



The Relevance of Maqashid Asy-Syariah to the Construction of a Sakinah Family in the Midst of Modernization

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Abstract

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Marriage is a process that has noble goals, in order to build a harmonious, peaceful, happy and prosperous household. But in reality, there are still various problems that arise in family life in this era of globalization. Coupled with the rapid and extensive globalization in various fields such as trade, information and communication technology, social, cultural, religious, legal, political, and other fields. This paper attempts to describe the characteristics of a sakinah family, as well as the problems faced by families, the downstream flow of globalization and modernization, the efforts and hard work in building a sakinah family, and also seeks to instill understanding and application as a form of contributing thoughts and actions related to maqasid ash shari'ah, in building a sakinah family. Related to the method in writing or research is qualitative. Where this research can also be classified in literature review, with a philosophical normative approach. The data sources used are in the form of various explanations related to the formation of a sakinah family and how it correlates with the development of time or modernization and globalization. Then this research also uses a lot of scientific works that are relevant to the main focus of research, namely the concept of *maqasid ash-shariah*. The result of the analysis is that the concept of *maqasid ash-sharia* can be a key in fencing off the flow of change and mobilization which is important to understand in building a maslahat family. Maqasid Sharia is the main foundation in building a sakinah family based on the benefit and welfare of the family, so that their religion, soul, mind, property, and offspring are protected.

INTRODUCTION

A hope in building a household is to find and try to create a happy family^{1,2}, tranquility, serenity, physical and spiritual well-being³. Allah Swt has clearly explained in the Qur'an that a sign of His greatness is to make between them (men and women) pairs⁴, reassuring for some and complementing for others in order to feel peace (*sakinah*)⁵. Then Allah makes and fosters feelings of love, affection (*mawadah and warahmah*)⁶ amongst them. "In such things there are signs (lessons) for those who think." (Ar-Rum

¹Robert A. Cummins, "The Golden Triangle of Happiness: Essential Resources for a Happy Family," *International Journal of Child, Youth and Family Studies* 9, no. 4 (2018): 12–39, <https://doi.org/10.18357/ijcyfs94201818638>.

²Obiorah Mary Jerome, "Detachment as a Prerequisite for a Happy Family: A Study of Genesis 2:24," *Mediterranean Journal of Social Sciences MCSER Publishing* 7, no. 4 (2039): 2039–9340, <https://doi.org/10.5901/mjss.2016.v7n4p>.

³Wan Mohd Yusuf Wan Chik et al., "Pembinaan Keluarga Sejahtera: Analisis Terhadap Prinsip 'Keluarga Bahagia Rakyat Sejahtera' Dalam Transformasi Terengganu Baharu [Building A Happy Family: An Analysis Of The 'Happy Family Happy Nation' Principle In New Terengganu Transformation]," *Journal of Nusantara Studies (JONUS)* 2, no. 2 (2017): 306, <https://doi.org/10.24200/jonus.vol2iss2pp306-318>.

⁴Rosmita Rosmita, Fatimah Sahrah, and Nasaruddin Nasaruddin, "Konsep Keluarga Sakinah Dalam Al-Qur'an Dan Implementasinya Dalam Kehidupan Rumah Tangga," *Bustanul Fuqaha: Jurnal Bidang Hukum Islam* 3, no. 1 (2022): 68–80, <https://doi.org/10.36701/bustanul.v3i1.523>.

⁵Fawait Syaiful Rahman, "Kontekstualisasi Konsep Jodoh Sakinah, Mawadah, Warahmah Dalam Al-Qur'an," *Tafaqqub: Jurnal Penelitian Dan Kajian Keislaman* 8, no. 2 (2020): 197–214.

⁶Fawait Syaiful Rahman.

(21): 21)⁷. In another verse, the Qur'an states that wives are clothing for their husbands, and vice versa, husbands are clothing for their wives (Al-Baqarah (2):187)⁸. So Islam describes that a sign of peace, and the happiness of a family (*sakinah*) is full of love. Allah gives a hint that the characteristics of a *sakinah* family as stated in QS. Ar-Rum 21⁹ which contains three building blocks of life¹⁰; *First, litaskunna ilaiba* which means *sakinah*, tranquility and serenity, mutual love and affection, so that the husband is happy and peaceful¹¹. *Second, mawadah* or mutual love¹², Love is subjective, which is for the benefit of the one who loves. *Third*, mercy is objective affection, which is affection that is the basis for love which will strengthen over time. Love that will be able to survive is with an underlying value of affection¹³. In building a family in reality, it is very important to build a joint commitment. The aim is to give a sense of confidence in the role of each family member in applying their love and affection. On the other hand, there are indeed many problems faced in navigating the household, and sometimes there is no doubt that small problems become big if they are not faced with a big heart and mutual trust in the family. The biggest impact in a household if it does not have the same vision and mission is the disintegration of togetherness that gives birth to divorce or a broken home. The cause can also occur starting from the initial mistake of forming a household or when running a household¹⁴.

