

THE IMPORTANCE OF MATURITY IN MARRIAGE FROM AN ISLAMIC LEGAL PERSPECTIVE

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Abstract: This study seeks to examine the notion of marital maturity through the lens of Islamic jurisprudence. It employs a normative legal research methodology, combining philosophical insights, statutory regulations, and contextual analysis. The analytical techniques involve surveying, conducting question-and-answer sessions, thoroughly reading legal materials, and employing deductive analysis. The research results show that in Islamic law, maturity in marriage refers to the boundaries of individuals who have reached puberty. The importance of building a household based on maturity is to create psychological maturity in both partners, both husband and wife. Islamic law underscores the importance of individuals being mentally, physically, and psychologically prepared for marriage, emphasizing that it is a form of worship. Therefore, building a mature and responsible household is expected in Islamic teachings.

Keywords: Maturity; Marriage; Islamic Law.

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1. Introduction

Marriage is regarded as a sacred covenant and intimate connection facilitating a biological union between a man and a woman as spouses, fostering a life characterized by love, mutual respect, understanding, and gratitude. It is also seen as a means to worship God and raise righteous offspring. It is also seen as a means to worship God and raise righteous offspring. Thorough physical, mental, and economic preparation is essential for both parties before marriage. Awareness and maturity of both partners are crucial. In Islam, marriage is viewed as a sacred union involving a sexual relationship between a man and a woman, which is a generally accepted aspect, both as a natural human activity and in the context of worshipping God, including the social aspects of marriage, including material and immaterial aspects, which include demographic protection through reproduction as well as spiritual aspects in worshipping Allah.

Maturity in marriage aims to form a mature household. It includes personal growth and development of an individual's personality, capacities, and potential. Maturity is also manifested in the responsibilities and attitudes taken. In marriage, maturity is reflected in the ability to carry out duties and responsibilities, as well as emotional maturity and thought patterns. This is more effective if it occurs at the right age, indicating that both husband and wife are psychologically and mentally ready. Thus, the application of marriage law in Indonesia, especially regarding marital maturity, is quite clear. Viewed from the point of worship, marriage is a sunnah practice regulated by the Al-Qur'an and Rasulullah SAW by human sexual nature and as a legitimate and clean path to procreation that maintains self-esteem, happiness, and peace of mind. The concept of a human partner gives meaning to spiritual happiness and the continuity of offspring through the reproductive process (Hori & Cipta, 2019).

Maturity is essential in domestic life, especially for husbands and wives, because every action is carefully considered and aware of the good and bad consequences. With careful thought, decisions can be made more wisely and accepted even if failure occurs as a lesson to be improved in the future. Even though marital maturity is not explicitly regulated in the text, this does not mean that Muslims are free to marry without considering their maturity. Marriage in Islam requires legal skills, and puberty is one of the conditions that prospective partners must meet. Therefore, this study investigates the significance of marital maturity within the framework of Islamic jurisprudence.

2. Literature review

Article 1 of Law Number 1 of 1974 stipulates that marriage constitutes a spiritual and physical union between a man and a woman as husband and wife, aiming to establish a joyful and enduring household rooted in faith in the Almighty God.

Article 2, Paragraph (1) of the Marriage Law asserts the validity of marriage when conducted by religious and belief-based marriage regulations and duly recorded by an authorized institution as per relevant laws. In adherence to these laws, marriage is exclusively recognized as a union between a man and a woman, thus equating marriage to an alliance. (Kurniawan & Metro, 2014).

Indeed, the agreement between two men or two women cannot be termed marriage according to the prevailing understanding. Likewise, it is not a marriage between many men and women. In Islam, the formation of a family by uniting a woman and a man begins with a sacred bond.

Marriage is a universally recognized social institution present in various cultures and societies. While interpretations of marriage may vary, the fundamental practices surrounding it remain primarily consistent across cultures. Typically, marriage involves the formal union of a prospective husband and wife in the presence of religious leaders, witnesses, and other attendees, followed by official ratification through ceremonies and rituals. certain rituals (Muhammadi et al., 2021).

According to Saxton, Marriage encompasses two primary meanings:

a. Social Institution: It functions as a collective response to societal needs, playing a vital role in the sustenance and stability of a community or society. The presence of marriage addresses essential social requirements, contributing to the overall well-being and cohesion of the group.

b. Individual Validation: On an individual level, marriage serves as a means of legitimizing and validating one's role within society. Furthermore, marriage is perceived as a source of personal fulfillment, providing emotional satisfaction and meeting companionship needs for those involved.

