

CHAPTER I

INTRODUCTION

A. Background

Marriage is a contract between husband and wife which is legally, socially, and religiously recognized. It provides male and female a chance to get biological relations. Marriage generally leads to the establishment of family life. Both male and female live together having their respective responsibilities according to their roles as assigned by society.¹

The Holy Quran says:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي
ذَلِكَ لَآيَاتٍ لِّقَوْمٍ يَتَفَكَّرُونَ ﴿٢١﴾²

“And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquillity with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.”

Islamic doctrine is relevant anytime and anywhere. Islam does not make any difficulties for human in reaching happiness and beautiful life. But there are several conditions should be fulfilled to make everything is allowed appropriate with Islamic and laws guidance.³ Marriage is very recommended by religion. The reason is because marriage is one of remission for human to reach happiness.

According to al-Gazālī, human being have natural desire. There are two kinds of desire; appetite and sexual desire.⁴ Both desires are the

¹Saira Masood, Zahira Batool, & Saif-Ur-Rehman Saif Abbasi, “Sociological Study of Marriage Patterns and Adjustment in a Selected Community in Faisalabad City (Pakistan)”, *Journal of Agriculture & Social Sciences*, (Pakistan: Department of Rural Sociology, University of Agriculture, 2007), p. 98., *See* <http://www.fspublishers.org>.

²QS. Ar-Rūm [30]: 21.

³Muhammad Ali Ash-Shabuni, *Hadih Untuk Pengantin*, trans. by Iklilah Muzayyanah, (Jakarta: Mustaqiim, 1995), p. 22.

⁴Al-Gazālī, *Iḥyā’ ‘Ulūm ad-Dīn*, Juz 3, (Semarang: Karya Thoha Putera, t.th), p. 77.

greatest enemies of human faith (*Īmān*) if it is not maintained properly. Marriage is such kind of remission to help them maintaining their desire so that their faith is safe. He mentioned that marriage is one of beautiful things in the world which can be very useful to help human preparing their hereafter life.⁵

Prophet Muhammad said:

عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ قَالَ: مَنْ رَزَقَهُ اللَّهُ امْرَأَةً صَالِحَةً فَقَدْ أَعَانَهُ عَلَى شَطْرِ دِينِهِ، فَلْيَتَّقِ اللَّهَ فِي الشَّطْرِ الْبَاقِي.⁶

“Anas narrated that Rasūlullāh said: ‘Anyone who has been given a pious wife by Allah, it means Allah help him in keeping half of his religion. So just fear unto Allah in maintaining the other half.’”

However not everyone supports marriage. Some people may receive marriage because it is beneficial for them. But some others reject marriage for some reasons as well, particularly on modern age. Marriage has become obsolete by the changing of social expectations. Modern society rejects the idea of religious and government policy over marriage, or simply ignores such rules about licenses and ceremonies.⁷

On this modern age, everything is measured with material and logic. Physical and material prioritization produce consumerism culture, and prioritization of mind and logic produce science and technology. But then, this kind of situation gives bad impact in other aspects of life, the spirituality decreases, and finally modern society lack of spirituality.⁸

⁵Al-Gazālī, *The Alchemy of Happiness*, trans. by Claud Field, (Lahore: SH. Muhammad Ashraf, 1979), p. 56

⁶Syihābu ad-dīn Aḥmad b. ‘alī b. Muḥammad al-‘Asqalānī, *Faṭḥ al-Bari bi Syarḥ Ṣaḥīḥ al-Bukhārī*, (Beirut: Dār al-Fikr), it is the explanation of *ḥadīṣ* no. 4677.

يَا مَعْشَرَ الشَّبَابِ عَلَيْكُمْ بِالْبَاءَةِ فَإِنَّهُ أَعْضٌ لِلْبَصْرِ وَأَحْصَى لِلْفَرْجِ فَمَنْ لَمْ يَسْتَطِعْ مِنْكُمْ الْبَاءَةَ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّ الصَّوْمَ لَهُ وَجَاءٌ

⁷Anthony Giddens, Mitchell Duneier, & Richard Appelbaum, *Introduction to sociology*, sixth Edition, (New York: W. W. Norton & Company, Inc, 2007), p. 477.