The problems and patterns faced in the family are of many kinds and levels. This is in the study of Syarif Hadi Masyah¹⁵ There are many problems, starting with the problem of physical and mental maintenance, differences in views, extended family disputes, infidelity, economics, habits and others. There is also another view that states that the fundamental problem in a family as explained by Mubarak¹⁶ Among them are: difficulty in choosing a mate or difficulty in deciding who to marry, insufficient family economy, differences in character, temperament and personality differences that are too sharp between husband or wife, dissatisfaction in sexual relations, boredom of routine, poor inter-family relations, the presence of a third person, property and inheritance problems, decreased attention from both parties, domination of parents or in-laws, misunderstanding between the two parties, polygamy and divorce.

In addition to the above, according to Mubarak¹⁷ There are factors that become obstacles or diseases that hinder the growth of *sakinah* in the family are: 1. The disintegration of practicing the fundamental value of religion in terms of (*aqidah*). It is still in this level of believing in other mystical powers besides the power of the haqnya Allah SWT. Guidance that is launched in the perpetuity of a household will instead make it even worse and complicated until it is fatal. 2. Food intake that is not *halal*. In this case Islam is very clear that every food that is consumed in the body is supposed to be

⁷Kementrian Agama Republik Indonesia, *Al Qur'an Terjemah Dan Tajwid* (Jakarta Timur: PT. Suara Agung, 2007).

⁸Nizar Atallah Saleh, "Investigation of the Interpretation of Verse 187 of Surat Al-Baqarah: Fasting and the Intimate Relationship between a Husband and Wife," *Dirasat: Human and Social Sciences* 49, no. 2 (2022): 440–50.

⁹Mohammad Fauzan Ni'ami, "Tafsir Kontekstual Tujuan Pernikahan Dalam Surat Ar-Rum:21," *Nizham* 9, no. 1 (2022): 11–23.

¹⁰Amanda Asri Brilliant Latifatul Masruroh, Mujani, "Konsep Bimbingan Keluarga Dalam Perspektif Al-Qur'an Ar Rum Ayat 21," *Counselia; Jurnal Bimbingan Konseling Pendidikan Islam* 3, no. 1 (2022): 1–13, <https://doi.org/10.31943/counselia.v3i1.32>.

¹¹Z Abidin et al., "Dissenting Opinions about the Tafsir of Islamic Law for Early Marriage in Indonesia: 10.2478/Bjlp-2022-007030," *Baltic Journal of Law & ...* 15, no. 7 (2022): 435–57, <https://doi.org/10.2478/bjlp-2022-007030>.

¹²Fawait Syaiful Rahman, "Kontekstualisasi Konsep Jodoh Sakinah, Mawadah, Warahmah Dalam Al-Qur'an."

¹³Agus Riyadi, *Bimbingan Konseling Perkawinan; Dakwah Dalam Membentuk Keluarga Sakinah* (Yogyakarta: Ombak, 2013), 104.

¹⁴Aunur Rahim Faqih, *Bimbingan Konseling Dalam Islam* (Yogyakarta: UII Press, 2001).

¹⁵Syarif Hade Masyah, *Lewati Musibah Raih Kebahagiaan, Mengubah Bencana Menjadi Kekuatan* (Jakarta: Hikmah, 2007).

¹⁶Achmad Mubarak, *Psikologi Keluarga: Dari Keluarga Sakinah Hingga Keluarga Bangsa* (Jakarta: Wahana Aksara Prima, 2009).

¹⁷Achmad Mubarak, *Konseling Agama Teori Dan Kasus* (Jakarta: Bina Rena Pariwara, 2000).

*halal lan toyibban*¹⁸. Because just a piece in the body mixed with something that is not haqnya even from a piece of food will more or less encourage the prohibited act as well (*qith'atul lahmi min al harama haqqu ila an nar*). The meaning in this case is also valuable for material things, which is why it is expected to always keep away from things that are forbidden in Islam. 3. Hedonism, or style with a pattern and arrogance of life that is all about luxury. The Qur'an explains that some of the destruction of a nation or people starts from the element of ujub with luxury and wealth. A tendency to show off a luxurious life will provoke the wrath of Allah Swt, as explained in the Qur'an. (QS Al Isra'; 16)^{19,20}, On the other hand, simplicity should be the bastion of righteousness. Families who have a luxurious lifestyle fall into greed and deviant behavior which ultimately destroys the beauty of family life. 4. Haphazard socializing will also lead to a life that is not maintained. Morals and politeness in daily life will tend to bring things in accordance with how a person's temperament acts. This is why in family life as well as in socializing with the outside world, one must still have integrity and maintain the trust of fellow family members. 5. A person's inability to understand behavior is one of the causes of problems and problems arise. Carelessness and lack of understanding of a matter will inevitably lead to ignorance that is mathematical, logical and there is also social ignorance. Life considerations are not always mathematical and logical, but there are also considerations of social logic and social mathematics. 6. As corridors and markers in guiding the journey, religion places its position as a guide to the human journey. Allah Swt explains a lot of content and guidelines in the Qur'an and is implied in the sunnah of the Prophet Muhammad Saw which is used as a demand for life. People who obey religion even though they are not smart, are guaranteed that their life journey will not deviate and while people who are far from religion are easily deceived by something that promises even though it is an illusion and falsehood. Of the various studies that are relevant to this research, there are several that are felt to be correlated to provide a focused description. Such as the research study "*Muslim family law; maqasid sharia perspective on the basis of compulsory compliance with the marriage law and the compilation of Islamic law*", which explains the maqasid aspect of sharia as a goal in the development of strong, independent and self-sufficient family care. Both the development and preservation of faith and religion, soul, property, reason, and offspring that are in religious studies are conflated with positive law²¹. Then the study in "*reconstruction of the application of sharia and the challenges of democracy in Indonesia*". As a form of polarization and reconstruction of the understanding of Islamic law, the formalization of sharia which is represented by the application of normative values actually increasingly needs to be reviewed. Because whether this is a separate agenda in applying or building the constillation of Islamic law in plural law. And especially as it relates to the concept of a sakinah family and the relationship between maqasid sharia in the era of modernization and democracy, it is necessary to pay attention to the development of increasing the elements and instruments of sharia²². Then the concept and results of ideas in the research "*maqasid al-syariah sakinah family according to quraish shihab in tafsir al-misbab*". Describing that a study of a sakinah family is how to carry out sharia in the concept of maqasid ashariah which will hit during the construction of the compilation of Islamic law. If the process of preserving and developing sharia is good, all efforts will bear fruit with *sakinah, warahmah and mawaddah*²³.

