



## Religiosity to Strengthen Marital Relations Perspectives on Family Law Interpretation

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### Abstrak

#### Keywords:

*Divorce; Eternity  
(Sakinah);  
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Factor *FROM* or religiosity in married life does not/has not received adequate attention in Muslim society, especially in this modern, material-driven era. In choosing a partner, religiosity is often not the main basis. In carrying out a marriage, the aspect of a couple's religiosity is often not as much an issue as the material aspects which are considered so important. This neglect causes marriages to be far from the essence of marriage in Islam and experience various disorientations. This research aims to reaffirm religiosity as the main factor in Islamic marriage. This research uses qualitative methods whose data is obtained from library materials. The data analysis uses the family law interpretation method with a content analysis method approach. This research concludes that religiosity is the main basis for marriage, both in the early stages of marriage and during the process (QS. al-Rum [30]: 21). At least, religiosity in marriage has two main functions. First, as the main element for trust so that the possibility of marriage continuity is greater. Second, as the main support so that marriage does not experience disorientation in various forms. Such as marrying an animal, marrying a robot, marrying the same sex, and so on. All of this is a form of marital disorientation because it is not in accordance with the marriage referred to in the hadith of the Prophet SAW; "*Marriage is my sunnah, whoever doesn't like my sunnah is not my group.*"

### INTRODUCTION

Marriage is called QS. al-Nisa' [4]: 21 as 'a very strong bond (*mitsaq ghalizh*).<sup>1</sup> What this means, according to Wahbah al-Zuhaili, is a firm promise that binds men and women with bonds that are so strong and sturdy. However, even though this is strong, it does not mean that a marriage bond will never be broken and will last forever. Therefore, al-Zuhaili feels the need to add that this 'solidity' is in line with Allah's command (QS. al-Baqarah [2]: 229) to maintain a good marriage (*imsakun bi ma'ruf*) and ended it well (*tasrih bi ihsan*).<sup>2</sup> Thus, both marriage and divorce, both must be done in a good way.<sup>3</sup>

However, divorce in Islam is not an easy and light matter. This can be understood from several things; the Qur'anic expression that refers to marriage as *mitsaq ghalizh*, There is pre-marital education conveyed by the Prophet SAW which can be seen as an effort to prepare a strong and lasting marriage relationship and understand *sakinah* as a basic/fundamental cause for the emergence, solidity, and sustainability of marital relations. With all this, it is hoped that a marriage relationship with good quality

<sup>1</sup> Habib Shulton Asnawi dan M. Anwar Nawawi, *Hegemoni Patriarkhisme Hak Keadilan Perempuan Dalam Undang-Undang Perkawinan Di Indonesia* (Yogyakarta: The Journal Publishing, 2022) <<http://thejournalish.com/ojs/index.php/books/article/view/358>>.

<sup>2</sup> Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 4 (Beirut: Dar al-Fikr, 1991), 300.

<sup>3</sup> Intan Pelangi and others, 'The Misyar Marriage and Family Law Reform in Indonesia', *Smart: Journal of Sharia, Tradition and Modernity*, 3.1 (2023), 16–27 <<http://ejournal.radenintan.ac.id/index.php/smart/article/view/16977/6537>>.

relationships will be realized.<sup>4</sup> In Ibn Hazm's view, marriage is one *sunatullah* which applies to all of God's creatures, whether humans, animals, or plants. Theoretically, he provides an illustration that a contract or agreement which contains the intention of allowing sexual relations using the lafadz na-ka-ha or za-wa-ja is a form of marriage<sup>5</sup>. The Shafi'i scholars look at the essence of the contract when it is connected to the life of husband and wife which applies afterward, namely that they are allowed to associate, whereas before the agreement takes place, they are not permitted to associate.<sup>6</sup>

Marriage according to Islamic law is a very strong contract or *mitsaaqan gholiidhan* to obey Allah's commands and carry them out is worship. Islam recommends and encourages marriage with conditions that have been regulated in such a way because it will bring positive results that are very beneficial both for the perpetrators themselves, for everyone in society and for society.<sup>7</sup> In life, humans need peace and tranquility to live. Calmness and tranquility to achieve happiness. Community happiness can be achieved by having peace and tranquility for every member of the family. The family, which is part of society, is the most important factor in determining the calm and tranquility of society. Family peace and tranquility depends on the success of harmonious development between husband and wife in a household. Harmony is created by the awareness of family members in exercising their rights and fulfilling their obligations.

