



Marriage Law in Islam: A Historical and Current Review

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ABSTRACT

This study aims to analyze Islamic marriage law from a historical and actual perspective, and to identify the relationship between people's understanding of Islamic marriage law and its application in everyday life. Using a quantitative approach with the Pearson correlation analysis method, data were collected consisting of various social and educational backgrounds. The questionnaire distributed included questions about the understanding of Islamic marriage law, marriage practices, and challenges faced in its application. The results of the analysis showed a significant positive relationship between the understanding of Islamic marriage law and the level of compliance with sharia-compliant marriage practices. This study emphasizes the importance of education about Islamic marriage law to increase public awareness and compliance with sharia principles. This study also reveals the challenges faced in implementing Islamic marriage law in the modern era, including cultural influences and social change. The results of this study are expected to provide deeper insight for policy makers and the community in understanding and implementing Islamic marriage law appropriately.

keywords: *Current Review, Islamic Marriage, Marriage Law*

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INTRODUCTION

Marriage law in Islam is one of the important aspects that has become a concern in the study of Islamic law. Marriage is not only a social bond between two individuals, but also an institution that has profound legal, moral, and social implications. In the context of Islam, marriage law is regulated by provisions derived from the Qur'an, Hadith, and ijtihad of scholars (Yusuf, 2020) . In this study, the researcher will discuss marriage law in Islam from a historical and actual perspective, as well as the challenges faced in its application in modern society.

Marriage in Islam has a noble purpose, namely to form a family that is sakinah, mawaddah, and warahmah. As a fundamental institution, marriage law in Islam regulates not only ritual aspects, but also social, economic, and psychological relations between husband, wife, and other family members (Aminah & Sugitanata, 2022) . According to

Abdurrahman (2021), a deep understanding of marriage law in Islam is very important, especially in the context of today's rapid social change.

In the modern era, Islamic marriage law is faced with new challenges, including shifting social values, technological developments, and globalization (Sonafist & Yuningsih, 2023) . In many countries, especially in Muslim countries, marriage practices are often influenced by local customs and cultures that sometimes conflict with sharia principles (Rizki et al., 2022) . Research by Hasan (2022) shows that although many people still adhere to Islamic marriage law, there are significant differences in its application across communities.

Therefore, it is important to conduct an in-depth study of Islamic marriage law from a historical and actual perspective, and to explore how this law is applied in different social contexts. This study aims to provide a comprehensive picture of Islamic marriage law, as well as its social and legal implications in the contemporary era. The main objectives of this study are to analyze the development of Islamic marriage law from a historical perspective, identify the basic principles of Islamic marriage law that are still relevant in the modern era, and examine the challenges faced in the application of Islamic marriage law in today's society. In addition, this study also aims to provide recommendations to improve the understanding and application of marriage law in society.

The law of marriage in Islam is based on the Qur'an and Hadith (Casey et al., 2020) . In the Qur'an, there are many verses that explain the purpose and procedures of marriage (Mukhlis, 2019) . In Surah An-Nur (24:32), Allah says: "And marry those who are single among you and those who are worthy (of marriage) from your female slaves and your slaves. If the community is poor, Allah will enrich the community with His bounty." This verse shows that marriage is an obligation that must be fulfilled by individuals, with the aim of creating a stable and happy society.

Since the beginning of the development of Islam, marriage law has undergone various changes and adjustments. According to Al-Ghazali (2020), during the time of the Prophet Muhammad SAW, marriage law was established based on the principles of justice and welfare. However, along with the development of the times and society, a number of interpretations and applications of marriage law have emerged. Research by Rahman (2021) shows that factors such as culture, economy, and politics play an important role in shaping marriage law in various Muslim countries.

In the modern era, Islamic marriage law faces new challenges that have never been seen before (Sari et al., 2021) . Globalization and technological advances have changed the way people interact and form relationships (Musyafah, 2020) . Hasan (2022) noted that many individuals, especially the younger generation, are beginning to question the traditional norms that exist in marriage law. Society seeks equality and justice in marital relationships, which often conflict with existing customary practices. This indicates the need for adjustment and better understanding of marriage law in Islam.

This study uses a quantitative approach with a survey method. The questionnaire will be distributed to 300 respondents consisting of the general public, academics, and

legal practitioners. The data obtained will be analyzed using statistical techniques to identify patterns and relationships between the understanding of Islamic marriage law and its practice in society.

This research is expected to provide significant contributions to the understanding of marriage law in Islam. By exploring historical and actual aspects, it is expected that this research can provide new insights into how this law can be applied effectively in an ever-evolving social context. In addition, the results of this study are expected to be a reference for policy makers and the community in formulating policies that are in accordance with the principles of Islamic law.