¹⁸Duski Samad, *Keluarga Layar Sentuh* (Padang: PAB Publishing, 2017).

¹⁹Muhammad as-Sayyid Yusuf dan Ahmad Durrah, *Pustaka Pengetahuan Al Qur'an*, n.d.

²⁰Kementrian Agama Republik Indonesia, *Al Qur'an Terjemah Dan Tajwid*.

²¹Nur Rofiq, "HUKUM KELUARGA ISLAM: Perspektif Maqāṣ Id Asy-Syar ī Ah Terhadap Dasar Wajib Patuh Pada Undang-Undang Perkawinan Dan Kompilasi Hukum Islam" 9, no. 2 (2023): 173–93.

²²Zulfadhli, "Rekonstruksi Penerapan Syari'at Islam Dan Tantangan Demokrasi Di Indonesia," *Turast: Jurnal Penelitian Dan Pengabdian* 3, no. 2 (2015): 165–10.

²³Mawardi Dalimunthe, *Maqashid Al- Syari'ah Keluarga Sakinah Menurut Muhammad Quraish Shihab Dalam Tafsir Al-Misbbab*, 2020.

Thus, in this study, apart from the concepts derived from the concept of sharia, it is also necessary to pay attention to the extent to which family protection becomes a filter for family conditions. The application of the concept periodically while adhering to the level of theory but also in this case the family in building *sakinah* needs to be protective of the development and changes of the existing times. Thus, in this research, each sharia concept described in maqasid sharia forms a family building that is aware of the filtration of change. The goal is that the flow of change in this modernization does not erode the concept and application for the creation of a *sakinah* family.

RESULTS AND DISCUSSION

Modernization and its Implications on Family Life

Globalization and modernization were initially limited to the development of an economic concept and market development. Along with these developments, the flow of modernization develops in the joints of life that are more massive and widespread in the body of society. Starting from the development or modernization of law, politics, culture, social, religion and other fields. Economic modernization is marked by the establishment of shopping places that are no longer shabby and disheveled with more arranged and neat in cities and villages. Such behavior needs to be filtered so that consumptive attitudes and behavior do not become a bad culture in the community economy. The flow of cultural modernization also needs careful attention, because the flow of information and globalization will make cultural values and rules increasingly eroded. Cultural globalization more or less if no enrichment is done will change the behavior of the community which then becomes *lataher* towards western and contemporary culture. And finally these attitudes and behaviors become the pride of the community in cultivating this behavior so that it can damage the cultural order of the Indonesian nation.

The current of modernization and globalization in the religious field is also not excluded. If this order is left unchecked with no penetration of the legal order and *fiqh* as a religious law in Islam, it will be able to change the values of sharia law universally. As religious values will be eroded under the pretext of the value of freedom, human rights, religious equality (religious pluralism) by initiating global *fiqh*, theology or *kalam* rules globally and ethics. In addition, globalization in the field of social life has changed the lifestyle both in society and in the family. The culture of society based on mutual help, mutual respect for one another, has faded and changed to prioritize individualistic attitudes.

Likewise, changes in lifestyle, family life patterns in this modernization era began to tend to pursue luxury, egoism. Then the values of mutual cooperation, affection and love in family life between husband and wife, children and parents began to fade. That is why if this is increasingly left unchecked, it will be suspected that communication is no longer unidirectional in the family. The form and ideals of family life which are used as the initial goal is *sakinah* and affection full of love will fade and disappear. Thus, in responding to globalization and modernization, it turns out to invite other differences in perception, namely: 1) Excessive attitude by accepting globalization absolutely. 2) An attitude of total rejection. 3) A moderate attitude by taking advantage of global technological developments but avoiding the negative side by upholding the originality of religious values.