One study state that individuals with good relationship quality show better mental health than individuals with poor relationship quality or no relationship. Additionally, individuals with poor relationship quality performed significantly worse on all mental health scales.<sup>8</sup> Thus, a strong marital relationship is really needed and is a realization of the good relationship of a marriage itself.<sup>9</sup> Meanwhile, a good marital relationship is determined by the quality of the trust that exists within it. Furthermore, this paper aims to emphasize that religiosity (*from*) is the main factor in the formation of confidence.

There are several research results like this study, including Silviawati Kisiyanto's research with the title Financial Relations, Conflict Resolution, and Marital Satisfaction in Marriages of Ten Years and Under. This research shows that there is no relationship between conflict resolution and marital satisfaction by controlling financial relationships. The next research is entitled How Husband-Wife Relationships Are Unequal in the Profession: Impact on Family Harmony. Dadang Jaya said that harmony is maintained and does not lead to divorce even with only one relationship or one partner.<sup>10</sup>

Starting from the explanation above, the differences and similarities in these studies can be analyzed. This research has similarities, including discussing relationship problems in marriage. However, the previous researchers mentioned above focused their research on the practical stage so that the research method used was case studies. At least, religiosity in marriage has two main functions. First, as the main element for trust so that the possibility of marriage continuity is greater. Second, as the main support so that marriage does not experience disorientation in various forms. Such as marrying an animal, marrying a robot, marrying the same sex, and so on.

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<sup>4</sup> Agus Hermanto and Habib Ismail, 'Kritik Pemikiran Feminis Terhadap Hak Dan Kewajiban Suami Isteri Perspektif Hukum Keluarga Islam', *JIL: Journal of Islamic Law*, 1.2 (2020), 182–99.

<sup>5</sup> Ibnu Hazm, *Al-Muhalla*, (Mesir: Mathba'ah Al-Jumhuriya Al-Arabiya, 1970), 97

<sup>6</sup> Abdur Rahman, *Kompilasi Hukum Islam Di Indonesia*, (Bekasi: Akademika Pressindo), 37

<sup>7</sup> Padlan Padil Simamora, Dinda Difia Madina, and Muhammad Adib Alfarisi, 'Islamic Legal Values in the Angkola Batak Community Marriage Onang-Onang Dance Tradition, Sumatra, Indonesia', *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam*, 8.2 (2023), 227–36.

<sup>8</sup> Pieh C, O'Rourke T, Budimir S, Probst T, "Relationship Quality and Mental Health During COVID-19 Lockdown", *PLoS ONE* no. 15, 11 September (2020) :e0238906: 6, <https://doi.org/10.1371/journal.pone.0238906>.

<sup>9</sup> Habib Shulton Asnawi, *Pernikahan Melalui Telepon Dan Reformasi Hukum Islam Di Indonesia*, *Al-Mazahib: Jurnal Pemikiran Hukum*, 1 June 2012, 1 <<http://ejournal.uin-suka.ac.id/syariah/almazahib/article/view/1347>> [accessed 11 December 2020].

<sup>10</sup> Siti Mahmudah and others, 'Job Stress, Role Expectation Conflict, Co-Worker Support, and Work-Life Balance among Muslimah Scholars: A Study in the Indonesian Historical Women Political Movement Members', *Islamic Guidance and Counseling Journal*, 5.2 (2022), 172–84 <<https://doi.org/10.25217/igcj.v5i2.3000>>.