Marriage law in Islam is a complex and dynamic topic. By conducting an in-depth study of the historical and actual aspects of this marriage law, this study aims to provide a better understanding of how the law can be applied in today's society. Through education and proper understanding of marriage law in Islam, it is hoped that individuals can build healthy and harmonious relationships, and create a society based on the values of justice and prosperity.

LITERATURE REVIEW

Marriage law in Islam is a rich and complex theme, which includes not only legal aspects but also social, cultural, and moral dimensions (Amiri, 2021) . This study aims to examine the development of marriage law in Islam from a historical to actual perspective, as well as the challenges faced in its application in society.

Marriage law in Islam is based on the principles contained in the Qur'an and Hadith. According to the Qur'an in Surah An-Nisa (4:1), marriage is considered a sacred bond that must be maintained. In addition, the Hadith of the Prophet Muhammad SAW also provides an explanation of the procedures and conditions that must be met in marriage. Hidayah (2021) states that marriage law in Islam aims to build a harmonious, trustworthy, and responsible family.

The theory of justice is very important in understanding the law of marriage in Islam. Al-Ghazali (2020) explains that justice is one of the main principles in Islamic law, including in the context of marriage. In this case, leaders and parents are expected to act fairly in choosing life partners for children in society, as well as in dividing rights and obligations in the household. Research by Rahman and Khan (2022) shows that the application of the principle of justice in marriage can increase household satisfaction and harmony.

Since the beginning of the development of Islam, marriage law has undergone various changes. During the time of the Prophet Muhammad SAW, marriage laws were determined based on moral and social values that were relevant to the societal context at that time (Malisi, 2022) . According to Al-Qurtubi (2021), there are many forms of marriage that are recognized in Islam, such as one marriage, two marriages, and mut'ah marriages which have been practiced at certain times.

In various Muslim countries, marriage laws are often influenced by local culture and traditions. Research by Hasan (2022) shows that countries with a strong cultural

background, such as Indonesia, often adapt customary norms into Islamic marriage practices. This creates variations in the application of marriage laws, which can lead to differences in interpretation and practice among Muslim communities.

In the modern era, Islamic marriage law faces new challenges that have never been seen before. Globalization, technological developments, and social change have changed the way people interact and form relationships (Lestari, 2018) . According to research by Hidayah (2022), many young generations are beginning to question traditional norms in marriage, seeking equality and justice in social relations. This indicates the need for adjustments in the understanding and application of marriage law in an ever-evolving social context.

Some contemporary issues that arise around Islamic marriage law include early marriage, polygamy, and the rights and obligations of couples. Rahman (2021) notes that although Islamic law regulates polygamy, many modern societies reject this practice because it is considered inconsistent with the values of gender equality. In Indonesia, the debate on early marriage is also increasingly prominent, with many organizations calling for the need for legal protection for children.

This literature review shows that Islamic marriage law is a dynamic and evolving topic. The basic principles of marriage law as set out in the Qur'an and Hadith remain relevant, but need to be adjusted and better understood in the modern context. The challenges faced in implementing Islamic marriage law in the current era require special attention, especially in relation to justice, equality, and protection of individual rights in marriage.

METHOD

This study uses a quantitative approach with a survey design to examine the relationship between people's understanding of Islamic marriage law and its application in everyday life. This study aims to produce data that can be analyzed statistically to understand the patterns and relationships between the variables studied. A quantitative approach helps in identifying and analyzing relationships between various variables (Griffin et al., 2021) . Survey design allows researchers to measure variables with numbers, such as frequency, percentage, and average. This provides data that can be calculated and explained statistically (Maula & Stam, 2020) .

The population in this study is the Muslim community living in Indonesia, with a focus on individuals who are married or planning to marry. The research population helps researchers identify relevant variables to study. By understanding the population, researchers can determine factors that may influence the results (Bauer et al., 2021) . Samples will be taken from several regions in Indonesia, including major cities such as Jakarta, Surabaya, and Yogyakarta, to achieve diversity in social and educational backgrounds. By using samples, researchers can focus more on specific research questions, allowing for a more in-depth analysis of the phenomenon being studied (Yeung et al., 2020) . Using the Slovin formula with a margin of error of 5%

The data in this study will be collected through a questionnaire consisting of two parts. The first part will collect demographic information of respondents, including age, gender, education level, and socioeconomic status. These demographic data are important to understand the context of the respondents and how these factors may influence people's understanding of Islamic marriage law. The second part of the questionnaire will focus on the understanding of Islamic marriage law, covering aspects such as the conditions of marriage, the rights and obligations of husband and wife, and the challenges in its implementation. Questions in this section will be designed using a 5-point Likert scale to measure the level of respondents' agreement with various statements related to marriage law, so as to provide deeper insight into the community's understanding.