According to Qardhawi²⁴, Our attitude and action as Muslims is to take the best decision with a percentage of benefits that are more than the disadvantages²⁵. Because the flow of modernization, globalization and information development is an impossibility that is rejected by us as humans and individuals. In fact, globalization and modernization have changed the order and values in the life of

²⁴Rashda Diana, "Partisipasi Politik Muslimah Dalam Pandangan Yusuf Qardhawi," *Tsaqafah* 5, no. 2 (2009): 289, <https://doi.org/10.21111/tsaqafah.v5i2.129>.

²⁵Yusuf Qardawi, *Ghairu Al Muslim Fii Mujtama' Al Islami* (Bandung: Mizan, 1994).

society at large. Both political, economic, social, state and nation, for that it is indeed the need for a filter in the face of these flows. Likewise, Muslim communities are required to maintain the integrity of their faith in the face of this modernization. Muslims should not lose their identity by following the flow of modernization which is increasingly complex in its flow. Then the community is expected to maintain the specialty of the original local wisdom of the community. Even more striking are the changes and currents of modernization in the political field. It requires that these currents pass through the corridors of faith for us Muslims living on Indonesian soil. The authentic identity of a shasah rule in Islam needs to be firmly adhered to by Muslims²⁶. Do not let these political currents change our course in religion and nationhood. It is necessary to pay attention to the division of the urgency of the political process to provide a framework for the movement of society periodically and pluralistically.²⁷

To deal with this cultural attack of globalization, we need resilience that is formed in the resilience of the family and the strength of faith that is applied in life. Family is the main base of social life. The fragility of family life leads to the fragility of society. The strength of the family order is the main factor of community resilience. Therefore, Islamic teachings are very concerned about the family order as the Qur'an states: "*guard yourselves and your families from the torment of hellfire*". (QS.At-Tahrim:6)²⁸. However, efforts to understand and enforce Islamic law are a must, and especially enforcement in family life. And of course, in socializing it, it must be wisely, even though it requires its people to submit to all the rules through sharia regulations, because Islam exists to realize certain ideals and goals as well as the wisdom behind the enactment of its laws. In sharia terminology, these ideals, goals and wisdom are known as *maqashid al-syariah*²⁹. Through this kind of deepening, the understanding of Islamic shari'a finds its spirit and substance.

The Urgency of Building a Sakinah Family

The Islamic view in a concept of building a household is the creation of a benefit. This can be felt as a whole by family members including husbands, wives, children and the impact on family life and society. It is so important in creating happiness and love as the goal of a strong household and publishing an implied peaceful society. Then in Islam, biologically and psychologically, the household continues the offspring and makes the offspring obedient to Allah SWT and brings value and progress to society in general.

Then as a form of faith and servitude to Allah, having offspring means doing things which are realizing the will of Allah Swt for the provisions for His servants. Carrying out the sunnah of the Prophet Muhammad Saw in adding followers or encouragement and guidance to get married for Muslims. And the most important thing is when one day the parents are gone and or still in the world their children will send them prayers and pray for their parents. Because in Islam it is strongly believed that if the father or mother dies they expect prayers from their righteous children whether they are women or men. And if this child leaves his parents first, then he will later become an intermediary who can also help his parents in the future³⁰.

²⁶S Sugianto and R Hidayat, "Moderasi Beragama Sebagai Jalan Dakwah Mayoritas Muslim Pada Minoritas Non Muslim," *Jurnal Bimbingan Penyuluhan ...* 3, no. 1 (2021): 23–41, <https://e-journal.metrouniv.ac.id/index.php/JBPI/article/view/3270>.

²⁷Rahmat Hidayat, "Konsep Pendidikan Karakter Dalam Pengembangan Masyarakat Islam (Studi Pemikiran Burhanuddin Al-Zarnuji)," *Alfuad: Jurnal Sosial Keagamaan* 3, no. 2 (2019): 1, <https://doi.org/10.31958/jsk.v3i2.1692>.

²⁸Maktabah al Fatih, *Al Qur'an Mushaf Ar Risalah*, ed. Kementerian Agama Republik Indonesia (Jakarta Indonesia: Maktabah al Fatih Rasyid Media, n.d.).

²⁹Muhyidin Muhyidin, "Maqashid Al-Syari'ah (Tujuan-Tujuan Hukum Islam) Sebagai Pondasi Dasar Pengembangan Hukum," *Gema Keadilan* 6, no. 1 (2019): 13, <https://doi.org/10.14710/gk.6.1.13-32>.

³⁰Haifaa A. Jawad, *Ontitisitas Hak-Hak Perempuan: Perspektif Islam Atas Kesetaraan Gender* (Yogyakarta: Fajar Pustaka Baru, 2002).