## RESULTS AND DISCUSSION

### Religiosity and its Role in Marriage

Religiosity has an impact or influence on a person in many ways, including marriage. Research by David C. Dollahite, et al., shows the large role of religiosity in facing difficulties, especially in the context of marriage. This study reports that during times of hardship, transcendent religious experiences are reported; provides relational meaning, increases relational depth, heals relational wounds, and encourages relational action. *Sample* This research interviewed 198 exemplary religious families in America from various religious, ethnic and geographic backgrounds. The sample composition based on religion-ethnicity includes African American Christians (13%), Asian Christians (12%), Catholic and Orthodox Christians (11%), White Evangelical Christians (12%), White Mainline Christians (10%)., Latter Day Saints (LDS, Mormons), (14%), Jews (16%), and Muslims (12%).

Religiosity in this context is not understood at the level of superficial formality but as the extent to which an adherent of a particular religion believes in and respects the founder, God or goddess of the religion concerned, practices the teachings concerned and participates in relevant activities. In this case, religiosity involves someone who is truly religious, not someone who is religious carelessly and just as a formality.<sup>11</sup> In this context, the ritual-extrinsic dimensions of religion are in harmony with a person's spiritual-intrinsic dimensions. So, it can be said that a good and noble religion is able to make a person good and noble.<sup>12</sup>

In the context of Islam, the Prophet PBUH once explained something like the conclusion above. In this regard, the Prophet, peace be upon him, said:

*"Women are married due to four factors: her wealth, her family, her beauty, and her religion (morals). Of all these factors, prioritize the religious factor because it will make you lucky"*<sup>13</sup>

According to the Prophet SAW, there are four things that men often consider when making their choice on a woman who will become their wife. The four factors are wealth, family, beauty, and religiosity. After explaining this, the Prophet then underlined that marriage would bring good luck if the religiosity factor were put forward in making a choice. Each of these four factors certainly has its own charm (*I am tasked with doing this*) in creating togetherness (*azwaj*). In this case, al-Sya'rawi emphasized *Sakinah* as a fundamental reason (*'illah ashliyah*) for marital relations.<sup>14</sup> However, marriage as a normal life is faced with difficulties, so religiosity is considered to have the strongest adhesive power in strengthening and maintaining marital relations so that they do not break up.

In the next discussion, we will explore how religiosity plays its role in the context of marriage. At least, in this case there are two main functions of religiosity: The main element in security and preventing marital disorientation.

#### 1. The Main Element of Faithfulness

##### a. God as Orientation

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<sup>11</sup> Y Anuradha Iddagoda and HHDNP Opatha, "Religiosity: Towards A Conceptualization and An Operationalization", *Sri Lankan Journal of Human Resource Management Vol.7*, No.1, 2017: 62, <http://dr.lib.sjp.ac.lk/handle/123456789/7817>.

<sup>12</sup> M. Anwar Nawawi Habib Shulton A, Fatul Mu'in, 'Hak Perempuan Disabilitas Dalam UU. No. 1 Tahun 1974 Tentang Perkawinan: Perspektif Convention On The Rights Of Persons With Disabilities (CRPD)', *Yurisprudencia: Jurnal Hukum Ekonomi*, 6.2 (2020) <<http://194.31.53.129/index.php/yurisprudencia/article/view/3098>>.

<sup>13</sup> Muhammad ibn Isma'il al-Bukhary, *al-Jami' al-Shabih al-Musnad min Hadits Rasulullah Saw wa Sunanib wa Ayyamih*, Juz 3 (Kairo: Maktabah Salafiyah, 1400 H), 360.

<sup>14</sup> Muhammad Mutawally al-Sya'rawy, *Tafsir al-Sya'rawy*, Jilid 18 (Mesir: Akhyar al-Yaum, t.th), 11.360.

Among the uniqueness of Islam is placing marriage in the context of a relationship with God. This can be seen from several verses found in the Qur'an. Among the verses in question are as follows:

QS. Al-Rum: 21  
وَمِنْ ءَايَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ

*And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy. Indeed, in that are signs for a people who give thought.*

QS. Al-Nisa: 1  
يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

*O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both many men and women. And fear Allah, through whom you ask one another, and the wombs. Indeed, Allah is ever, over you, an Observer.*

