ANALYSIS OF CHALLENGES AND OBSTACLES IN
SHARIA-COMPLIANT MARRIAGES
(CASE STUDY ON STUDENTS OF THE ISLAMIC FAMILY LAW PROGRAM
AT STDI IMAM SYAFI'I JEMBER)

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Abstract

This study aims to identify the challenges and obstacles faced by students in marrying according to the sharia concept and to analyze the motivating factors for students to get married, focusing on fifth-semester students enrolled in the Fiqh of Marriage course. An interactive qualitative approach was used by distributing questionnaires to 87 students (44 males and 43 females). The study results show six factors influencing students' decisions to marry: religion (100%), education (81.6%), family (81.6%), economy (75.9%), social environment (60.9%), and career aspirations (34.5%). Challenges and obstacles experienced by students in implementing sharia-compliant marriages include financial and economic constraints, self-preparedness, social and environmental influences, parental expectations, and difficulties in finding a partner. This research provides a comprehensive understanding of the challenges faced by students in practicing the concept of sharia marriage, offers valuable insights for developing the curriculum of the Islamic Family Law program, and supports efforts to strengthen the younger generation's understanding of marriage in accordance with Islamic law.

Keywords: Islamic Family Law, Students, Marriage

Abstrak

Tujuan penelitian ini adalah mengidentifikasi tantangan dan kendala para mahasiswa untuk menikah dengan konsep syar'i serta menganalisis faktor-faktor pendorong para mahasiswa untuk menikah, dengan memberi fokus kajian kepada mahasiswa semester 5 yang sedang menempuh mata kuliah Fikih Nikah. Pendekatan yang digunakan adalah pendekatan kualitatif interaktif dengan penyebaran angket kepada 87 mahasiswa (44 laki-laki dan 43 perempuan). Hasil penelitian menunjukkan terdapat enam faktor yang memengaruhi keputusan menikah para mahasiswa: agama (100%), pendidikan (81,6%), keluarga (81,65), ekonomi (75,9%), lingkungan sosial (60,9%), dan cita-cita atau karir (34,5%. Beberap faktor yang menjadi tantangan dan kendala yang dialami mahasiswa untuk menikah syar'i adalah: finasial dan ekonomi, kesiapan diri, lingkungan dan sosial, orang tua, dan kesulitan dalam mencari pasangan. Dengan adanya penelitian ini diharapkan dapat memberi gambaran komprehensif

mengenai tantangan yang dihadapi mahasiswa dalam mengimplementasikan konsep pernikahan syar'i, memberikan masukan yang berharga bagi pengembangan kurikulum Prodi Hukum Keluarga Islam dan mendukung upaya memperkuat pemahaman generasi muda tentang pernikahan yang sesuai dengan syariat Islam.

Kata Kunci: Hukum Keluarga Islam, Mahasiswa, Menikah.

A. INTRODUCTION

Marriage is one of the crucial aspects of human life and an act of worship highly recommended in Islam.[1] In Islam, the concept of marriage is extensively regulated under Islamic family law *(ahwal syakhsiyyah).*[2] Marriage is not merely about forming an emotional bond between two individuals but involves a legally binding contract that grants rights and obligations to each party.[3] Therefore, understanding and clarifying the concept of sharia marriage is very important for every Muslim, including young generations who are preparing for marriage.[4]

The sharia marriage concept, which emphasizes compliance with Islamic law, covers various aspects, from the valid marriage contract, presence of a guardian, dowry, to the rights and obligations of the husband and wife as stipulated in the Quran and Sunnah. Emphasis on simplicity, modest attire, and avoiding excessiveness in marriage celebrations (*walimatul 'urs*) are also part of the principles of sharia marriage. However, despite the growing popularity of the sharia marriage concept among some sections of society, not everyone fully understands or is ready to implement it in real life.