In fact, the biggest element of influence is the consequence of carrying out each household function with wisdom and solely expecting the pleasure of Allah SWT. Because as signaled by Allah in QS. ar-Rum; 21 that every man and woman is going to find a peace and happiness that is organized in norms and entirely in the family or household. Regularity and setting their feelings, hearts and minds into a holy bond and concentrating on spreading family happiness with implications for society at large. This is done as a reinforcement for the servants of Nyad with the meaning so that the servant feels peaceful. The creation of a reinforcement in terms of behavior, a feeling of calm, the realization of peace and tranquility in domestic life. That is why a household with calmness and strong commitment among its household members will give birth to calmness in the midst of anxiety, spaciousness in the midst of narrowness, pleasure when there is sadness. Togetherness and mutual assistance in togetherness embody love³¹, feelings of pleasure and mutual love are fundamental to the attachment of husband and wife³².

The characteristics of a *sakinah* family as stated in the Qur'an surat Ar-Rum; 21, which contains three elements that become the building blocks of life as the purpose of marriage in Islam. First, *litaskunuilaiha*³³ which means *sakinah*, tranquility and serenity, mutual love and affection, so that the husband is happy and peaceful. The wife's obligation is to try to calm the husband. Second, *mawaddah* or mutual love³⁴, Love is subjective, which is for the benefit of the one who loves. Thirdly, mercy is objective affection, which is the basis for love. Love gets stronger and stronger over time. Love is only able to survive when the marriage is still new and young, while the affection that dominates love³⁵.

Maqasid al-Syari'ah and its Implication in Building a *Sakinah* Family

Maqasid is the plural form (*jama'*) of *maqsud*.³⁶, sedangkan akarkatanya berasal dari kata verbal *qasada*³⁷, which means toward, aiming, desiring and intentionality³⁸. Meanwhile, the word *maqasid*, according to *al-Afriqi*³⁹, can be interpreted as a goal or several goals, while *ash-shari'ah* is the path to the source of water as a source of life.⁴⁰⁴¹. Therefore, terminologically⁴² *al-maqasid ash-shari'ah* can be interpreted as the objectives of the teachings of Islam or it can also be understood as the objectives of the sharia maker (Allah) in outlining the teachings of Islam⁴³.

needs of various groups. For mujtahids, *maqashid alshariah* is certainly needed in understanding

³¹Hadawiah, "Beda Budaya," *AL-Munzir* 10, no. 2 (2017): 1–16.

³²Dita Verolyn et al., "Pola Komunikasi Interpersonal Dalam Konflik Perkawinan : Studi Pada Pasangan Suami Istri Periode Tahun Awal Di Kota Bengkulu," *Jurnal Hawa: Studi Pengarus Utamaan Gender Dan Anak* 1, no. 6 (2019): 189–200.

³³Hana Rizayanti, Jannatul Husna, and Waharjani, "Polygamy In Minangkabau Tafsir: A Comparative Study Of The Thoughts Of Sulaiman Ar-Rasuli And Buya Hamka," *Kontemplasi: Jurnal Ilmu-Ilmu Ushuluddin* 10, no. 1 (2022): 60–79.

³⁴A. M. Ismatulloh, "Konsep Sakinah, Mawaddah Dan Rahmah Dalam Al-Qur'an (Prespektif Penafsiran Kitab Al-Qur'an Dan Tafsirnya)," *MAZAHIB. Jurnal Pemikiran Hukum Islam* 14, no. 1 (2015): 53–64.

³⁵Agus Riyadi, *Bimbingan Konseling Perkawinan; Dakwah Dalam Membentuk Keluarga Sakinah*.

³⁶Ainul Yakin, "Urgensi Teori Maqashid Al-Syari'ah Dalam Penetapan Hukum Islam Dengan Pendekatan Masalah Mursalah," *At-Turas* 2, no. 1 (2015): 25–44.

³⁷Siska Lis Sulistiani, "Analisis Maqashid Syariah Dalam Pengembangan Hukum Industri Halal Di Indonesia," *Law and Justice* 3, no. 2 (2019): 91–97, <https://doi.org/10.23917/laj.v3i2.7223>.

³⁸Hans Wehr, *A Dictionary of Modern Written Arabic* (London: Mc Donald & Evan Ltd, 1980).

³⁹Ibn Mansur al-Afriqi, *Lisan Al-'Arab* (Bairut: Dar ash-Shadr, n.d.).

⁴⁰Ibnu Manzur, *Lisan Al-'Arab* (Kairo: Dar al hadis, 2003).

⁴¹SULAEMAN SULAEMAN, "Signifikansi Maqashid Asy-Syari'Ah Dalam Hukum Ekonomi Islam," *Diktum: Jurnal Syariah Dan Hukum* 16, no. 1 (2018): 98–117, <https://doi.org/10.35905/diktum.v16i1.524>.

⁴²Muhammad Aziz and Sholikhah Sholikhah, "Metode Penetapan Maqashid Al Syari'ah: Studi Pemikiran Abu Ishaq Al Syatibi," *ULUL ALBAB Jurnal Studi Islam* 14, no. 2 (2013): 160, <https://doi.org/10.18860/ua.v14i2.2655>.