Before being distributed, the questionnaire will be tested for validity and reliability. Validity testing will be carried out using factorial analysis, while reliability will be tested by calculating the Cronbach's Alpha value. The questionnaire is considered valid if it has a KMO (Kaiser-Meyer-Olkin) value above 0.5 and reliability above 0.7. Validity testing aims to ensure that the instrument used actually measures what is intended to be measured (Froehlich et al., 2020) . This ensures that the data obtained is relevant and reliable (Jamieson et al., 2023) . Reliability testing aims to ensure that the instrument provides consistent and stable results when used under the same conditions (Strijker et al., 2020) . This is important to ensure that the data is not influenced by external factors.

After the data is collected, analysis is carried out using statistical software such as SPSS or R. The Pearson correlation test will be used to measure the strength and direction of the relationship between two variables: understanding of Islamic marriage law (independent variable) and application of the law in everyday life (dependent variable). The Pearson correlation test is also often the first step before conducting more complex statistical analysis, such as regression (Agostini & Van Zomeren, 2021) . Knowing the existence of a correlation can help researchers choose the right model for further analysis.

Hypothesis testing in this study aims to test the relationship between the understanding of Islamic marriage law and its application in everyday life, which is stated in the alternative hypothesis (H1) that there is a significant positive relationship between the two, while the null hypothesis (H0) states that there is no such relationship. The significance test will be carried out using the p-value, with the criterion of rejecting the null hypothesis if the p-value is less than 0.05.

This research will be conducted in accordance with ethical principles of research, including obtaining informed consent from respondents before data collection and maintaining the confidentiality of people's personal information. Respondents will be informed of the purpose of the research and people have the right to withdraw at any time without consequences.

RESULTS

In the study entitled "Marriage Law in Islam: Historical and Actual Review," Pearson correlation analysis was conducted to measure the relationship between people's

understanding of marriage law as an independent variable and the application of the law in everyday life as a dependent variable.

Correlations

		public understandin g of marriage law	daily life application
public understanding of marriage law	Pearson Correlation	1	.746 **
	Sig. (2-tailed)		.000
	N	53	53
daily life application	Pearson Correlation	.746 **	1
	Sig. (2-tailed)	.000	
	N	53	53

Correlation is significant at the 0.01 level (2-tailed).

The results of the analysis show that the Pearson correlation value for these two variables is 0.746. This figure reflects a strong and positive relationship between the public's understanding of Islamic marriage law and how the law is applied in everyday practice. This significant correlation value indicates that the better the public's understanding of Islamic marriage law, the higher the level of application of the law in everyday life. In other words, effective education and socialization regarding Islamic marriage law can contribute to better and more consistent implementation in society. For example, if the public clearly understands the rights and obligations in marriage according to Islamic law, the public is more likely to apply these principles in everyday interactions, such as in terms of role division, responsibilities, and conflict resolution in the household.

In addition, these results also show the need for strategies to improve public understanding of Islamic marriage law, especially amidst rapid social change and the challenges of modernization. By increasing awareness of the importance of marriage law based on correct understanding, it is hoped that the public can better appreciate and apply these values in their lives.

DISCUSSION

Marriage law in Islam is a very broad and complex topic, covering various aspects related to ethics, social, and law. This study aims to analyze the relationship between people's understanding of marriage law in Islam and its application in everyday life. In this context, the researcher uses a quantitative approach with the Pearson correlation test to explore the data and find existing patterns. This discussion will include research analysis,

implications of the results, and the relationship between existing theories and research results.

The results of the analysis show a significant positive relationship between the understanding of Islamic marriage law and its application in everyday life, with a Pearson correlation coefficient value of 0.746 ($p < 0.01$). This indicates that the higher the individual's understanding of marriage law, the better the application of the law in everyday practice. This study is very important because it shows that education and correct understanding of marriage law can influence the way individuals live their married lives in society.

The results of this Pearson correlation test provide significant insights into the interaction between community understanding and the application of Islamic marriage law. This study emphasizes the importance of ongoing education and constructive dialogue on marriage law, so that people can better understand and apply these principles in their daily lives. Thus, this study contributes to the development of legal awareness and promotes better practices in the context of marriage in Muslim societies.

Respondents who have a strong understanding of the terms of marriage and the rights inherent in marriage tend to report better implementation of the law, including in terms of resolving conflicts in the household and respecting the rights of partners. This is in line with research by Hidayah (2021), which revealed that involvement in Islamic legal education can increase public awareness of the importance of implementing legal principles in everyday life.

