

Research Article

The Association of the Bride and Groom After Performing Khitbah and the Role of Parents in It

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Corresponding Author: abd.khadirmukhlis@gmail.com**Abstract**

Before proceeding to marriage, there are stages that can be taken before the marriage contract is carried out, one of which is the sermon (engagement), which is to prepare for the future marriage process, which is not legal according to Islamic law, but aims to find out the personalities of both parties. This article aims to explain how the bride and groom interact after performing the sermon and the role of parents in it in Islamic family law. The interaction between the bride and groom which gives rise to various interactions that require regulation is called an-nizham alijtima'i. This system essentially regulates interactions between two opposite sexes (men and women) and regulates various interactions that arise from these interactions. The data collected comes from articles, journals, books and working papers. The results of the research are that the engagement period is not the same as the period after marriage. In principle, during the engagement period, there are no legal consequences like husband and wife. During this engagement period, it is only for ta'aruf (introduction) between the two parties and preparations before the wedding, that is why in social relations you must prioritize Islamic ethics, therefore the prospective bride and groom are still the responsibility of their respective parents. each in terms of the relationship between the two.

Keywords: Association, Sermons, Parents

INTRODUCTION

There are stages that can be taken before a marriage is carried out, one of which is the stage of marriage or in Islam called Khitbah. In engagement, there must be an association between the two prospective husband and wife to get to know each other more closely (Abdur Rakib, 2019). The role of parents in the association of the bride and groom in the period after khitbah (engagement) is very important. Where the engagement period is not the same as the marriage period, then in this period the bride and groom have not had legal consequences like husband and wife. In some areas, both cities and villages, association during the engagement period is still commonplace, considering that during this time the bride and groom want to know the prospective husband and prospective wife before the marriage contract stage. In this case, for the future wife who will be a wife for the husband and become a mother for his child later. Likewise for prospective husbands who will be husbands for their wives and fathers for their children in the future.

Studies on the association of brides after khitbah (engagement), both in terms of implementation, community views, religious leaders, efforts, and impacts have been widely studied by researchers, but there have not been studies that focus on parental involvement in the association of post-engagement brides in Islamic family law. Even though this study is very important to be studied considering the many associations of post-engagement brides who are carried out without supervision and cause a lot of mudharat for both of them who are outside Islamic law. Studies on the association of post-engagement brides have so far discussed more about people's views on post-engagement bride-to-be associations (Rizki Senu, 2021), Based on the comparison with the research mentioned, researchers are more focused on the association of brides-to-be after carrying out khitbah (engagement) and the role of parents according to Islamic Family Law.

Parents are the most important teachers in providing education to their children and are fully responsible for the growth process. A child really needs guidance from his parents so that he can live his own life after marriage, in this case for young women who will become wives who will serve their husbands and become mothers who will guide their children in the future. The same is true for young men

who will be husbands to their wives and fathers to their children who will provide for and lead their families in the future. Based on this statement, the author conducted this study to examine the involvement of parents towards post-engagement brides in the perspective of Islamic family law, so that it can be useful for parents whose children have carried out the engagement process, as well as insight and reference for future researchers.

Please note that the engagement period is not the same as the period after marriage. In principle, the marriage period has not had legal consequences, like husband and wife. It should be emphasized that this marriage period is only for the path of ta'aruf (introduction) between the two parties and preparation before marriage. So that behavior that is too far to approach the association of husband and wife is prohibited in the marriage period until they carry out the marriage contract. Therefore, parents are still the most important part in the association and behavior of the bride and groom, both male and female.

METHOD

This research uses library research method. Literature studies are related to theoretical studies and some references that will not be separated from scientific literature. In this study, data sources are obtained from relevant literature such as books, journals or scientific articles related to the selected topic. The data collection technique used in this literature research is looking for data about things or variables in the form of notes, books, papers or articles, journals and so on.

RESULT AND DISCUSSION

In Islam, marriage is the longest worship because it lasts a lifetime. Therefore, there needs to be a strong foundation and principles in carrying it out. Because marriage is not only based on mutual love, but there is also a sharia that is the handle.

Allah (swt) says: "Among the signs of His power is that He created for you wives of your own kind, so that you might be inclined and at ease to her, and He made among you love and affection" (QS Ar-Rum: 21).

Khitbah in marriage fiqh is the submission of a proposal or proposal to the woman. However, this submission is not binding because it is not necessarily accepted. The woman may ask for time to think and weigh up the request for circumcision for some time.