⁴³Wan A.tirah Mahyudin and Romzie Rosman, "Performance of Islamic Banks Based on Maqāṣid Al-Shari'ah: A Systematic Review of Current Research," *Journal of Islamic Accounting and Business Research* 13, no. 4 (2022): 714–35, <https://doi.org/10.1108/JIABR-10-2020-0337>.

the texts of shari'a, in doing *istimbat*⁴⁴, *tarjih*⁴⁵, or *qiyas*⁴⁶. For ordinary people, knowledge of maqashid sharia is no less important. This is because in understanding the wisdom of the law, a person will be more stable in accepting and implementing the rules of sharia which are not only based on understanding the grammar of sharia alone, but especially the practice that is carried out comprehensively and continuously (*istiqomah*)⁴⁷.

The concept of Maqashid al-Syari'ah is a theory of formulating (*istinbat*)⁴⁸ law by making the purpose of the establishment of shara' law as its reference, which in this case the main theme is *maslaah*⁴⁹. As Abdul Wahab Khalaf provides a series of explanations that in understanding the concept of *maqashid al-syari'ah* is as a tool in understanding the editorial of the Qur'an and sunnah. Describe clearly and in detail related to the conflicting rules of evidence (*ta'arud al-adillah*)⁵⁰, and what is very important is to determine a law in a case whose legal provisions are not listed in the Qur'an and sunnah if using semantic (linguistic) studies⁵¹. Syatibi said that the main purpose of the legislator (*Shari'*) is *tabqiq masalih al-halq* (realizing the benefit of creatures)⁵², and that the obligations of shari'ah are intended to preserve the *maqashid shari'ah*⁵³.

That is actually a study of the rules in *maqashid* cannot be separated from *maslahah*. This is because actually from the substance, the form of *al-maqashid ash-shari'ah* is benefit⁵⁴. In line with this, the rules that are born in sharia are not only intended for the sharia itself, but for the common good⁵⁵. In the rules conveyed by Muhammad Abu Zahrah⁵⁶ emphasizes that the most essential purpose of the application of Islamic law (al-Qur'an and sunnah) is to achieve a benefit⁵⁷. Thus, it can be understood that the series of rules that have been outlined by Allah in sharia are to bring humans in a good condition as well as prevent them from things that make them worse. The key word is *maslahah* which means good, where the barometer is sharia.

Reinforced in the view of Ibn al-Qayyim al Jauziyah on the basic principles of Islamic law is actually the wisdom and benefit of mankind both in the world and the hereafter. This benefit lies in equal justice, mercy (compassion and care), welfare and wisdom⁵⁸. All problems that change, from justice to tyranny, mercy turns into violence, prosperity into misery, and wisdom of wisdom into ignorance, then it is all contrary to Islamic sharia. And thus as a centralized turning point Islamic sharia must be put forward in building the ummah to the path of truth and religious fidelity. Ibnal-Qayyim added that a justice of Allah is absolute for each of His servants, the outpouring of mercy that is shared in each of His creation, the preservation of everything that He determined for creatures and wisdom

⁴⁴Aziz and Sholikhah, "Metode Penetapan Maqashid Al Syari'ah: Studi Pemikiran Abu Ishaq Al Syatibi."

⁴⁵Mulyono Jamal, Dan Muhammad, and Abdul Aziz, "Metodologi Istimbath Muhammadiyah Dan Nu: (Kajian Perbandingan Majelis Tarjih Dan Lajnah Bahtsul Masail)," *Ijtihad* 7, no. 2 (2013): 183–202.

⁴⁶Nanda Himmatul Ulya, "Konsep Maslahat Dalam Pandangan Sa'id Ramadhan Al-Buthi," *Jurnal by LAIN Pontianak* 15, no. 1 (2019): 201, <https://core.ac.uk/download/pdf/196255896.pdf>.

⁴⁷Khairuddin Hasballah et al., "Identifying 'Illat through Munasabah in Islamic Law: A Perspective of Imam Al-Ghazali," *Samarah* 5, no. 2 (2021): 598–618, <https://doi.org/10.22373/sjhk.v5i2.10914>.

⁴⁸Aziz and Sholikhah, "Metode Penetapan Maqashid Al Syari'ah: Studi Pemikiran Abu Ishaq Al Syatibi."

⁴⁹Hasballah et al., "Identifying 'Illat through Munasabah in Islamic Law: A Perspective of Imam Al-Ghazali."

⁵⁰Balya Ziaulhaq Achmadin and M. Imamul Muttaqin, "Ta'arudh Al-Adillah: Problem Solving Methods Of Islamic Law," *Ummul Qura : Jurnal Institut Pesantren Sunan Drajat (INSUD) Lamongan* 17, no. 1 (2022): 1–18.

⁵¹Isa Anshori, "Maqashid Al-Syari'ah Sebagai Landasan Etika Global," *Jurnal Hukum Islam* 1, no. 1 (2009).

⁵²Aziz and Sholikhah, "Metode Penetapan Maqashid Al Syari'ah: Studi Pemikiran Abu Ishaq Al Syatibi."