In (QS. al-Rum [30]: 21), Allah Swt positions marriage as one of the signs of His power. Therefore, usually 'signs' will show or bring someone to the 'marked', so it is fitting that marriage as a sign of Allah's power will lead husband and wife closer to Allah SWT.<sup>15</sup> Meanwhile, in (QS. al-Nisa' [4]: 1), Allah SWT emphasizes that marital relations should always be framed by devotion to Him. More clearly, this relationship can be illustrated as follows:

Therefore, a marriage relationship that is oriented towards God shows that every time each husband and wife draw closer to God, at the same time it will make the relationship between the two closer and more intimate so that in this case the marriage relationship between the two will become stronger. Drawing closer to God in this context is a form of religiosity, namely as a phenomenon that includes some relevance to traditional institutions (religion) to seek recognition and maintenance of a relationship with the transcendent (God).<sup>16</sup>

## **b. Non-Material Elements**

The Prophet SAW has explained the four main factors in marriage, namely wealth, family, beauty, and religiosity (*from*). So, these four factors can be divided into two categories: material/intrinsic factors (wealth, family, and beauty) and non-material/extrinsic factors (religiosity). If compared, non-material/intrinsic factors have a stronger and more lasting adhesive force than material/extrinsic factors. In other words, religiosity has a greater possibility of strengthening marital relations compared to three other factors, namely wealth, family, and beauty.

## **c. Marriage (World-Afterlife)**

Marriage in Islam is not only oriented to life in this world but also to the afterlife. This is certainly one of the factors that makes marital relations stronger and more secure so that they remain intact, not only in this world, but also in the afterlife. This is understood from QS. al-Thur [52]: 21, which reads:

وَأَمَدَدْنَاهُمْ بِفِكَهَةٍ وَلَحْمٍ مِمَّا يَشْتَهُونَ  
*And those who believed and whose descendants followed them in faith - We will join with them their descendants, and We will not deprive them of anything of their deeds. Every person, for what he earned, is retained.*

<sup>15</sup> Muhammad Mutawally al-Sya'rawy, *Tafsir al-Sya'rawy*, 11.326.

<sup>16</sup> Charles H. Hackney and Glenn S. Sanders, "Religiosity and Mental Health: A Meta-Analysis of Recent Studies" *Journal for the Scientific Study of Religion* Volume 42:1, 12 February (2003), 46, <https://doi.org/10.1111/1468-5906.t01-1-00160>.

Al-Zuhaili mentioned that the believers will be gathered again by Allah SWT together with his family in heaven. This is due to the factor of faith that they both have.<sup>17</sup> The family here includes wife and children.

In (QS. al-Ra'd [13]: 23), this is further emphasized by Allah SWT by mentioning an extended family consisting of ancestors, wives, and descendants.

جَنَّتٌ عَدْنٌ يَدْخُلُونَهَا وَمَنْ صَلَحَ مِنْ آبَائِهِمْ وَأَزْوَاجِهِمْ وَذُرِّيَّتهمُ وَالْمَلَائِكَةُ يَدْخُلُونَ عَلَيْهِمْ مِنْ كُلِّ بَابٍ  
*Gardens of perpetual residence; they will enter them with whoever was righteous among their fathers, their spouses, and their descendants. And the angels will enter upon them from every gate, [saying].*

This verse shows a high degree due to intercession. Expression *wa man shalah* show that lineage alone does not provide any benefit. Nasab will only provide benefits if it is accompanied by pious deeds.<sup>18</sup> Nasab is one of the factors in marriage as is faith and good deeds which are forms of religiosity. From al-Zuhaili's words above, it can be understood that factors *hasab/nasab*, as well as two other factors: *just* and *jamil*, not useful at all without the religiosity factor. Thus, the religiosity factor can perpetuate marital relations from this world to the hereafter.

#### d. Religiosity Symbol of Independence

In the context of marriage, Islam pays great attention to the aspect of independence. In fact, this aspect of independence was emphasized by the Prophet SAW. This is as understood from the following hadith:

"O young men, whoever among you can *ba'ah*, then marry. Because being married can hold your gaze better and take care of your genitals better. And whoever cannot afford it, let him fast because fasting can suppress his lust (as a shield)."<sup>19</sup>

Imam al-Nawawi explained, said *ba'ah* in the above hadith revolves around two meanings, namely the financial ability to undergo marriage and the biological ability to have intimate relations. Al-Nawawi then quotes that the basic meaning of *ba'ah* is 'the place where the camel rests'.<sup>20</sup> Therefore, from this it can be concluded that financial ability is a factor that should not be ignored in marriage. Ignoring it will have implications for the marital relationship itself.

