al-Qur'an Departemen Agama Republik Indonesia, (2009), *Al-Qur'an dan Terjemahnya*, Bandung: Syamil Qur'an

problems of the two parties husband and wife. But other alternatives to divorce are possible as a step of reconciliation chosen from the agreement of two *hakam*.⁹

In the interpretation of Imam al-Shafi'i, that this verse implies the permissibility of the *hakam* reconciling the two parties, but the *hakam* does not have the authority to order the husband and wife to divorce. So if a husband and wife are in dispute, while the husband or wife is not willing to give in, so that if the situation of dispute is allowed to prolong, it does not rule out the possibility of divorce and even hostility that causes mutual hatred and resentment, then there should be a *hakam* as an arbiter who reconciles the two parties.¹⁰

The function or task of the two *hakam* is to investigate and find the nature of the problem that caused the crisis, find the cause of the dispute, then try as much as possible to reconcile the two husband and wife again. If it is not possible to reconcile, then the two *hakam* have the right to take the initiative to divorce the couple. On the initiative of these two *hakam*, the matter is submitted to the judge and the judge decides and finalizes the divorce.¹¹

The role of the *hakam* is to investigate and find out the nature of the problem that led to the crisis, to find out the reasons for the dispute, and to try as much as possible to reconcile the husband and wife. If it is not possible to reconcile, then the two *hakam* have the right to take the initiative to divorce the couple. On the initiative of these two *hakam*, they submit the matter to the judge and the judge decides and finalizes the divorce.¹²

The existence of *hakam* is because divorce can directly cause repercussions. Thus, if between husband and wife there are differences in character that are very difficult to reconcile, each of them survives and no one is willing to give in at all. This means that common ground is really rarely obtained so that domestic life there is a disturbance of peace and the tension does not subside. There are also cases where only one party, the husband, for example, is not responsible as a protector, acts arbitrarily and only wants to win, so here the importance of a *hakam*. Therefore, Shafi'i and Hanafi and their followers are of the opinion that it is not permissible for the two peacemakers to separate, unless the husband submits the separation to the peacemaker. This is because, in principle, divorce is not in the hands of anyone except the husband or the person authorized by the husband.¹³

From the explanation above, the divorce practice carried out by the Grinting Village community is not in accordance with Sharia procedures, namely exceeding the limits of authority as a *hakam*. In this case, however, the role of the *hakam* is to create peace between the two (husband and wife), making a conducive atmosphere by taking all

⁹Achmad Kuzari, (1995), *Nikah Sebagai Perikatan*, Jakarta: PT. Raja Grafindo Persada, p. 146.

¹⁰Anik Mukhifah, *Analisis Pendapat Imam Al-Syafi'i Tentang Hakam Tidak Memiliki Kewenangan Dalam Menceraikan Suami-Istri yang Sedang Berselisih*, Semarang: IAIN Walisongo, 2010, p. 62

¹¹Djamaan Nur, (1993), *Fiqih Munakahat*, Semarang: CV Toha Putra, p. 168

¹²*Ibid.*, p. 168

¹³Abul Wahid Muhammad bin Ahmad bin Muhammad bin Rusyd, (2007), *Bidayatul Mujtahid wa Nihayatul Muqtashid*, Terj. Drs. Imam Ghozali Said dan Drs. Ahmad Zaidun, Jilid II, Cet.-II, Jakarta: Pustaka Amani, p. 626

efforts to improve things that return to the two (husband and wife), even though the final result is divorce. According to one narration from Imam Ahmad, which is also the basis for At'ha', and one opinion from Imam al-Shafi'i, according to a narration from al-Hasan and Abu Hanifah, the position of the two *hakam* is that of representatives of the husband and wife. In this position, the two *hakam* are only authorized to reconcile the two (husband and wife) and are not authorized to divorce them except with the permission and consent of both (husband and wife). The reason given by this group is that the honor of the wife belongs to the husband, while the property of the husband belongs to the wife, both are mature and intelligent, so the other party cannot do anything with them except with their permission.¹⁴

In contrast to the function of the *hakam*, here it is the parents who act as judges, where they decide the problem on their own without careful consideration. In addition, the position of parents who should be able to reconcile disputes, actually makes things worse. Because of the fact that what happened in the case that the author revealed, was that the child's home life actually had no quarrel between husband and wife, but the parents caused the problem.