Some segments of society remain trapped in customary practices and social demands that often contradict Islamic teachings. For instance, the belief that marriage must be accompanied by a large, costly celebration or the requirement for an excessive dowry can be burdensome for prospective grooms. Another challenge is the lack of knowledge or limited

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[1] Hari Widiyanto, "KONSEP PERNIKAHAN DALAM ISLAM (Studi Fenomenologis Penundaan Pernikahan di Masa Pandemi)," *JURNAL ISLAM NUSANTARA* 4, no. 1 (October 6, 2020): 103, https://doi.org/10.33852/jurnalin.v4i1.213.

[2] Ali Sibra Malisi, "PERNIKAHAN DALAM ISLAM," *SEIKAT: Jurnal Ilmu Sosial, Politik Dan Hukum* 1, no. 1 (October 31, 2022): 22–28, https://doi.org/10.55681/seikat.v1i1.97.

[3] Abdul Halim, "Pencatatan Perkawinan Menurut Hukum Islam," *Al Mabhats: Jurnal Penelitian Sosial Agama* 5, no. 1 (June 30, 2020): 1–18.

[4] Eneng Juandini, "Perspektif Hukum Positif Dan Hukum Islam Di Indonesia Terhadap Perkawinan Beda Agama," *Journal on Education* 5, no. 4 (April 23, 2023): 16405–13, https://doi.org/10.31004/joe.v5i4.2795.

understanding among the community regarding the actual rules of marriage according to Islam.[5]

For couples wishing to marry in accordance with sharia, these factors can pose a dilemma. On one hand, they want to follow religious guidelines, but on the other, they face societal pressures that may expect a more traditional or modern approach to marriage. This reflects a gap between theoretical understanding and the practical application of sharia marriage in society.[6]

In the context of Islamic higher education, the Islamic Family Law program plays a vital and strategic role in teaching the principles of marriage in accordance with sharia. Fifth-semester students at Sekolah Tinggi Dirasat Islamiyah (STDI) Imam Syafi'i Jember, particularly those enrolled in the Fiqh of Marriage course, are academically delving into the rules, principles, and concepts of marriage according to sharia. These students study various aspects of Islamic law governing marriage, including marriage contracts, dowry, guardians, witnesses, and rights and obligations in marriage, as outlined in Islamic family law. Despite having a strong theoretical foundation from their coursework, students often face numerous challenges in implementing the concept of sharia marriage in real life. These challenges may stem from socio-cultural, economic, legal, and customary factors prevalent in society. Moreover, differing interpretations of Islamic law and the influence of modernization frequently present additional challenges in applying sharia marriage law in both modern and traditional communities.

With the challenges and obstacles faced by students, this study aims to focus on and thoroughly examine these issues. The research seeks to identify and understand the challenges and obstacles experienced by students in marrying according to the sharia concept, analyze the factors that motivate students to marry, and assess students' readiness to marry. Therefore, this research is expected to provide a more comprehensive overview of the challenges students face in understanding and implementing the concept of sharia marriage, offer valuable input for developing the curriculum of the Islamic Family Law program, and support efforts to strengthen the younger generation's understanding of marriage in line with Islamic law.

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[5] Kumparan, "Mengapa Menikah Harus Bayar Mahal?" kumparan, accessed October 25, 2024, https://kumparan.com/muhammad-ifan/mengapa-menikah-harus-bayar-mahal-1zOaV5Xmnsc.

[6] Lely Yuana, "Tren Konsep Pernikahan Syar'i, Pisahkan Tamu Pria dan Wanita - TIMES Indonesia," accessed October 24, 2024, https://timesindonesia.co.id/news-commerce/493071/tren-konsep-pernikahan-syari-pisahkan-tamu-pria-dan-wanita.

B. Research Method

This research uses an interactive qualitative approach by distributing questionnaires to students of the Islamic Family Law program at STDI Imam Syafi'i Jember. The number of informants involved in this study is 87 students, consisting of 44 males and 43 females. The study specifically focuses on fifth-semester students who have taken the Fiqh of Marriage course.