The results of this study have several significant implications, both for society and for policy makers. First, the results of the study indicate that a good understanding of Islamic marriage law is key to improving the implementation of the law. Therefore, it is important to provide broader and more in-depth educational programs on marriage law. These programs could include seminars, workshops, and religious education classes that focus on Islamic marriage law. With increased understanding, individuals are expected to better appreciate and implement marriage law in the right way.

Second, challenges in implementing marriage law are often related to local culture and traditions. As noted by Hasan (2022), many marriage practices in various Muslim countries are influenced by customary norms that sometimes conflict with sharia law. Therefore, it is important to create a dialogue between cultural values and Islamic law. In this case, education should not only focus on the legal aspect, but also consider the existing social and cultural context. This dialogue can create space for better adaptation of the law, so that marriage practices can be carried out in a more inclusive manner and in accordance with the social context of society.

The theory of justice in Islamic law put forward by Al-Ghazali (2020) is an important foundation in understanding the results of this study. This theory emphasizes that justice must be applied in all aspects of life, including marriage. In this study, the significant positive relationship between the understanding of marriage law and its practice indicates that if individuals understand the principles of justice contained in Islamic law, society is more likely to apply them in everyday social relations.

Previous research by Rahman and Khan (2022) also supports this study, where the community emphasized that a good understanding of rights and obligations in marriage can reduce conflict and increase harmony in relationships. This shows that education about marriage law in Islam is not only important for legal compliance, but also for the psychological and emotional well-being of individuals in community relationships.

Despite the positive relationship between legal understanding and practice, challenges in implementing Islamic marriage law remain. One of the main challenges is the differences in legal interpretation that can arise in different communities. According to Hidayah (2022), these differences often stem from different understandings of religious texts, which can lead to varying practices in society. For example, in some communities, polygamy is considered a legitimate practice, while in others, it is considered inconsistent with the values of justice and equality.

In addition, socio-economic factors also play a role in the implementation of marriage law. Many individuals may not have access to adequate education or information about marriage law in Islam (Munawar, 2015). This can result in ignorance of community rights and obligations in marriage, which in turn can lead to abuse and injustice in relationships (Lestari, 2018). Therefore, it is important to develop programs that can reach underserved groups and ensure that information about marriage law is accessible to everyone.

Based on the research and discussion above, there are several recommendations for further research. First, more in-depth research on the factors that influence people's understanding of Islamic marriage law is needed. This research can include an analysis of the role of family, education, and media in shaping people's understanding of Islamic marriage law. Second, longitudinal research that observes changes in the understanding and application of marriage law over time can provide deeper insights into the dynamics of marriage law in society. Such research can help to understand how social and cultural changes affect marriage practices and how the law can adapt to these changes. Finally, research on the impact of Islamic marriage law education on family welfare is also very relevant. By exploring the relationship between legal education and the quality of relationships in the household, this research can make a significant contribution to the development of more effective and relevant educational programs.

Overall, this study shows that a good understanding of Islamic marriage law contributes to better implementation in everyday life. The results of the Pearson correlation analysis show a significant positive relationship between the two variables. This study shows the importance of Islamic legal education as a tool to increase awareness and compliance with marriage law, as well as the need for dialogue between law and culture to create fair marriage practices that are in accordance with sharia principles.

With a better understanding of Islamic marriage law, individuals are expected to build harmonious and prosperous families, and create a more just society. This study is expected to be a reference for further research and for policy makers in formulating programs that support the understanding and implementation of marriage law in society.

CONCLUSION

This study has succeeded in revealing a significant relationship between people's understanding of Islamic marriage law and its application in everyday life. Through analysis using the Pearson correlation test, it was found that there is a strong positive relationship between the two variables, with a correlation coefficient of 0.746 ($p < 0.01$). This study shows that the higher an individual's understanding of marriage law, the better the application of the law in everyday life practices.

The results of this study emphasize the importance of education and a deep understanding of Islamic marriage law. A good understanding not only contributes to legal compliance, but also to the psychological and emotional well-being of individuals in social relationships. With increased awareness of rights and obligations in marriage, individuals tend to be able to build more harmonious and fair relationships, thus creating a *sakinah, mawaddah, and warahmah* family.

However, this study also found challenges in the implementation of marriage law, such as differences in interpretation and cultural influences that can affect legal practice. Therefore, it is important to continue to develop dialogue between cultural values and Islamic legal principles, as well as provide broader educational programs to increase public understanding.

Overall, this study provides a significant contribution to the study of marriage law in Islam, while emphasizing that a good understanding of this law is the key to achieving effective and fair implementation in family life. This study is expected to be a basis for further research and for policy makers to formulate programs that support marriage law education in society.

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