⁸Bambang Sugiharto, “Posisi Ruh dalam Peradaban Modern”, *Spiritualitas dan Realitas Kebudayaan Kontemporer*, (Yogyakarta: JALASUTRA, 2007), p. 5-6.

By that paradigm, everything has to be measured logically and far from spiritual aspect. Like the way modern society is questioning marriage. They ask about the relevancy of family life, based on marriage, for modern life. Why do people have to get married? Whereas it cannot assure them to get happiness and pleasure as they want. They think that people also can get such happiness and pleasure like marriage without getting married.⁹ This thought leads modern society choosing cohabitation better than marriage. They even reject marriage and choose to live single or to have other alternatives matrimonial relationship, such as cohabitation¹⁰ or even gay-parent families.

Heterosexual cohabitation has become a common phenomenon in industrialized societies across the world.¹¹ Cohabitation seems done for many reasons. Many people cohabit as the preparation before their marriage, and many other because of poverty or even only for sexual pleasure.

Marriage is absolutely different with cohabitation. Cohabitation is seen by society and partners as a temporary arrangement. It is perceived as more sexually open to others.¹² Cohabitation couple does not need to register marriage only to legalize sexual intercourse and other matters around marriage. This is the problem. However, all religions and country's policies forbid sexual intercourse outside marriage and support registering marriage by fulfilling provisions around it.

Al-Gazālī rejects sexual intercourse outside marriage. Al-Gazālī mentions that sex is acceptable only within the legal relation between a man and a woman, by means marriage. It does not mean that man may be

⁹Nurcholish Madjid, *Masyarakat Religius; Membumikan Nilai-Nilai Islam dalam Kehidupan Masyarakat*, (Jakarta: Paramadina, 2004), p. 71.

¹⁰Cohabitation is living together and having a sexual relationship without being formally married.

¹¹Claire M. Kamp Dush, Catherine L. Cohan, and Paul R. Amato, "The Relationship Between Cohabitation and Marital Quality and Stability: Change Across Cohorts?", *Journal of Marriage and Family*, ed. 65, (University Park: The Pennsylvania State University, 2003), p. 539.

¹²David H. Olson & John DeFrain, *Marriage & Families: Intimacy, Diversity, and Strengths*, (San Francisco: The McGraw-Hill Companies, t.th), p. 16.

inordinately concerned with sexual enjoyment. This attitude reflects enslavement to passion and may incite them to transgress the religious law and commit fornication¹³. Marriage helps human to guard against possible acts of fornication and cures them from diseases which might otherwise affect the body. Therefore sexual intercourse must be satisfied under the guidance, not only of the religious law, but of reason as well.¹⁴

In Islamic jurisprudence (*fiqh*), marriage is defined as a contract between man and woman by fulfilling certain pillars and conditions. According to Wahbah az-Zuhaili, marriage is a contract which allowing man does *waṭi* or *al-istimtā'* (sexual intercourse) with woman, and together with her as long as she is not forbidden woman, either caused by family line or suckle on one mother (*raḍā'ah*).¹⁵ It means marriage contract gives opportunity to do something which is forbidden before.

But then, another problem arises. Unregistered marriage (*nikah sirri*) becomes a trend nowadays. It is different with cohabitation. Unregistered marriage couples have religious legalization for their relationship, but they do not register their marriage in government administration. Unregistered marriage may cause for many reasons as well. It may be done to avoid any sexual acts outside marriage, it may also because poverty, or even only to legalize sexual intercourse.