Qualitative research is an approach oriented towards natural phenomena, characterized by its foundational, naturalistic nature, and conducted in the field. According to Kirk and Miller, qualitative research is a specific tradition in social science that fundamentally relies on the observation of people within their natural environment.[7]

C. Discussion

1. Analysis of Factors Influencing Marriage, Readiness for Marriage, and Parental Involvement in the Decision-Making Process

Entering early adulthood, individuals typically begin to show interest in the opposite gender, leading to a desire to form a serious relationship—namely, marriage.[8] Marriage itself is a part of the sunnatullah that occurs as a phase in every human's life.[9] This is inseparable from the human need to procreate, which is fulfilled through marriage and having offspring.[10]

In the Indonesian language, marriage is defined as a binding (contract) union conducted according to the laws and teachings of religion.[11] Etymologically, the word 'marriage' is derived from the Arabic term نكاح (nikah), which refers to the marital relationship between a husband

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[7] Zuchri Abdussamad, *Metode Penelitian Kualitatif*, 1st ed., 1 (Makassar: Syakir Media Press, 2021).

[8] Hanna Zakiah Masudah and Nono Hery Yoenanto, "PENYESUAIAN PERKAWINAN PADA PERIODE AWAL PERNIKAHAN PASANGAN YANG MENIKAH MELALUI PROSES TAARUF," *Jurnal Ilmu Psikologi Dan Kesehatan (SIKONTAN)* 2, no. 1 (July 4, 2023): 87–96, https://doi.org/10.47353/sikontan.v2i1.1145.

[9] Muktiali Jarbi, "Pernikahan Menurut hukum Islam," 2019.

[10] Lindha Pradhipti Oktarina, "Pemaknaan perkawinan (Studi Kasus Pada Perempuan Lajang Yang Bekerja Di Kecamatan Bulukerto Kabupaten Wonogiri)" (Thesis, UNS (Sebelas Maret University), 2013), https://digilib.uns.ac.id/dokumen/35315/Pemaknaan-perkawinan-Studi-Kasus-Pada-Perempuan-Lajang-Yang-Bekerja-Di-Kecamatan-Bulukerto-Kabupaten-Wonogiri.

[11] "Arti Kata Nikah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed October 25, 2024, https://kbbi.web.id/nikah.

and wife.[12] Marriage, in the Shari'ah sense, as Ibn Qudamah explains in his book, is the essence of the contract and intercourse at the same time[13], as Allah *'Azza wa Jalla* say:

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وَلَا تَنْكِحُوا مَا نَكَحَ آبَاؤُكُمْ مِنَ النِّسَاءِ

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"And do not marry women your fathers married ..."[14]

After distributing the questionnaires to 87 students (44 males and 43 females), grouped into three age categories (18-20 years: 5 students; 21-23 years: 75 students; 24-26 years: 8 students), the results indicated that 3.4% (3 students) were already married, while the remaining 96.6% (84 students) were unmarried. Several questions were posed, such as:
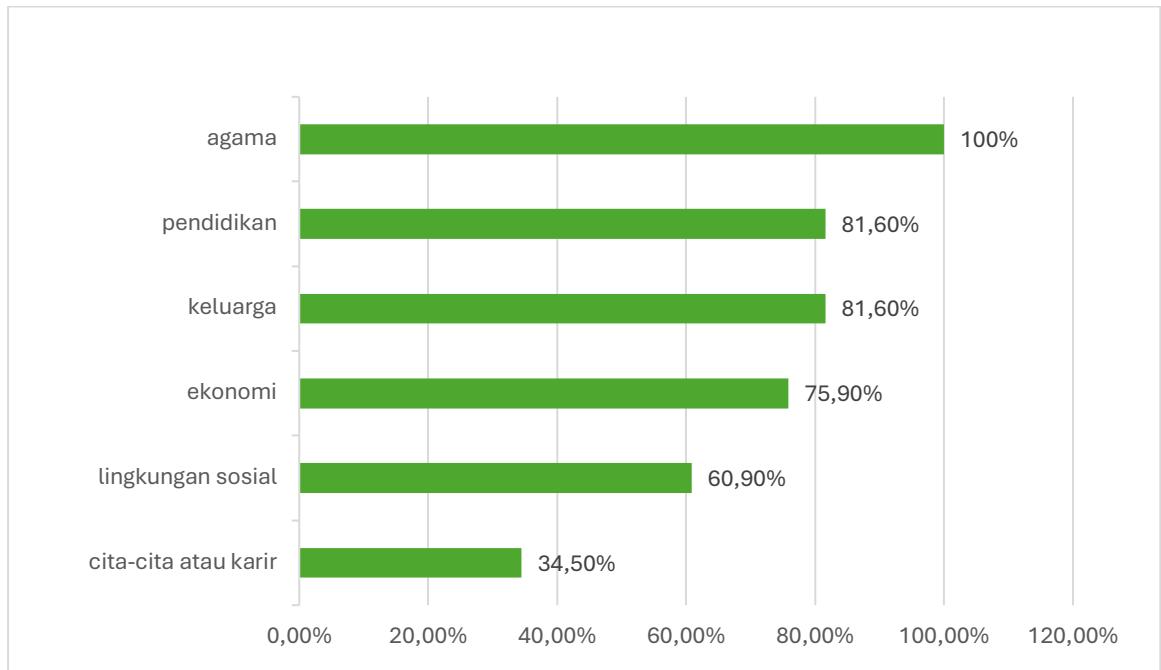
1) What are the factors influencing students' decisions to marry?

