



Provisions Before Marriage to Make Indonesian Urban Muslim Families More Resilient: A *al-Maslahah al-Mursalah* Perspective

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Abstract

The implementation of premarital provision has been regulated in Director General of Islamic Community Guidance Regulation No. DJ.II/542 of 2013. This study discusses the effectiveness of premarital provision as a family resilience effort based on the concept of *al-maslahah al-mursalah*, especially at the KUA of the Kepulauan Riau Province. This study uses qualitative research methods in the form of field research. The approach used is empirical and juridical. The sources of data in this study are divided into two categories, namely primary and secondary. The data collection techniques used are observation, interview, and documentation. The results of this study show that the premarital training that took place at the KUA in the Kepulauan Riau Province has not been effective as an effort for family resilience. Based on *al-maslahah al-mursalah*, premarital provision is included in *al-maslahah al-hajiyah* because it is not part of the pillars and conditions of marriage. Premarital training is actually very effective as an effort to maintain family resilience, because with premarital training, it makes perfection for the prospective bride and groom, namely to gain knowledge about marriage for the sake of creating a family *sakinah, mawaddah, and warahmah*.

Keywords: Premarital Provision, Family Resilience, *al-Maslahah al-Mursalah*

Abstrak

Pelaksanaan pembekalan pranikah sudah diatur di dalam peraturan Direktur Jenderal Bimbingan Masyarakat Islam No. DJ.II/542 tahun 2013. Penelitian ini membahas terkait efektivitas pembekalan pranikah sebagai upaya ketahanan keluarga ditinjau berdasarkan konsep *al-maslahah al-mursalah*, khususnya di KUA Provinsi Kepulauan Riau. Penelitian ini menggunakan metode penelitian kualitatif dengan bentuk penelitian lapangan. Adapun pendekatan yang digunakan adalah yuridis empiris. Sumber data pada penelitian ini terbagi kepada dua, yaitu primer dan sekunder. Teknik pengumpulan data yang digunakan adalah; observasi, wawancara, dan dokumentasi. Hasil penelitian ini adalah pembekalan pranikah yang terjadi di KUA Provinsi Kepulauan Riau belum efektif sebagai upaya ketahanan keluarga. Berdasarkan *al-maslahah al-mursalah*, pembekalan pranikah termasuk pada

maṣlahah hajiyyah, karena bukan termasuk bagian dari rukun maupun syarat perkawinan. Pembekalan pranikah sebenarnya sangat efektif sebagai upaya ketahanan keluarga, karena dengan adanya pembekalan pranikah, menjadikan kesempurnaan bagi calon pasangan pengantin yakni untuk memperoleh pengetahuan tentang perkawinan demi terwujudnya keluarga *sakinah, mawaddah, warahmah*.

Kata Kunci: Pembekalan Pranikah, Ketahanan Keluarga, *al-Maslahah al-mursalah*.

Introduction

Every individual definitely wants marriage. Marriage is a real and natural way to achieve peace and satisfaction in life through the husband-and-wife relationship. The main purpose of marriage in Islam is none other than to create a household atmosphere of *sakinah, mawaddah, warahmah*.¹ Creating a family that is *sakinah, mawaddah, warahmah* is the hope and desire of every person who wants or has entered into a marriage. These intentions and hopes are very much in line with the purpose of marriage in Indonesian law, namely to build and create a happy and eternal family.²

Forming a happy and eternal family is a difficult thing if the husband and wife are not equipped with sufficient knowledge in running the household, in order to avoid unwanted divorce cases. One area with a high divorce rate is the Kepulauan Riau.³ In 2021, the total number of divorce cases in the Kepulauan Riau will reach 12,722 cases, consisting of talaq divorces (3,198 cases) and contested divorces (9,524 cases).⁴ This high divorce rate shows that forming an everlasting and happy family is not easy,⁵ especially before marriage husband and wife did not have sufficient provisions for a household, such as skills, knowledge, and physical and psychological readiness.⁶

The high number of divorces has made the government think about establishing a bride grooming program. This premarital provision policy itself has been regulated based on the Regulation of the Director General of Islamic Community Guidance concerning Guidelines for Premarital Administration Number DJ.II/542 of 2013 and based on the Regulation of the Director General of Islamic Community Guidance concerning Courses for prospective brides Number DJ.II/491 of 2009 dated 10 December 2009. The organizers authorized to carry out pre-marital courses and courses for prospective brides were handed over to the Marriage Advisory, Development and Preservation Agency (BP4) located at the KUA.

Based on observations, interviews, and pre-research documentation, researchers consider that in the implementation of premarital training in the Riau Archipelago, there are

¹ Zulfahmi, "Urgensi Penyelenggaraan Kursus Pra Nikah Dan Relevansinya Dengan Esensi Perkawinan (Perspektif Maqashid Asy-Syariah)," *Al Fikra: Jurnal Ilmiah Keislaman* 19, no. 1 (2020), <https://doi.org/10.24014/af.v19.i1.10379>.

² Law no. 1 of 1974 Article 1 or what is more popularly known as the Marriage Law (UUP).