Unregistered marriage becomes a hot topic on 2010 in Indonesia. It begins when the government gives criminal sanction for the subject of unregistered marriage in material of *Rancangan Undang-Undang (RUU) Hukum Materiil Peradilan Agama* on Marriage sector. The reason is because unregistered marriage gives bad impact for social life, especially

¹³Fornication is sexual acts outside marriage. In Islamic literature it is called as *zinā*. Sexual intercourse between a man and woman who are not married, or any form of sexual behavior considered to be immoral according to religion.

¹⁴Mohamed Ahmed Sherif, *Ghazali's Theory of Virtue*, (Albany: State University of New York Press, 1975), p. 61-62.

¹⁵Wahbah az-Zuhaili, *al-Fiqh al-Islām Wa Adillatuhū*, Juz 7, (Damsyiq: Dār al-Fikr, 1989), p. 29

for wife if they are getting divorce, and also the children legitimation in social life because they are not registered in government administration.¹⁶

It is true that marriage allows human to satisfy the urgent desire impulse. When a couple has sexual intercourse outside marriage, it would be a problem not only personal problem, but also health, psychological, and social problem.¹⁷ That is why legalizing relationship, by marriage, is highly recommended by Islam.

Prophet Muhammad SAW advised marriage by saying:

عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ، قَالَ خَرَجْنَا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَنَحْنُ شَبَابٌ لَا نَقْدِرُ عَلَى شَيْءٍ فَقَالَ " يَا مَعْشَرَ الشَّبَابِ عَلَيْكُمْ بِالْبَاءَةِ فَإِنَّهُ أَعْضٌ لِلْبَصْرِ وَأَخْصَنُ لِلْفَرْجِ فَمَنْ لَمْ يَسْتَطِعْ مِنْكُمْ الْبَاءَةَ فَعَلَيْهِ بِالصَّوْمِ فَإِنَّ الصَّوْمَ لَهُ وَجَاءٌ " . قَالَ أَبُو عِيسَى هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ¹⁸ .

"Abdullāh b. Mas'ūd narrated: 'We went with Allah's Messenger, while we were young men who had nothing. He said: 'O young men! You should marry, for indeed it helps in lowering the gaze and protecting the private parts. Whoever among you is not able to marry, then let him fast, for indeed fasting will diminish his sexual desire.'"

Marriage is not only unifying between a man and a woman physically, but also unifying them as a whole (physical, rational, psychological, and spiritual). In millions years of evolution, the nature has developed auto-poiesis (self-creation) of human skill which causes human not only can live with food and material, but also with meaning and

¹⁶Erdi Taufik, "Mempidana Pelaku Nikah Siri atau Pelacuran?", *Liputan 6*, <http://liputan6.com/news/read/264693/mempidana-Pelaku-Nikah-Siri-atau-Pelacuran>, Accessed on 27/8/2011. See also Suara Merdeka, Kompas, and other Mass Media on February, 2010.

¹⁷Antonius Atoshoki, *Relasi Dengan Sesama*, (Jakarta: PT Elex Media Komputindo, 2002), p. 15.

¹⁸Muhammad b. Isā b. Saurah At-Tirmizī, *Al-Jami' aṣ-Ṣaḥīḥ wa huwa sunan al-Tirmizī*, Juz 3, (Beirut: Dār al-Kutub al-'Ilmiyyah, t.th), p. 392.

value.¹⁹ By this statement, people cannot reach happiness and serenity by only fulfilling their material needs, by means physical needs. They also have to fulfill their spiritual needs. That is why marriage is also should be based on the spiritual affinity, so that married couple can complete the deficiency of each other to achieve the purpose of human creation, which is to worship Allah.

Allah says:

﴿٥٦﴾ وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ²⁰

“I have only created Jinns and men, that they may serve Me.”