2) What is the level of parental involvement in the decision to marry?

3) How prepared are students for marriage?

Regarding the factors that influence students and female students of Islamic Family Law STDI Imam Syafi'i Jember in the decision to get married, the following is graphic data that researchers can collect:

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[12] Muhammad bin Mukrim bin Ali Ibnu Mandzur Abul Fadhl, *Lisaanul Arab*, 3rd ed. (Beirut: Dar Shadir, 1414).
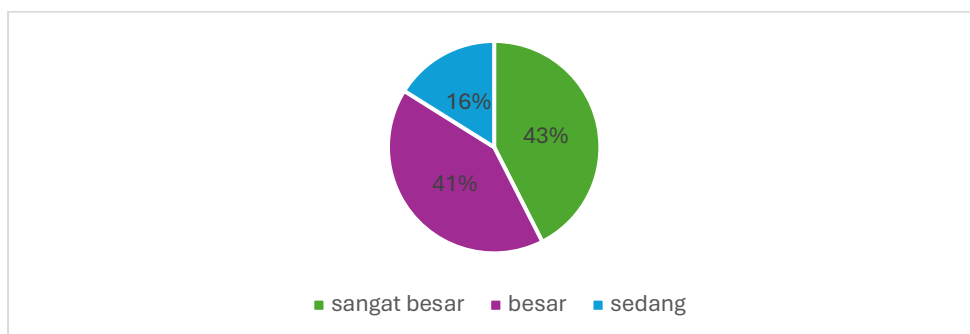
[13] Abdullah ibn Ahmad ibn Muhammad Ibnu Qudamah, *Al-Mughin Asy-Syarhul Kabiir*, 8 (Beirut: Dar Al-Fikir, 2010).
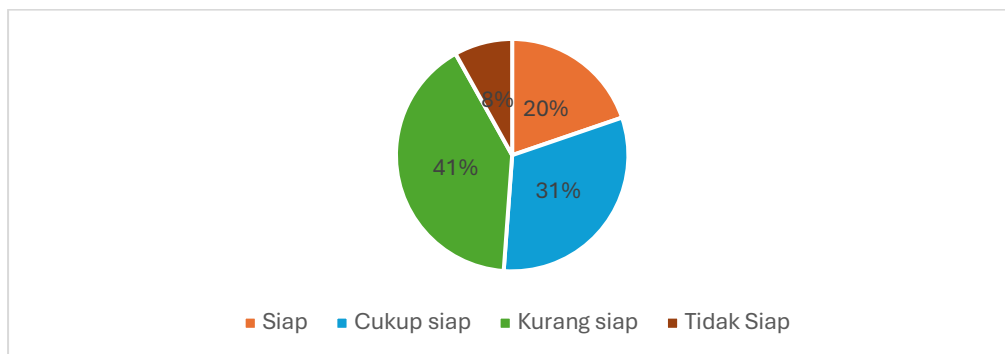
[14] Qs. An-Nisa (4): 22