According to the author, the practice of divorce that occurs in the Padang Lawas community does not involve other people in the sense of the other family as *hakam*. In this case, parents act, adjudicate and decide on a case without any deliberation between the two parties, if a search for the best way for both is carried out, even though the final result is divorce. So what is unfortunate in this case is the absence of efforts to reconcile. According to Article 39 of Law No.1 of 1974 concerning Marriage, it is stated that:¹⁵

- a. Divorce can only be carried out in front of a court session after the court concerned has tried and failed to reconcile the two parties.
- b. To conduct a divorce, there must be sufficient reasons that the husband and wife will not live together as husband and wife.
- c. The procedure for divorce before the Court is regulated in its own laws and regulations.

Article 39 of Law No. 1 of 1974 emphasizes that divorce can only be carried out by a court hearing after the court concerned has tried and failed to reconcile between the two parties, and to divorce there must be sufficient reasons so that it can be used as a reasonable basis that between husband and wife there is no hope of living together as husband and wife.

From the above explanation, divorce can occur at the will of the husband or wife. The will to divorce actually comes from a husband or wife who can no longer be intact in building a household. In principle, of course there is no right for parents to order their children to divorce their husbands or wives, because the authority and rights over the household are with the husband and wife. The reality that occurs in Padang Lawas

¹⁴Amir Syarifudin, *Keluarga ...*, p. 196

¹⁵R. Subekti dan R. Tjitrosudibjo, (2004), *Kitab Undang-Undang Hukum Perdata*, Cet. Ke-34, Jakarta: PT. Pradnya Paramita, p. 549

District is that parents from one of the parties, either the husband or the wife, can influence their children to divorce their children to divorce. From the process of parents influencing their children, they often become parents who cannot position themselves properly and correctly. So that they prioritize their ego rather than the benefit of their children's household.

If you look at the pillars and conditions of divorce, then divorce at the will of the parents that occurs in the Padang Lawas Community is not valid, because there are conditions and pillars that are not fulfilled. The pillar of divorce is *qashdu*, which requires intentionality in divorce. Meanwhile, the condition for divorce is voluntariness, which means that there is a will in the husband to divorce and it is imposed by his own choice, not forced by someone else.

Willingness and voluntariness to do an action are the basis of *taklif*. Therefore, people who are forced to do something (in this case dropping divorce) are not responsible for their actions. This is in accordance with the words of the Prophet SAW.

From Ibn Abbas r.a. from the Prophet. He said: Indeed Allah releases from my people the responsibility of error, forgetfulness and something that is forced upon him (H.R. Ibn Majah and Al-Hakim).

As for its relation to the requirements of coercion, according to the author, the case of divorce at the will of the parents that occurred in the Padang Lawas Community has fulfilled the category of coercion itself. The terms of this compulsion, namely:

1. The ability of the coercive person to realize his threat by power or by pressure.
2. The inability of the coerced person to resist the coercer by escape or other means such as seeking help from others.
3. The coerced person's assumption that if he or she refuses the coerced action, something undesirable will happen. Coercion can take the form of threats such as severe beatings, detention, destruction of property, and so on. Coercion varies greatly according to the character of the individual and the motive behind the action.

In the first point regarding the requirement of coercion in relation to divorce cases at the will of the parents, namely the parents threaten the child so that they want to divorce their daughter-in-law. If not, then the parents do not want to recognize their children. In the second point, the son-in-law who cannot do anything when the in-laws want a divorce, because the position of the son-in-law is no longer together and apart from the husband and children, making it difficult to compromise. Then in the third point, the son-in-law feels sure that if he does not follow the in-laws, then bad things will happen to him and his wife and children, such as violent behavior.

Thus, according to the author, divorce at the will of parents that occurs in the Padang Lawas Community does not fulfill the pillars and conditions themselves. Then the divorce is essentially invalid. Therefore, parents should not intervene with their married children in terms of the breakdown of their home life.

4. CONCLUSION

Divorce can only be carried out by a court hearing after the court concerned has tried and failed to reconcile between the two parties, and to carry out a divorce there must be sufficient reasons so that it can be used as a reasonable basis that between husband and wife there is no longer any hope of living together as husband and wife. Divorce can occur at the will of the husband or wife. The will to divorce actually comes from a husband or wife who can no longer be intact in building a household. From the process of parents influencing their children, they often become parents who cannot position themselves properly and correctly. If you look at the pillars and conditions of divorce, then divorce by the will of parents that occurs in the Padang Lawas Community is not valid, because there are conditions and pillars that are not fulfilled. Willingness and voluntariness to do an act are the basis of *taklif*.