This statement is supported by *Undang-Undang Republik Indonesia* (The Laws of Indonesia) No.1 Section 1 in 1974 about marriage. In explaining the definition of marriage, it mentions that marriage is physical and spiritual bonding between a man and a woman as spouse with the aim to build a happy and permanent family or household based on the provisions of God the Almighty.²¹

Talking about the purpose of marriage, al-Gazālī mentioned five advantages of marriage. By getting married, according to him, people can gain some benefits such as procreation, satisfying sexual desire, ordering the household, providing companionship, and disciplining the self in striving to sustain them.²²

It cannot be denied that some people make one or more of those advantages as their goal of marriage. Actually, the purpose of marriage is not merely to release the passions and getting sexual pleasures with couples. As a result of these intentions will produce worldly deeds.²³ So it needs to understand the nature and purpose of the actual marriage. So that

¹⁹Bambang Sugiharto, “Posisi Ruh dalam Peradaban Modern”, *Spiritualitas dan Realitas Kebudayaan Kontemporer*, (Yogyakarta: JALASUTRA, 2007), p. 7.

²⁰QS. Az-Zāriyāt [51]: 56.

²¹Dewan Perwakilan Rakyat Republik Indonesia, “Undang-Undang Perkawinan”, <http://www.dpr.go.id/id/undang-undang/1974/1/uu/PERKAWINAN>, accessed on 16/03/2013.

²²Al-Gazālī, *Iḥyā’ ‘Ulūm ad-Dīn*, Juz 2, (Semarang: Karya Thoha Putra, t.th), p. 25.

²³*Ibid.*, p. 37.

the practice produced is not only a worldly deed (*duniawiyah*), but also the hereafter deed (*ukhrawiyah*).

Marriage is not only talking about social contract which only can be approached with social view, but also with transcendental view. Marriage has transcendental dimension which can be approached with *taṣawwuf* perspective. Both perspectives, social and transcendental, have been arranged by Islam in *fiqh* and *taṣawwuf*. Al-Gazālī is appropriate with it because he combines both perspectives in his works.

Some ascetic people believe that marriage is such kind of barrier which makes them difficult to union with God, because everything around marriage is closer to worldliness and it what may cause them being far from God. Regarding this issue, al-Gazālī's said that marriage is a starting point of spiritual exercise to get closer with Allah.

From the explanation above, the researcher is interested in examining how al-Gazālī thinks about the virtue of marriage in *taṣawwuf* perspective. Al-Gazālī is a scholar which collaborating Islamic jurisprudence (*fiqh*) with Sufism (*taṣawwuf*). The researcher believes that al-Gazālī can explain the relevance of marriage's virtue in modern lifestyle. So the concept of al-Gazālī is compatible with modern civilization.

B. Research Questions

Regarding the study, problems that may come around are:

1. What is the virtue of marriage according to al-Gazālī?
2. What is the relevance of marriage's virtue in modern life?

C. Aims and Significances of Research

The significances of this research are:

1. To know the virtue of marriage according to al-Gazālī.
2. To know the relevance of marriage's virtue in modern life.

D. Prior Research

In explaining the virtue of marriage in *taṣawwuf* perspective (an analysis study of al-Gazālī's thought), the writer submits literature reviews which are used as references of this research, some of them are:

1. A book entitled *Pengantin Alquran*, written by M. Quraish Shihab in 2010. It mentions that the purpose of marriage, which is most expected by Allah and His Messenger, is reaching dynamic serenity, or in the terms of Qur'an called as *sakīnah*. This book contains advices that can be used as a reference by any husband and wife to get *sakīnah* in their family life.
2. A dissertation entitled *Marriage and Celibacy in Mediaeval Islam: a Study of Ghazali's Kitāb Ādāb Al-Nikāh*, written by Beatrix Immenkamp from Arabic and Islamic Studies program, Oriental Studies Faculty of Cambridge University in 1994. This research generally mentions about the religious debate in medieval Islam. It particularly discusses on controversy of the merits of marriage and celibacy. It is a comparative study between al-Gazālī's and al-Makki's thought related to that issues. This study exactly discusses that marriage is a choice. If it would give ones happiness and good effect in getting closer unto Allah, so getting married is good choice. But if it would not, not getting married is better. This study also discusses about marriage and divorce in Islamic law, and the characteristics of ideal marriage.
3. A thesis entitled *Al-Gazālī and Soul: Comparative Context and Paradigms*, written by Noor Shakirah Mat Akhir from Department of Arabic and Middle Eastern Studies program of Leeds University in 2000. This research is such kind of comparative research which compares al-Gazālī's thought in his two masterpieces, *Iḥyā' 'Ulūm ad-Dīn* and *al-Munqiz Min ad-Dalāl*. It mentions al-Gazālī's thought