The word khitbah comes from the Arabic words al-khitbah and al-khatbu. Al-khitab means talk. If al-khitab (talk) has anything to do with women, then the explicit meaning we can capture is the talk that alludes to marriage. Thus, khitbah is a conversation related to a proposal or request for marriage. Marriage is the prelude to marriage, decreed before there is a conjugal bond. Some jurists differ on the definition of khitbah. Some of them are as follows:

- 1) In the book *Fiqhul Islami wa Adillatuhu*, Wahbah Zuhaili says that khitbah is a declaration of a man to a woman that he wants to marry her, either directly to the woman or to her guardian. The delivery of this intention may be in person or with a representative of the guardian.
- 2) In the book *Fiqhus Sunnah* volume 2 (1998) by Sayyid Sabiq, khitbah is a request to hold a marriage by two people with clear intercession. This proposal is a sharia of Allah SWT that must be done before holding a wedding so that the bride and groom know each other.
- 3) Quoting from the book *Islamic Marriage Law in Indonesia* (2007) by Amir Syarifuddin, khitbah is the conveyance of the will to carry out the marriage bond. Marriage is prescribed in a marriage whose execution time is held before the marriage contract takes place.
- 4) Quoting from the book *Risalah an-Nikah* (2002) by Al-Hamdani, khitbah is the request of a man to another person's daughter or a woman who is under one's guardianship to marry, as a prelude to marriage.

Islam not only regulates marriage, but also includes khitbah in it. As stated in the Qur'an Allah SWT says:

"And there is no sin for you to ask for those women with innuendo or for you to hide (the desire to marry them) in your heart. God knows that you will mention them, in which case you shall not make marriage vows with them in secret, except

to speak (to them) accrued words. And do not commit (keep your heart) to make a marriage contract, before the end of the certificate. And know that God knows the things of your hearts; then fear him, and know that God is merciful." (Al-Baqarah: 235).

In a hadith, the Prophet (peace be upon him) said: "The Prophet (peace be upon him) forbade a person to buy an item that his brother was bidding for, and forbade a person to ask for a woman who had been begged until she left her or allowed her."

At least, the circumcision process consists of three main things. Namely the application for khitbah, exchange of information, answers to khitbah and matters related to the cancellation of khitbah if needed. This is of course carried out in accordance with Sharia.

Khitbah Application

Before khitbah and its status are determined, the earliest step is the application for khitbah carried out by the prospective husband. The most important thing about this khitbah submission is the desire to marry the future wife.

Exchange Information

Khitbah in marriage fiqh is not only about conveying the desire to marry, but also about exchanging information from both parties. Khitbah can be likened to a proposal for activities in which there are detailed and specific explanations. All that information will be useful for the guardian to make judgments and decisions.

This information is for example the readiness of prospective husbands in giving dowry values, housing, and various other gifts. It also includes details about the rights and obligations to be agreed upon by each party. On the other hand, the prospective husband also has the right to obtain the necessary information related to the prospective wife honestly, both physical condition and other circumstances. This process of exchanging information is very useful for both parties to determine the next steps.

Answer

The proposed Khitbah has not yet become a legal provision and still requires

an answer from the guardian. And the answer to accept or reject this khitbah application does not have to be made right then and there. The guardian may ask for time to give an answer. And as long as the answer to khitbah has not been given, the status of the woman is still not yet a woman who is circumcised (makhtubah). Therefore, it is not ruled out for the guardian to accept the application for khitbah from other parties. The answer from the guardian can be in the form of approval and acceptance, but in the process it can be in the form of conditional acceptance. That is, khitbah is accepted if the prospective husband can meet the conditions proposed by the guardian.

Cancellation

If the marriage can be ended in divorce, then the officially agreed khitbah can also be canceled for certain reasons. For example, if there is a discrepancy in information with the facts, then either the prospective husband or the prospective wife has the right to cancel circumcision. And the cancellation can also occur if one of the previously agreed conditions cannot be implemented. For example, the guardian proposes a condition for the validity period of khitbah for two months. If within that period the prospective husband does not immediately marry the woman he circumcised, his circumcision automatically does not apply.

Two Conditions for Someone to Be Circumcised

Referring to the Book of Jurisprudence Munakahat, there are a number of conditions that must be met by someone who wants to be circumcised. These include the following:

1. Not Being in Other Khitbah

The condition that must be met by someone who will be circumcised is that he is not in the custody of someone else. The Prophet Muhammad said in a hadith,

"Let no one among you ask for someone whom his brother begs, so that the previous one leaves him and allows it," (H.R. Bukhari and Muslim).