5. REFERENCES

Journals:

- Azizah, I. (2022). Analisis Perceraian dalam Kompilasi Hukum Islam. in *Jurnal Al-Adalah*, Vol. X, No. 4 Juli 2018,. p. 415.
- Anwar, S. (2015). Tinjauan hukum Islam terhadap perceraian atas kehendak orang tua. *Jurnal Fakultas syariah dan Hukum*, Universitas Islam Negeri Walisongi. Semarang.

Books:

- Abdullah, B. (2019). *Perkawinan Perceraian Keluarga Muslim*. Bandung: CV. Pustaka Setia.
- Al-Asqalani, I. H. (2018). *Bulugh al-Maram*. Beirut-Libanon: Dar al-Kitab al-Ilmiyah.
- Arto, M. (2020). *Praktek Perkara Perdata Pada Pengadilan Agama*. Cet. ke-3. Yogyakarta: Pustaka Pelajar.
- Djamaan, N. (2017). *Fiqh Munakahat*. Semarang: CV Toha Putra.
- Dagun, S. M. (2016). *Psikologi Keluarga*. Jakarta: Rineka Cipta.
- Ghozali, A. R. (2018). *Fiqh Munakahat*. Cet. Ke-3. Jakarta: Kencana.
- Hasanudin, A. H. (2015). *Cakrawala Kuliah Agama*. Al-Ikhlas. Surabaya.
- Hidayah. R. (2021). *Psikologi Pengasuhan Anak*. Malang: UIN Malang Press.
- Irawan, S. (2013). *Pengasuhan Anak Dalam Keluarga*. Jakarta: Erlangga.
- Jamaluddin. (2019). *Hukum Perceraian dalam Pendekatan Empiris*. Medan: Pustaka Bangsa Press.

- Kebudayaan, D. P. (2015). *Kamus Besar Bahasa Indonesia*. ed. Ke- 3. cet. Ke-3. Jakarta: Balai Pustaka.
- Kuzari, A. (2016). *Nikah Sebagai Perikatan*. Jakarta: PT. Raja Grafindo Persada.
- Mufidah. (2016). *Haruskah Perempuan dan Anak Dikorbankan, Panduan Pemula untuk Mendampingi Korban Kekerasan terhadap Perempuan dan Anak*. Yogyakarta: Pilar Media.
- Peter Salim, A. M dan Yani Salim, B. S. (2021). *Kamus Bahasa Indonesia Kontemporer*. Jakarta: Pilar Media. Mukhifah, A. (2015). *Analisis Pendapat Imam Al-Syafi'i Tentang Hakam Tidak Memiliki Kewenangan Dalam Menceraikan Suami-Istri yang Sedang Berselisih*. Semarang: IAIN Walisongo.
- Rasjid, S. (2020). *Fiqih Islam*. Bandung: Sinar Baru Algesindo.
- Rusyd, I. (2017). *Bidayatul Mujtahid wa Nihayatul Muqtaashid*. Terj. Drs. Imam Ghozali Said dan Drs. Ahmad Zaidun. Jilid II. Cet.-II, Jakarta: Pustaka Amani.
- Subekti, R., Tjitrosudibjo, R. (2014). *Kitab Undang-Undang Hukum Perdata*. Cet. Ke-34. Jakarta: PT. Pradnya Paramita.
- Syarifuddin, A. (2016). *Hukum Perkawinan Islam di Indonesia: Antara Fiqh Munakahat dan Undang-undang Perkawinan*. Jakarta: Prenadamedia Group.
- Syarifuddin, A. (2019). *Hukum Perkawinan Islam di Indonesia*. Jakarta: Kencana.
- Thalib, T. (2023). *Hukum Kekeluargaan Indonesia*. Jakarta: Erlangga.
- Yayasan Penyelenggara Penerjemah / Penafsir Al-Qur'an Departemen Agama Republik Indonesia. (2019). *Al-Qur'an dan Terjemahnya*. Bandung: Syamil Qur'an.
- Zuhaili, W. (2015). *Fiqih Imam Syafi'i. Jilid II*. Terj. Muhammad Afifi & Abdul Hafidz. Cet.- ke-I. Jakarta: almahira.

Regulation:

Law No. 1 of 1974 concerning Marriage article 1.

Law No. 1 of 1974 Article 26 paragraph 1 concerning Marriage.