⁵³Muhammad Khalid Mas'ud, *Shatibi's of Islamic Law* (Islamabad: Islamic Research Institute, 1995).

⁵⁴Asafri Jaya Bakri, *Konsep Maqashid Syari'ah Menurut Al Syatibi* (Jakarta: Rajawali Press, 1996).

⁵⁵Zulfadhli, "Rekonstruksi Penerapan Syari'at Islam Dan Tantangan Demokrasi Di Indonesia."

⁵⁶Muhammad Abu Zahrah, *Usul Al-Fiqh* (Mesir: Dar al- Fikr al- 'Arabi, 1985).

⁵⁷Muhammad Badrun, "Mengenal Muhammad Abu Zahrah Sebagai Mufassir," *At-Ta'dib* 6, no. 1 (2011), <https://doi.org/10.21111/at-tadib.v6i1.548>.

⁵⁸Tatang Apendi, "Pemikiran Fiqih Ibn Qayyim Al- Jawziyah," *Jurnal Cemerlang* III, no. 1 (2015): 66–74.

and favor in religion and faith of truth as taught by the Prophet Muhammad Saw. The Islamic sharia is the core value that serves as the foundation in describing as well as demonstrating the divine light for those who are able to see with the eyes of their hearts. Sharia is used as a wasilah and a way to reach a clue in getting guidance, heart medicine, a guide to Allah Swt⁵⁹. Therefore, Islamic sharia is a source of happiness, heart-conditioning, and soul-calming⁶⁰.

The rule of *maslahah* which is always juxtaposed with the concept or path of *al-maqasid ash-shari'ah*, divides the study into two things, namely: First, *maslahah* is absolute⁶¹, meaning that it is not relative or subjective which will make it subject to lusts⁶². Second, *maslahah* is universal (*kulliyah*) and this universality does not contradict some (*juẓ'īyyat*) of it.⁶³ As explained in his rules, Ash-Syatibi stated that in an effort to obtain a complete benefit, it is necessary to prevent things that will cause harm early on through the way by implementing sharia⁶⁴. In another memorization rule is Allah Swt intends for every individual and a servant must and must carry out the Sharia. With the consequences for every individual who carries out the Sharia, he will be free from the bonds of the nafs and only become a servant, in the term Asy-Syatibi *ikhtiyyar*⁶⁵ and not *idhtirari*⁶⁶. Furthermore, *maslahah* can be classified into three parts in hierarchical order, namely *daruriyyat* (necessities / primary), *hajiyyat* (requirements / secondary), and *tahsinīyyat* (beautification / tertiary)⁶⁷.

Due to its specificity in the context of *maslahah daruriyyat* is a matter of mandatory implementation as a form of realization of the benefit of the ukhrawi and worldly dimensions. Asy-Syatibi expressed his view that Allah Swt revealed the sharia (rule of law) aims to create human benefits both in the world and in the hereafter⁷⁰. The main purpose of the provisions of sharia (*maqasid sharia*) is an effort in maintaining the pillars of human welfare. As described in five contexts / *al kulliyat al khamis*, namely; 1) His religion (*hifẓ ad-din*), for example reading the two creeds, performing prayers, zakat, fasting, hajj; 2) His soul (*hifẓ an nafs*) and 3) His mind (*hifẓ al 'aql*), for example food, drink, clothing, shelter, 4) His descendants (*hifẓ an nasl*) and 5) His property (*hifẓ al mal*), for example doing business.

In *maslahah hajiyyat* is something that should exist so that in carrying it out freely and avoid difficulties. The context of this concept needs to be carried out as its function, so that when the flexibility can provide a way that does not lead to damage or death and narrowness / *masyaqqah*. The example given by ash-Syatibi in terms of muamalah in this section is the emergence of several business transactions in *fiqh muamalat*, including *qiradh*, *musaqah*, and greetings.

⁵⁹Unaesah Rahmah dan Yunal Isra Abdul Karim Munthe, Saifuddin Herlambang, Ibnu Haris, M. Khoirul Huda, M. Khalimi, M. Masrur Irsyad, Mujiburrohman, Neneng Maghfiroh, *Meluruskan Pemahaman Hadis Kaum Jihadis*, Yayasan Pengkajian Hadits El-Bukhori (Tangerang Selatan: Yayasan Pengkajian Hadits el-Bukhori, 2017), <http://www.nber.org/papers/w16019>.

⁶⁰Ibnu Qayim Jauziyah al-Abuu 'Abdillaah Syamsuddiin Muhammad Ibn Abii Bakr, *I'laam Al-Muwaqqi'in* (Bairut: der al fikr, 1977).

⁶¹Khodijah Ishak, "Maqashid Syari'ah Dan Maslahah Dalam Ekonomi Dan Bisnis Syari'ah," *Iqtishaduna: Jurnal Ilmiah Ekonomi Kita* 3, no. 1 (2014): 659–72, <http://ejournal.stiesyariahengkalis.ac.id/index.php/iqtishaduna/article/view/44>.