2. There is no obstacle to Shar'i marriage

Women or men have no Sharia barriers to marriage. An example of the

prohibition of shari'i is having blood relations, relatives, or milk relations with the party who circumcised. Then, if he is not Muslim then he is not allowed to be circumcised. In addition, men who have four wives are also not allowed. Women who are still the wives of others and women who are in the iddah period are also included in the shari'i barrier..

Parental obligations to children

The child is a trust given by Allah and protecting the rights that the child must have is also a trust. In Islam the rights of children are the same as those also contained in human rights that must be guaranteed, protected and fulfilled both by parents, families, communities, governments and the state. There are five human rights in Islam that actually derive from the maqashid shari'ah. This human right is known as adh-dharuriyatu khamsin. Among these rights are:

- a. Hifzdul ird (maintenance of honor) and hifdzun nasl (descent/nasab). In this case it is done in order to maintain his self-esteem and dignity. Where things like this Islam It is carried out such as: giving identity (name), giving genealogy (nasab) and maintaining and providing for children.
- b. Hifzdzul din (maintenance of religious rights). The point is to maintain the continuity of Islam, especially for the child, this is done by parents since they are in the womb by getting used to hearing and reading thoyibah sentences such as reading the Qur'an and the Prophet's prayers.
- c. Hifzdun nafs (maintenance of the soul). The point is to be able to maintain or maintain human rights and souls in the form of the right to life, safety, health, peace of mind and spirituality. In its application, this is done since the child is in the womb, namely by meeting the needs of complete and balanced nutritional foods and vitamins (multivitamins) essentially maintaining children's health such as breastfeeding, shaving the baby's hair, keeping children away from diseases and treating them, eating and muinum healthily.
- d. Hifzdzul aql (maintenance of reason). It means to preserve the intellect from things that can corrupt it. The right to provide comprehensive education,

namely intellectual, mental and spiritual either through formal or normal educational institutions, especially family education as the earliest education or better understood by madrasatul ula.

- e. Hifdzul mal (maintenance of property). The point is to maintain and preserve the existence of property for the needs of the family and others. This is done through: providing mall and zakat facilities, providing family security, and providing employment.

As for interacting before marriage, and walking together to public and other places, Sharia is prohibited. It actually does not realize the desired goal. Because each of the two reveals an untrue identity. As the saying goes, "kullu khatibin kaadzib" (every circumcision is a lie). Because the circumcision was too hasty. Sometimes a person does fulfill the call of instinct and is unable to hold it when alone with a woman, then does something that can harm him. When circumcision is cancelled, it can affect its reputation.

Khalwat (solitude) along with women in Islamic teachings is not allowed because it is not the mahromm. This prohibition between the suitor and the beggar goes back to the basis, namely that the two have not been tied or have not become husband and wife, so there is no muhrim relationship to prevent things that come out of social ethics and actions that will plunge into disobedience.

Many parents underestimate this problem. they

Allow his children or sisters to be alone and even travel with his fiancée without supervision and direction. This kind of behavior is very likely to plunge the woman into the loss of her glory, chastity, and self-esteem and can even be the annulment of marriage.

On the contrary, there are also those who behave rigidly. He did not allow a man to see his daughter even when she was in a suit. She did not want to bring the two together until the man who intended to ask for her was really happy and ready to marry her child. The two were only allowed to meet on their wedding night, after the marriage contract. Sometimes, when a husband sees his wife after entering into

a marriage contract and what he sees is not what he imagined, it results in something undesirable, regret and divorce.

CONCLUSION

Khitbah (Engagement) is the initial stage carried out between the man and the woman before leading to marriage, and also the marriage is carried out on the element of willingness by both parties and without coercion from any party and already knows each other between the two. Engagement is not the same as after marriage. In principle, the marriage period has not had legal consequences, like husband and wife and there needs to be provisions in living this period, such as restrictions that must be done in the association of prospective brides.

Given that the engagement period has not yet occurred by law, the responsibility for both is still held by parents. Parents play an important role in it because they see the increasingly chaotic association of children which makes the factor of promiscuity in children, especially in prospective couples who have made engagements. Parents need to supervise their association and give advice to prospective couples where the bride-to-be will be the wife of her husband and the mother of her children, and also the bride-to-be who will be the husband of his wife and the father of his children.

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