Therefore, when a man chooses a woman as his future wife based on religiosity, not based on her wealth, family, or beauty, then this basically shows the man's independence. Therefore, religiosity here is not just a choice over other factors.

Financial independence makes these men focus on the religiosity factor in making choices. Marriages that are built based on religiosity will in turn make marital relations closer and more secure.

## 2. Main Elements of Preventing Disorientation

There are so many forms of disorientation or deviation from marital practices. However, just to illustrate the role of religiosity in guarding and preventing this disorientation, several case examples will be given below.

### a. Not Married

The Prophet SAW, as the bearer of the Islamic message, also warned about deviations or disorientation in marriage. In this regard, the Prophet SAW said:

"That a group of people from among the Prophet's companions asked his wife about his practices at home. So, some of them said, "I will not marry." Then some others said, "I will not

<sup>17</sup> Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 27, 67.

<sup>18</sup> Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 13, 155.

<sup>19</sup> Muslim ibn al-Hajjaj al-Qusyairy al-Naisabury, *Shabih Muslim al-Musnad al-Shabih al-Mukhtashar min al-Sunan bi Naql al-'Adl an al-'Adl ila Rasulillah*, Jilid 1 (Riyadh: Dar al-Thayyibah, 1426 H), 630.

<sup>20</sup> Muhyi' al-Din ibn Syarf al-Nawawy, *Kitab al-Majmu Syarh al-Muhadzdzab li al-Syairazy*, Juz 17 (Jeddah: Maktabat al-Irsyad, t.th), 201.

eat meat." And some others said, "I will not sleep on my bed." Hearing that speech, the Prophet praised God and flattered Him, then said: "What is wrong with those who say this and that, when I myself pray and also sleep, fast and also break the fast, and I also marry a woman. So, whoever who hates my sunnah, means not from my group."<sup>21</sup>

The above hadith generally talks about the disorientation of worship, one of which is marriage. In this hadith, it is stated that the form of disorientation is abandoning the practice of marriage to worship more focused on God. If a marriage cannot be abandoned for this reason, of course it would be even more inappropriate if it were based on lighter reasons than that.

In this hadith, deviations in marriage (abandoning marriage) were rectified by the Prophet SAW by explaining the practice of true and true religiosity. There is research that suggests that married people enjoy higher levels of emotional well-being than those who are single.<sup>22</sup>

b. **Married to a Robot**

Another form of marital disorientation that can be understood from the above hadith is if marital practices are not in accordance with the guidance exemplified by the Prophet. If Islam has always interpreted marriage as the legality of relationships between human beings, namely men and women, then the practice of marriages that are not between people is part of deviation and disorientation. For example, cases of sexual interaction with digital technology or marrying a robot. This issue is quite widespread, especially in the current era where humans are so close to technological advances (social era 5.0).

Sexual interactions with digital technology occur when the technology itself acts as a sexual interaction partner (for example, sexual interactions with sex robots or with certain media in pornography).<sup>23</sup> One study noted a trend in the development and use of sex dolls in North American and European countries. Among the findings of this study is that heterosexual middle-aged single men use sex dolls and sex robots more than women. Furthermore, this research states that the development of personalized sex technology could push the industry in a new direction.<sup>24</sup> This is proof that this problem is no longer just theoretical but is a challenge that really exists at a practical level.