As a social institution, it is A collective solution to social needs. The existence of marriage provides an essential function for the survival of a group, in this case, society.

The individual meaning of marriage is a form of legitimization (validation) of one's role as an individual, but most importantly, marriage is seen as a source of personal satisfaction.

Another perspective on marriage defines it as a contractual agreement formed through mutual consent. Subsequently, various other aspects of marriage will be explored. Firstly, the prerequisites for a valid marriage agreement will be discussed. Marriage is perceived as a legal bond from mutual agreement contingent upon a lawful cause. (Article 1320 of the Civil Code). Moreover, according to Law Number 1 of 1974, marriage must adhere to the stipulated conditions for the consent of both the prospective bride and groom. (Article 6 paragraph (1) of Law Number 1 of 1974). Then, to agree, you must meet the requirements, meaning the ability to be responsible. Making commitments and agreements must be based on the element of

"intention" and appropriate "agreement," which is a legal action, so the law determines the criteria for someone to be declared no longer under parental authority, meaning that by law, they are deemed responsible. As per the Civil Code, meeting the subjective condition for the validity of an agreement is crucial. Violating this subjective condition renders the agreement cancelable. Article 1320 of the Civil Code emphasizes the necessity for the object of the research study to be clearly defined and specific; only in this case is the object of marriage, and according to family law, it produces a social status, namely as husband and wife. Based on the legal grounds for an agreement, it is asserted that the causes of an agreement are the deliberate outcomes resulting from actions undertaken to finalize the agreement. Therefore, it is called "objective purpose" to distinguish as one of the motives or, in another sense, the cause of the agreement to give rise to a legal relationship, meaning that they become bound to act in a specific pattern or do particular actions or not do certain actions.

In this case, the agreement's cause can occur if nothing prevents them from carrying out the marriage (Article 8 to Article 11 of Law Number 1 of 1974). Hence, according to the law, prospective brides and grooms who have fulfilled the marriage requirements are deemed to satisfy the objective criteria. On the other hand, prospective brides and grooms who do not have the terms of marriage do not fulfill the objective terms of the agreement; thus, it cannot be carried out.

It was second, The principle of freedom of contract, as governed by Article 1338 of the Civil Code, underscores the importance of individuals' autonomy in entering into agreements, which states that individuals are free to conclude agreements and regulate the agreement's contents and the form and law that applies to the agreement, which will bind the makers. Regarding the principle of freedom of contract within marriage agreements, only the element of a person being free to agree can be applied, meaning that the agreement must be based on the freedom to express one's opinion. Meanwhile, regarding freedom to regulate the terms of the contract, there is no freedom because the agreement must be within the scope of family law; regarding the contents of the agreement, it must be by Law Number 1 of 1974, except that it is permissible to deviate from the law in terms of the consequences of marriage regarding marital property (Sialvi, 2018).

Third, the principle of the agreement is binding on the parties involved. Article 1338 of the Civil Code states that all agreements are legally binding for the parties entering them. "Legally" can be interpreted as fulfilling the conditions for the agreement's validity. So, in this case regarding marriage, the word "legally" is applied in addition to fulfilling the principles and conditions of Marriage, as governed by Articles 6 to 12 of Law Number 1 of 1974, in conjunction with Government Regulation Number 9 of 1975. It is further explained that "Going into effect by law" can be interpreted as binding the parties who agree, just as the law also binds the person to whom it

applies. Thus, regarding the groom and bride, it can be interpreted that they have set their laws.

3. Methodology and empirical data

The Importance of Maturity in Marriage Islam, as a religion that embraces all aspects of life, provides comprehensive guidance in all matters. In the context of marriage, Islam provides direction, from choosing a life partner to living a married life wisely. Islam teaches how to hold a lively wedding party but still receive blessings and how to have a simple wedding entirely of Islamic values.

Maturity is a crucial phase in human development that signifies mental equilibrium and rational behavior in every aspect of life. Married life requires maturity from both parties. Without maturity, problems in married life can give rise to emotions that are difficult to control, and success in educating children and dealing with differences of opinion between husband and wife can be threatened. Immaturity in dealing with differences of opinion in the household often results in an inability to control emotions, which can ultimately lead to divorce. Maturity is a determining factor in the success of a household in achieving the actual goals and wisdom of marriage. Thus, maturity is vital in maintaining the household's continuity.