Based on a review of the graph, a number of factors were found that influenced the marriage of students and female students of the Islamic Family Law study program at STDI Imam Syafi'i Jember. It was found that religion was the biggest factor chosen by students as an influential aspect in marriage decisions, with a total of 100%, namely 87 people, a number of all participants from students and female students of Islamic Family Law STDI Imam Syafi'i who had filled out the questionnaire. Other factors include education as much as 81.60% (71 people), then family with the same percentage of 81.60% (71 people), economic factors as much as 75.90% (66 people), social environment as much as 60.90% (53 people), and aspirationa or careers as much as 34.50% (30 people). From this data, it can be concluded that religion is a factor that dominates the decision of students to get married.

The next data is an analysis of the contribution and influence of parents on marriage decisions:

Based on the graph of the influence of parents on the marriage decision of students and female students of Islamic Family Law STDI Imam Syafi'i Jember, it is known that parents have a significant influence on the students' decision to get married. This is known through the large percentage of students who answered that the influence of parents on marriage was very large, namely 41% (36 people).

The next data is an analysis of the readiness to marry the students of Islamic Family Law STDI Imam Syafi'i Jember:

According to the chart on the readiness for marriage among students of the Islamic Family Law program at STDI Imam Syafi'i Jember, it was found that the majority of students did not feel ready for marriage. The percentage of students who reported feeling less ready was the highest, at 41% (35 individuals). In contrast, the percentage indicating readiness for marriage was only 20% (17 individuals). Additionally, 31% of students (27 individuals) answered that they were moderately ready, while 8% (7 individuals) stated they were not ready at all.

Based on the research findings, the researcher can conclude several points, including: 1) there are six factors influencing students' decisions to marry: religion, education, family, economy, social environment, and career aspirations, 2) the percentage of parental influence on students' marriage decisions is very significant, 3) the percentage of students' readiness for marriage indicates that the majority of respondents do not feel adequately prepared for marriage and starting a family.

2. Challenges and Obstacles Faced by Students in Marrying According to the Concept of Islamic Family Law

The issue of sharia-compliant marriage, i.e., marrying according to the concept of Islamic family law, is a hope for Muslim men and women, especially those who have studied

and deepened their understanding of religion. In Indonesia, where the majority of the population is Muslim[15] and it is one of the largest Muslim-populated countries in the world,[16] the concept of sharia-compliant marriage is still often seen as an anomaly by some segments of society. This includes not only the pre-marriage concept, known as ta'aruf and khitbah (engagement) in sharia-compliant terms, but also the actual marriage ceremony and the post-wedding event known as *walimatul urs.*

This situation becomes a dilemma, especially for couples who want to hold their wedding in a sharia-compliant manner, such as conducting the marriage contract and wedding reception without mixing (ikhtilat) male and female guests. After collecting data using a questionnaire technique distributed to 87 male and female respondents, who in this case are fifth-semester students in the Islamic Family Law program at STDI Imam Syafi'i Jember who have taken the Fiqh of Marriage course, the researcher found several aspects considered as obstacles and challenges experienced by the respondents in holding a marriage that aligns with the concept of Islamic Family Law. These aspects are as follows:

a. Financial and economic factors

Marrying in accordance with the sharia concept is often assumed to require a large expenditure, particularly when the couple wishes to hold a separate (infishal) wedding reception. The above thought is often distracted by the 'wedding dream,' which is sometimes difficult to realize in reality. The belief that a wedding must be luxurious, which consequently requires a substantial amount of money, persists.

Furthermore, the dual role of a child as a family breadwinner also presents a challenge and concern for marriage. This is generally felt by men, as they are expected to be the future heads of their families. Having an unstable job, still being in school, or being unable to provide materially for their parents are all seen as obstacles to marrying at the desired age.

b. Self-Preparedness: Fiqh of Marriage and Mental Readiness

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[15] Databoks, "Mayoritas Penduduk Indonesia Beragama Islam Pada Semester I 2024," accessed October 25, 2024, https://databoks.katadata.co.id/demografi/statistik/66b45dd8e5dd0/mayoritas-penduduk-indonesia-beragama-islam-pada-semester-i-2024.