Some people talk about this kind of disorientation with the 'transformation' of human sexuality because of technological advances along with the development of tools related to sex, such as sex robots. Thus, terms such as posthuman sexuality, digisexuality, and technosexuality emerge, all of which signal the possibility of new understandings of sexual, intimate, and emotional practices. There are 3 examples of cases from this context found in Japan, namely the marriage of a Japanese man with a digital character, a sex doll, and a communicative robot. Historically, this practice is associated with ancient history related to the use of inanimate objects

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<sup>21</sup> Muslim ibn al-Hajjaj al-Qusyairy al-Naisabury, *Shahih Muslim al-Musnad al-Shahih al-Mukhtashar min al-Sunan bi Naql al-'Adl an al-'Adl ila Rasulillah*, Jilid 2 (Kairo: Mathba'at 'Isa al-baby al-halaby, 1347 H), 1020.

<sup>22</sup> Haiyang Yanga and Jingjing Mab, "How an Epidemic Outbreak Impacts Happiness: Factors that Worsen (vs. Protect) Emotional Well-being during the Coronavirus Pandemic", *Psychiatry Research* no. 289, 30 April (2020): 2, <https://doi.org/10.1016/j.psychres.2020.113045>.

<sup>23</sup> Nicola Döring, Nicole Krämer, Veronika Mikhailova, Matthias Brand, Tillmann H. C. Krüger, and Gerhard Vowe, "Sexual Interaction in Digital Contexts and Its Implications for Sexual Health: A Conceptual Analysis", *Frontiers in Psychology* Volume 12, 30 November (2021): 9, <https://doi.org/10.3389/fpsyg.2021.769732>.

<sup>24</sup> Hanson K and Locatelli C, "From Sex Dolls to Sex Robots and Beyond: A Narrative Review of Theoretical and Empirical Research on Human-like and Personified Sex Tech", *Current Sexual Health Reports* 14, 19 Juli 2022): , 1, DOI: 10.1007/s11930-022-00331-0.



which in Japanese are called 'ningyo', which are mostly human in form. There are records of its sexual use dating back to the 18th century.<sup>25</sup>

So, Islamic religiosity will reject this practice because it is seen as a form of disorientation, that is, it is not in line with the guidance of Islam itself.

### c. Same-Sex Marriage

Another form of marital disorientation is same-sex marriage. In Islam, the Qur'an says that this deviant practice has occurred since the time of Prophet Lut. Among other things, this can be found in QS. al-A'raf [7]: 81.

إِنَّكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِّنْ دُونِ النِّسَاءِ ۚ بَلْ أَنْتُمْ قَوْمٌ مُّسْرِفُونَ

*Indeed, you approach men with desire, instead of women. rather, you are a transgressing people."*

Al-Zuhaily explained, the expression 'not to women' in the verse indicates women as a place for normal men to vent their lust, and vice versa. While the expression 'exceeding the limit' shows that their actions are out of the ordinary and reasonable.<sup>26</sup> Thus, Islamic religiosity rejects the idea of same-sex marriage because it is not in line with Islamic principles.

Today, the campaign and promotion of same-sex marriage is quite massive in various areas of life. This is an effort to shift society's view of the practice of same-sex marriage, from unnatural and out of the ordinary to ordinary and normal. In the end, it is hoped that these efforts will receive acceptance from the community.

Related to the above, one study states that government laws can influence individual attitudes, even when these attitudes are deeply entrenched and socially and politically unstable. This was then tested in the case of the legalization of same-sex marriage in America. The study concluded that implicit bias and explicit rejection decreased before the legalization of same sex marriage but decreased at a sharper rate after legalization. Although states that passed laws saw a greater decrease in bias after the law, states that never passed the law showed an increase in antigay bias after the passage of the federal law.<sup>27</sup>

Thus, Islamic religiosity rejects the practice of same-sex marriage because it is out of habit and normality. In Islam, women are a place to vent their lust for normal men, and vice versa. Beyond that, it is seen as something that goes beyond the boundaries or includes forms of marital disorientation.