Previous research studies show that marriage relationships without maturity can impact divorce (Emeng & Eteng, 2022). The research suggests that individuals who marry before the age of 22 are statistically more prone to experience unhappiness compared to those who marry between the ages of 22 and 29. The most significant risk appears when the husband and wife are under 20. Older individuals who marry are two to three times more likely to divorce compared to their peers who married in their 20s. They argue that people who marry early tend to be unstable in their married life due to emotional immaturity and lack of adequate potential to accept the responsibilities of marriage. Consistent with the findings of this study, Rifandanu & Febrianti (2023) highlighted that the prevalent rate of early marriage in Indonesia poses a concerning trend. They emphasized that deciding to marry early can significantly impact an individual's future career prospects. Additionally, early marriage poses risks to various aspects of well-being, including reproductive health, psychological health, and the overall biological, physical, and economic conditions within the family unit.

4. Empirical results

Marriage has a vital significance and position in human life because, through marriage, formal social relations are established between two individuals of different types who become husband and wife, forming one family, which then develops into a community group. In Islam, there are five main principles, including protecting

religion, soul, lineage, property, and reason (Sucipto, 2014). One of the essential values in Islam is protecting offspring (hifdzu al nasl). Therefore, legal sexual relations, according to religion, must occur through marriage to ensure clarity of lineage.

Marriage is strongly encouraged for individuals who desire it, are physically and mentally prepared, and can fulfill their rights and responsibilities as spouses within a household. (Musfiroh, 2016). Married couples are expected to exhibit loyalty towards each other, offer mutual support, provide for each other's needs, and collaboratively participate in the upbringing and education of their children. It is essential for every married couple to assist and complement each other, thus fostering personal growth and striving towards spiritual and material prosperity together. (Latifiani, 2019).

According to some scholars and as outlined in Riezem Aizid's book, Islamic marriage law is categorized into five laws depending on the circumstances and conditions of the prospective bride and groom:

a. The first law of marriage in Islam is the Mandatory law. This applies when specific conditions and reasons necessitate marriage. The primary requirement for marriage under this law is capability. Capability here refers to possessing financial, mental, and sexual abilities and being ready to enter into marriage. For instance, if someone is financially and sexually stable, they are obligated to marry to avoid committing adultery.

b. The second law of marriage in Islam is Sunnah. This applies to individuals who are capable of marriage and can refrain from actions that may lead to adultery. Marriage under this law is considered a Sunnah, meaning it is a recommended practice for those who can marry and maintain moral conduct to avoid adultery.

c. The third law of marriage in Islam is Makruh. This applies when a person desires to get married but lacks physical, mental, financial, or sexual capability. Under this law, it is discouraged to proceed with marriage due to concerns that the individual may not be able to fulfill their obligations in marriage.

d. The fourth law of marriage in Islam is Mubah. This refers to a situation where someone marries merely for leisure or enjoyment purposes and does not engage in actions that lead to adultery. Marriage under this law is permissible, meaning it is neither obligatory nor discouraged. Legal sanctions apply only if there is an urgent need for marriage. It is preferable only to marry if one is ready for it.

e. The fourth law of marriage in Islam is Mubah. This refers to a situation where someone marries merely for leisure or enjoyment purposes and does not engage in actions that lead to adultery. Marriage under this law is permissible, meaning it is neither obligatory nor discouraged. Legal sanctions apply only if there is an urgent need for marriage. It is preferable only to marry if one is ready for it. The fifth law of marriage in Islam is Haram. This applies to individuals who lack good financial

and mental readiness and cannot fulfill responsibilities towards themselves and their families. It is forbidden for such individuals to enter into marriage, as there is a fear that they may abandon their spouse and children after marriage. (Azizah, 2020)

According to Islamic law, there is no specific age limit for marriage, but it is stipulated that marriage can occur once a person has reached mental maturity (aqil) and puberty. Puberty is defined as menstruation for women or reaching the age of 15 for men, along with experiencing sexual pleasure. Therefore, in Islamic law, anyone can enter into marriage regardless of age limit, as long as they fulfill the terms and conditions of marriage and adhere to the goal of creating benefits.