[16] Chandra Dwi, "10 Negara Dengan Umat Muslim Terbanyak Di Dunia, RI Nomor Berapa?" CNBC Indonesia, accessed October 25, 2024, https://www.cnbcindonesia.com/research/20240310150636-128-521083/10-negara-dengan-umat-muslim-terbanyak-di-dunia-ri-nomor-berapa.

It goes without saying that preparing knowledge related to the fiqh of marriage is a vital aspect and must be given attention before someone enters into a marriage. Respondents felt that their knowledge of Islamic family law was still insufficient as preparation for building a marital life. It is not just a matter of marriage knowledge; mental readiness conflicts also remain a frequently echoed issue. Worries about not being good enough to build a family due to a lack of knowledge and low self-confidence also impede students' decisions to marry and start a family.

Although the Fiqh of Marriage course has been studied, in reality, marriage is not only about the knowledge explained on paper or the theories that need to be memorized. This sometimes presents anxiety and, at times, becomes a challenge for students, as marrying someone means deciding to make a commitment and demanding readiness over an extended period.

c. Social and Environmental Factors

An unsupportive environment—whether friends, neighbors, the family itself, or from the prospective partner's family—often becomes a consideration in how the marriage will be held. Generally, people who are still unfamiliar with the Islamic marriage concept will feel somewhat uncomfortable, including those organizing the wedding. In addition, Indonesia, being an archipelago with thousands of cultures and traditions, typically sees each environment carrying its own traditions or customs, including in marriage matters.

The concept of marriage in Islam, which adheres to the rules and regulations, is seen as something new and is rarely practiced by most Indonesians as part of a cultural society. This issue is further complicated by modernization and globalization, which now attempt to portray how an ideal marriage should be held. This should not be a problem if the marriage concept does not contain elements contrary to sharia, but in reality, the opposite often occurs.

d. Parental Influence

Efforts to educate parents, whether one's own or those of a prospective partner, about the concept of sharia-compliant marriage can sometimes be a challenge and obstacle. Particularly for some parents who are not well-acquainted with how religion regulates marriage. One challenge is the parents' desire for their children to marry following a specific model or trend, making sharia-compliant marriage difficult to implement. Moreover, the efforts

of children to explain their desire for a sharia-compliant marriage are sometimes not well-received or supported.

Another phenomenon is that many parents do not allow their sons and daughters to marry, as completing education and pursuing a career are still seen as a priority over starting a family. This reason is considered realistic by most parents, as they always want the best for their children. One way to achieve this is by not allowing their children to marry before reaching an age deemed mature, both in terms of educational readiness, financial stability, and age. As a result, the hope of many students to marry in their early 20s remains merely a dream.

e. Difficulty in Finding a Suitable Partner

Finding a compatible partner is a major challenge for Muslim men and women who wish to marry. Building a family based on sound religious knowledge cannot be realized without supporting factors, namely the spouse: the husband and wife. With the prevalence of online discussions portraying 'red flag' marriage partners, the process of finding a compatible life partner who aligns religiously and otherwise has become a struggle for anyone wishing to start a married life.

Based on the explanations above, it can be understood that several aspects present challenges and obstacles for students wishing to marry according to the concept of Islamic family law, including: 1) financial and economic issues; 2) self-preparedness in terms of fiqh and mental readiness; 3) an unsupportive environment; 4) parental expectations; and 5) difficulty in finding a compatible partner.

D. CONCLUSION

Based on the discussion, the following conclusions can be drawn:

1. There are six factors influencing students' decisions to marry: religion (100%), education (81.6%), family (81.65%), economy (74.9%), social environment (60.9%), and career aspirations (34.5%). The percentage of parental influence on students' marriage decisions is very significant, at 43%. The percentage of students' readiness for marriage shows that 41% of respondents do not feel adequately prepared to marry and start a family.

2. Several factors also present challenges and obstacles faced by students in marrying according to the concept of Islamic family law, including: 1) financial and economic

issues; 2) self-preparedness in terms of fiqh of marriage and mental readiness; 3) social and environmental factors; 4) parental influence; and 5) difficulty in finding a suitable partner.

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