## CONCLUSION

The fundamental basis for the development of marital relations (*azwaj*) is faithfulness (*Li taskunu ilaiha*). 'Sakinah' is an attraction described by the Prophet Saw as having four things, namely; treasure (*just*), family (*calculator*), beauty (*jamal*), and religiosity (*from*). Of these four things, the Prophet SAW then emphasized the superiority of the attraction (belief) of religiosity compared to the other three factors (*fazhfar bi dzat al-din taribat yadaka*). At least, the superiority of religiosity can be seen in its two main functions. *First*, as the main element of confidence. In this case, it is detailed in several things, namely: (a) divine orientation, (b) as a non-material/intrinsic element so that it is more eternal and truer, (c) world-

<sup>25</sup> Beatriz Yumi Aoki and Takeshi Kimura, "Sexuality and Affection in the Time of Technological Innovation: Artificial Partners in the Japanese Context", *MDPI Religions* 12 (5), 22 April (2021): 1, <https://doi.org/10.3390/rel12050296>.

<sup>26</sup> Wahbah al-Zuhaily, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 8 (Beirut: Dar al-Fikr, 1991), 283.

<sup>27</sup> Eugene K. Ofosua, Michelle K. Chambersb, Jacqueline M. Chenc, and Eric Hehman, "Same-sex marriage legalization associated with reduced implicit and explicit antigay bias", *Proceedings of the National Academy of Sciences (PNAS) of the United States of America* Vol. 116, 30 April (2019): 8849-8850, DOI: 10.1073/pnas.1806000116.

afterlife orientation, and (d) a symbol of independence. *Second*, as the main element in preventing all forms of marital disorientation. By closing the door to disorientation, it is hoped that marital relations will become more solid.

## REFERENSI

- Asnawi, Habib Shulton, *Pernikahan Melalui Telepon Dan Reformasi Hukum Islam Di Indonesia*, *Al-Mazahib: Jurnal Pemikiran Hukum*, 1 June 2012, 1 <<http://ejournal.uin-suka.ac.id/syariah/almazahib/article/view/1347>> [accessed 11 December 2020]
- Habib Shulton A, Fatul Mu'in, M. Anwar Nawawi, 'Hak Perempuan Disabilitas Dalam UU. No. 1 Tahun 1974 Tentang Perkawinan: Perspektif Convention On The Rights Of Persons With Disabilities (CRPD)', *Yurisprudencia: Jurnal Hukum Ekonomi*, 6.2 (2020) <<http://194.31.53.129/index.php/yurisprudencia/article/view/3098>>
- Habib Shulton Asnawi dan M. Anwar Nawawi, *Hegemoni Patriarkhisme Hak Keadilan Perempuan Dalam Undang-Undang Perkawinan Di Indonesia* (Yogyakarta: The Journal Publishing, 2022) <<http://thejournalish.com/ojs/index.php/books/article/view/358>>
- Hermanto, Agus, and Habib Ismail, 'Kritik Pemikiran Feminis Terhadap Hak Dan Kewajiban Suami Istri Perspektif Hukum Keluarga Islam', *JIL: Journal of Islamic Law*, 1.2 (2020), 182–99
- Mahmudah, Siti, Sadari Sadari, Ummah Karimah, and Habib Shulton Asnawi, 'Job Stress, Role Expectation Conflict, Co-Worker Support, and Work-Life Balance among Muslimah Scholars: A Study in the Indonesian Historical Women Political Movement Members', *Islamic Guidance and Counseling Journal*, 5.2 (2022), 172–84 <<https://doi.org/10.25217/igcj.v5i2.3000>>
- Pelangi, Intan, Nitaria Angkasa, Prima Angkupi, and Syamsul Arifin, 'The Misyar Marriage and Family Law Reform in Indonesia', *Smart: Journal of Sharia, Tradition and Modernity*, 3.1 (2023), 16–27 <<http://ejournal.radenintan.ac.id/index.php/smart/article/view/16977/6537>>
- Simamora, Padlan Padil, Dinda Difia Madina, and Muhammad Adib Alfarisi, 'Islamic Legal Values in the Angkola Batak Community Marriage Onang-Onang Dance Tradition, Sumatra, Indonesia', *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam*, 8.2 (2023), 227–36
- Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 4 (Beirut: Dar al-Fikr, 1991)
- Pieh C, O'Rourke T, Budimir S, Probst T, "Relationship Quality and Mental Health During COVID-19 Lockdown", *PLoS ONE* no. 15, 11 September (2020) :e0238906: 6, <<https://doi.org/10.1371/journal.pone.0238906>>.
- Y Anuradha Iddagoda and HHDNP Opatha, "Religiosity: Towards A Conceptualization and An Operationalization", *Sri Lankan Journal of Human Resource Management Vol.7*, No.1, 2017: 62, <<http://dr.lib.sjp.ac.lk/handle/123456789/7817>>.
- Muhammad ibn Isma'il al-Bukhary, *al-Jami' al-Shahih al-Musnad min Hadits Rasulullah Saw wa Sunanib wa Ayyamih*, Juz 3 (Kairo: Maktabah Salafiyah, 1400 H)
- Muhammad Mutawally al-Sya'rawi, *Tafsir al-Sya'rawi*, Jilid 18 (Mesir: Akhyar al-Yaum, t.th)
- Muhammad Mutawally al-Sya'rawi, *Tafsir al-Sya'rawi*
- Charles H. Hackney and Glenn S. Sanders, "Religiosity and Mental Health: A Meta-Analysis of Recent Studies" *Journal for the Scientific Study of Religion Volume 42:1*, 12 February (2003), 46, <<https://doi.org/10.1111/1468-5906.t01-1-00160>>.
- Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 27
- Wahbah al-Zuhaili, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 13
- Muslim ibn al-Hajjaj al-Qusyairy al-Naisabury, *Shahih Muslim al-Musnad al-Shahih al-*