Article 14 of the Compilation of Islamic Law outlines the five pillars of marriage: the prospective husband, prospective wife, marriage guardian, two witnesses, and consent. Several conditions for marriage are also outlined, including:

- a. Marriage is only permitted for someone who has reached the age specified in the Marriage Law.
- b. The wedding can occur if the bride and groom agree to carry out the marriage.
- c. The prospective bride who will marry must have a marriage guardian, provided that the marriage guardian is a Muslim, agile, and mature.
- d. Two witnesses must witness the marriage contract directly, signing the marriage certificate at the time and place where the marriage contract was held.
- e. There must be consent and acceptance in marriage.

Although Islamic law does not strictly regulate the age limit for marriage, several countries with Muslim-majority populations have set age limits in their laws, often following recent developments rather than textual aspects. Various schools of thought in Islam have different opinions regarding the age of puberty, with differences in views between the Shafi'i, Hanbali, Maliki, Hanafi, and Imami schools.

Even though Islamic law does not strictly regulate the age limit for marriage, it is indirectly acknowledged in the Quran and Hadith that maturity is a crucial requirement. The Quran emphasizes that a person must be ready and able to consummate a marriage. Marriage is a significant agreement where rights and obligations bind each party, necessitating capable individuals mentally and spiritually prepared to build a household. (Rifandanu & Febrianti, 2023).

In Islamic law, marriage readiness is assessed based on three conditions:

- a. Knowledge readiness: This entails understanding the fundamental laws of fiqh, including the daily obligations of Muslims and fiqh laws related to marriage, such as the terms and conditions of the marriage contract and alimony laws. Seeking knowledge is mandated in Islam for every Muslim, indicating the importance of understanding these laws for marriage and all muamalah activities.

b. Material readiness: This involves possessing assets for the dowry and assets to sustain the husband's livelihood for his wife and children, meeting primary needs such as clothing, shelter, and food.

c. External readiness: This refers to a man's ability to fulfill his obligations and duties as a husband, including being capable and not impotent.

While Islamic law does not explicitly regulate age limits for marriage, several Muslim-majority countries have established age limits in their laws, usually reflecting current societal norms rather than strict textual interpretations. Various schools of thought in Islam have differing opinions on puberty, with variations between the Shafi'i, Hanbali, Maliki, Hanafi, and Imamiyah schools.

Marriage in Islamic law is considered an agreement that allows sexual relations between a man and a woman to achieve happiness in married life, blessed by Allah SWT. Marriage regulates human sexual tendencies by human dignity, fulfilling biological needs, and fostering relationships across various aspects.

Marriage in Islam includes personal, social, ritual, moral, and cultural dimensions. Personal aspects involve meeting biological and procreative needs, while social aspects form the basis for harmonious societies, fostering peace in worship and strength in life. Ritual aspects follow the Sunnah of the Prophet and fulfill the commands of Allah SWT, while moral aspects entail obedience to religious norms. Cultural aspects distinguish civilized humans and differentiate between primitive and modern societies. (Zaman & Hashmi, 2019). In Islam, the readiness to enter into marriage is gauged by an individual's capacity to meet the five dimensions of marriage elucidated in religious teachings.

Maturity reflects maturity in thinking, physical growth, and psychological maturity, which impacts maturity in acting. This creates a harmonious family life situation where individuals can carry out their duties and obligations maturely (Zarean & Barzegar, 2016). Maturity is always an indicator of responsibility for an action because only mature individuals can take full responsibility for their actions. This is evident in various legal regulations specifying that only adults are held accountable for their actions, including within the realm of marriage.

5. Conclusions

The conclusion from the discussion above is that according to Islamic law, maturity in the context of friendship refers to a person's entry into puberty. A household needs to be built based on maturity to create psychological maturity in both husband and wife partners. Islamic law underscores the importance of prospective partners being mentally, physically, and psychologically prepared and comprehending that marriage constitutes worship with profound significance. In Islamic law, maturity in readiness and capability is the primary prerequisite for someone to enter into marriage. Future marriages must include maturity as one of the conditions for

marriage to reduce the high divorce rate. This research is limited to discussing maturity from an Islamic religious perspective. In future research, other researchers will examine maturity in marriage from a different religious perspective.

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