and its background, including his thought in Sufism, philosophy, '*ilm al-kalām*, concept of personality, and theory of soul.

4. A book written by Mohamed Ahmed Sherif in 1975 entitled *Ghazali's Theory of Virtues*, mentions about general virtues concept of al-Gazālī's thought, including philosophical, religious-legal, and mystical virtues.

After reviewing those books, there are a few points that have not been met by researcher on those references. The researcher finds that those books are not talking about the virtue of marriage and its relevancy in modern lifestyle. The researcher would discuss about those points according to al-Gazālī.

E. Methodology of Research

This study is qualitative research which uses literature approach (Library Research) by focusing on the study of al-Gazālī's thought about the virtue of marriage in *taṣawwuf* perspective.

1. Method of Collecting Data

This study is library research which is used documentation as the method of collecting data. The object of this research is al-Gazālī's thought about the virtue of marriage in *taṣawwuf* perspective. This research goal is to collect data and information from every kind of materials in the library, such as books, journals, magazines, documents, notes, and historical narratives, and so on, related to the object of the problem would be examined.²⁴

In this research, the researcher uses primary and secondary sources.

a. Primary sources

This study uses direct source of al-Gazālī's works as the primary source, especially his works in *taṣawwuf*. Those are

²⁴Mardalis, *Metode Penelitian (Suatu Pendekatan Proposal)*, (Jakarta: Bumi Aksara, 1999), p. 28.

Iḥyā' 'Ulūm ad-Dīn, Kimiyā as-Sa'ādah, Mukāsyafah al-Qulūb,
and *Arba'in fī Uṣūl ad-Dīn.*

b. Secondary sources

The secondary sources are other works relate to this study, such as the work of Mohamed Ahmed Sherif by the title Ghazali's Theory of Virtue, the work of Beatrix Immenkamp entitled Marriage And Celibacy In Mediaeval Islam: A Study Of Ghazali's *Kitāb Ādāb Al-Nikāḥ*, and so on.

2. Method of Data Analysis

Method of data analysis that will be used is content analysis approach, a systematic technique useful for analyzing and understanding collections of text. The researcher will classify and interpret to compile al-Gazālī's thought about the virtue of marriage. This analysis is done to reveal the content of book which describes its author and his environmental condition on the time when he wrote that book.²⁵

F. Writing Systematic

Overall, the writing systematic of this research is divided into five:

Chapter I, this chapter is a group of foreword of the research, consists of background, research questions, aims and significances of research, literatures review, methodology of research, and writing systematic.

Chapter II, this chapter is discussing about marriage in social life. It is also containing definition of marriage, its advantage and disadvantage, marriage in Islamic jurisprudence (*fiqh*), and the virtue of marriage.

Chapter III, this chapter is the discussion around biography of al-Gazālī, including his educations, works, and conceptual background related to the study. This chapter also discusses his thought about marriage, the advantages and disadvantages of marriage, and the ethics of marriage.

²⁵Hadari Nawawi, *Metode Penelitian Bidang Sosial*, (Yogyakarta: Gadjah Mada University Press, 1998), p. 68.

Chapter IV contains analysis of al-Gazālī's thought about the virtue of marriage in *taṣawwuf* perspective. It is containing the virtue of marriage according to al-Gazālī, and its relevancy in modern life.

Chapter V is the closing chapter, consists of conclusions and suggestions.