*Mukhtashar min al-Sunan bi Naql al-'Adl an al-'Adl ila Rasulillah*, Jilid 1 (Riyadh: Dar al-Thayyibah, 1426 H)

Muhyi' al-Din ibn Syarf al-Nawawy, *Kitab al-Majmu Syarh al-Muhadzdzab li al-Syairazy*, Juz 17 (Jeddah: Maktabat al-Irsyad, t.th)

Muslim ibn al-Hajjaj al-Qusyairy al-Naisabury, *Shahih Muslim al-Musnad al-Shahih al-Mukhtashar min al-Sunan bi Naql al-'Adl an al-'Adl ila Rasulillah*, Jilid 2 (Kairo: Mathba'at 'Tsa al-baby al-halaby, 1347 H)

Haiyang Yanga and Jingjing Mab, "How an Epidemic Outbreak Impacts Happiness: Factors that Worsen (vs. Protect) Emotional Well-being during the Coronavirus Pandemic", *Psychiatry Research* no. 289, 30 April (2020): 2, <https://doi.org/10.1016/j.psychres.2020.113045>.

Nicola Döring, Nicole Krämer, Veronika Mikhailova, Matthias Brand, Tillmann H. C. Krüger, and Gerhard Vowe, "Sexual Interaction in Digital Contexts and Its Implications for Sexual Health: A Conceptual Analysis", *Frontiers in Psychology Volume 12*, 30 November (2021): 9, <https://doi.org/10.3389/fpsyg.2021.769732>.

Hanson K and Locatelli C, "From Sex Dolls to Sex Robots and Beyond: A Narrative Review of Theoretical and Empirical Research on Human-like and Personified Sex Tech", *Current Sexual Health Reports* 14, 19 Juli 2022): , 1, DOI: 10.1007/s11930-022-00331-0.

Beatriz Yumi Aoki and Takeshi Kimura, "Sexuality and Affection in the Time of Technological Innovation: Artificial Partners in the Japanese Context", *MDPI Religions* 12 (5), 22 April (2021): 1, <https://doi.org/10.3390/rel12050296>.

Wahbah al-Zuhaily, *al-Tafsir al-Munir fi al-'Aqidah wa al-Syari'ah wa al-Manhaj*, Cet. I, Juz 8 (Beirut: Dar al-Fikr, 1991)

Eugene K. Ofosua, Michelle K. Chambersb, Jacqueline M. Chenc, and Eric Hehman, "Same-sex marriage legalization associated with reduced implicit and explicit antigay bias", *Proceedings of the National Academy of Sciences (PNAS) of the United States of America Vol. 116*, 30 April (2019): 8849-8850, DOI: 10.1073/pnas.1806000116.