⁶²Muhammad Khalid Mas'ud, *Sbatibi's of Islamic Law*.

⁶³M. Zaki, "Formulasi Standar Maslahah Dalam Hukum Islam (Studi Atas Pemikiran Al- Ghazali Dalam Kitab Al-Mustashfa)," *Al-Risalah; Jurnal Ilmu Syariah Dan Hukum* 13, no. 1 (2013).

⁶⁴Hj. Nur Asiah, "Maslahah Menurut Konsep Imam Al Ghazali," *Diktum: Jurnal Syariah Dan Hukum* 2 18, no. 1 (2020).

⁶⁵Asafri Jaya Bakri, *Konsep Maqashid Syari'ah Menurut Al Syatibi*.

⁶⁶Muhyidin, "Maqashid Al-Syari'ah (Tujuan-Tujuan Hukum Islam) Sebagai Pondasi Dasar Pengembangan Hukum."

⁶⁷Khodijah Ishak, "Maqashid Syari'ah Dan Maslahah Dalam Ekonomi Dan Bisnis Syari'ah."

⁶⁸Ahmad Rivauzi, "Landasan Filosofis Pemikiran Tasawuf Abdurrauf Singkel Tentang Allah, Manusia, Dan Alam," *Jurnal THEOLOGIA* 28, no. 2 (2018): 299–328, <https://doi.org/10.21580/teo.2017.28.2.1451>.

⁶⁹Wardatun Nabilah and Zahratul Hayah, "Filosofi Kemaslahatan Dalam Aksiologi Hukum Islam (Telaah Kitab Maqashid Syariah)," *El-Hekam* 7, no. 1 (2022): 39, <https://doi.org/10.31958/jeh.v7i1.5810>.

⁷⁰Abu Ishaq as-Syatibi, *Al-Muwafaqat Fi Usul as-Syariah, Juẓ II* (Bairut: Dar al Rasyid al hadisah, 2003).

The *tahsiniiyyat maslahah* is something that does not reach the level of the two categories above. Things that fall into the *tahsiniiyyat* category if done will bring perfection in an activity carried out, and if abandoned it will not cause difficulties. Understanding the values and ideas contained in authoritative texts, in this case the Qur'an and as-Sunnah, cannot be separated from an understanding of maqasid sharia. A person who seeks to derivate these values and ideas into the realm of praxis will not have a positive effect and benefit if he cannot internalize *maqasid sharia* in the process. In Islam, building a sakinah family is a *maslahat daruriyyat*. Therefore, every Muslim is obliged to maintain and preserve good relations within the family based on the principles of Islamic law.

As an effort to build a sakinah family by knitting harmonious relationships between husband and wife, keeping away from divorce, and up to the total severance of family ties. According to Dr. Shalih bin Abdullah bin Humaid, the foundations in building a Muslim household include; Believe and fear Allah Swt. The first thing that needs to be held and important in order to save the household is to be firm and firm in faith in Allah Swt and the last day, fear of disobedience, keep yourself and your family away from wrongdoing as well as falsehood and not rush in seeking justification (QS. Ath'Thalaq; 2-3)⁷¹. The Islamic signal in the explanation of Allah's words is to strive to strengthen matters of faith by carrying out iadah seriously at all levels of household members. Indeed, the relationship between husband and wife is not just a momentary worldly relationship, nor lust, but the relationship between husband and wife is a relationship of noble spirit.

As a process of carrying out the sharia in Islam consistently and seriously for a household will give birth to happiness in the hereafter. Starting with treating each other's relationships well and wisely, guarding and maintaining the honor of belief as a household body. Therefore, as a form of realizing this, each family member needs to understand and understand all sides of the household. Indeed, demanding perfection in the household from all family members is a very difficult thing and requires a lot of struggle and commitment in faith. Because with hope is the establishment and creation of perfection of all traits that are far more than just worldly from human reach, but *ukhrawi* in Divine pleasure.

CONCLUSIONS

Issues and problems in every life as an effort to build a family or household will always be accompanied by problems that vary from one period to another. This is indeed then need to get extra attention, especially in an effort to build a family that is *sakinah*, *mawaddah* and *warahmah* need consistent and diligent struggle to believe in the provisions of Allah SWT. As Islam has described happiness in the household is that each individual or married couple and other family members carry out seriously the provisions and laws of Allah through the Prophet Muhammad Saw. Moreover, the family is faced with modernization and globalization of association, information and transformation of fundamental values for family life. The flow of social mobilization is increasingly complex if the family does not get direction or even a protective family, it will gradually be eroded by changes in parenting patterns and family slang patterns, so that indications of leaving the sharia are getting bigger and family security is not well established. Therefore, the concept of maqasid ash sharia is considered to be the key in fencing off the flow of change and mobilization that needs to be considered together. In this way, it has become a necessity that *Maqasid Sharia* is the main foundation in building a sakinah family based on the benefit and welfare of the family, so that their religion, soul, mind, property, and offspring are protected.

⁷¹Kementrian Agama Republik Indonesia, *Al Qur'an Terjemah Dan Tajwid*.

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