³ Kompas, "Daerah Dengan Angka Perceraian Tertinggi Di Indonesia," n.d., <https://www.kompas.com/tren/read/2022/03/09/062500765/10-daerah-dengan-angka-perceraian-tertinggi-di-indonesia>. accessed on 20 July 2022.

⁴ Kompas, "10 Daerah Dengan Angka Perceraian Tertinggi Di Indonesia".

⁵ Liputan6.com, "Angka Perceraian di Indonesia Terus Naik, Lembaga Perkawinan Tidak Sakral Lagi", diakses pada 10 November 2022, <https://www.liputan6.com/news/read/5073532/angka-perceraian-di-indonesia-terus-naik-lembaga-perkawinan-tidak-lagi-sakral>.

⁶ Siti Djazimah and Muhammad Jihadul Hayat, "Pelaksanaan Kursus Pranikah Di Kota Yogyakarta: Urgentitas, Efektivitas Hukum, Dan Tindakan Sosial," *Al-Ahwal* 11, no. 1 (2018): 59-68., <https://doi.org/10.14421/ahwal.2018.11105>.

several aspects that need to be explored and researched using the perspective of sharia science. The reason for the importance of this research is because there exists gap research or scientific discrepancy, namely the discrepancy between theory and practice. That is, there is a discrepancy between procedure implementation of premarital debriefing with what happened in the field.

One of them is related to the material, so far, the material is only limited to the introduction of marriage. Even though the material that must be conveyed to be understood by the prospective bride and groom includes marriage procedures and procedures, religious knowledge, laws and regulations in the field of marriage and family, rights and obligations of husband and wife in the household, reproductive health, efforts to maintain maternal health during pregnancy, childbirth, the importance of family planning (KB), problems of marriage and their resolution, sharia law on marriage,⁷ family management and psychology of marriage and family.⁸ With the density of material delivered in a very short time, of course the purpose of the stipulation of regulations regarding the implementation of premarital guidance has not achieved the expected aims and objectives. Then this study uses the approach *al-maṣlahah al-mursalah*, given that the absence *naṣ-naṣ syara'* as well as *ijma ulama* which regulates premarital provisions. But premarital provision is important to implement, if premarital provision is not implemented, family resilience will not be achieved, and there will be many marriages that end in divorce.

There is a lot of previous research that talks about marriage, resilience, family and *al-maṣlahah al-mursalah*. as written by Zulfahmi with the title "*Urgensi Penyelenggaraan Kursus Pra Nikah Dan Relevansinya Dengan Esensi Perkawinan (Perspektif Maqashid Asy-Syariah)*". The results of the study stated that in the city of Bogor there are many prospective brides or young people of marriageable age who are not yet married and understand matters related to premarital education such as; *ta'âruf*, *khitbah*, and so forth. Likewise with pre-wedding photos, some even have been married for a long time, but do not understand what it is *thalaq*, *ruju'* and obligations of husband and wife are. Moreover, solving various kinds of problems in family and community life.⁹

As for research that discusses the concept *maṣlahah* is research entitled "*Konsep al Maslahah al Mursalah dalam Perspektif Ekonomi pada Era Revolusi Industri 4.0*" by A. Hadi. Research results are the concept of *masalah mursalah* is not only limited to matters of worship, but also economic issues (*muamalah*). In this case, the issue that will be raised in this paper is regarding the concept of *al-Maslahah al-Mursalah* from the side of the economic business sector in the Industrial Revolution 4.0 era.¹⁰

Within the international scope, there are many studies that are relevant to this research, such as; research conducted by N. Gerodetti;¹¹ group research by A. Keshavarz, H. A.

⁷ "Peraturan Direktur Jenderal Bimbingan Masyarakat Islam Tentang Pedoman Penyelenggaraan Kursus Pranikah Nomor DJ.II/542 Tahun 2013," n.d.

⁸ Regulation of the Director General of Islamic Community Guidance Concerning Guidelines for Organizing Premarital Courses Number DJ.II/542 of 2013.

⁹ Zulfahmi, "Urgensi Penyelenggaraan Kursus Pra Nikah Dan Relevansinya Dengan Esensi Perkawinan (Perspektif Maqashid Asy-Syariah)."

¹⁰ Abdul Hadi, "Konsep al Maslahah al Mursalah Dalam Perspektif Ekonomi Pada Era Revolusi Industri 4.0," *Al Ahkam* 15, no. 2 (2019): 59–68, <https://doi.org/10.37035/ajh.v15i2.2402>.

¹¹ N. Gerodetti, "Rational Subjects, Marriage Counselling and The Conundrums of Eugenics," *Journal of Studies in History and Philosophy of Science* 39, no. 2 (2008): 255–62, <https://doi:10.1016/j.shpsc.2008.03.009>.

Amrgha, and N. 'Melatkhah;¹² G. S. Risch, L. A. Riley, and M. G. Lawler;¹³ J. M. Duncan, M. E. Garrison, & T. S. Killian;¹⁴ and A. B. Sajoo.¹⁵ These studies have provided understanding to parties involved in matters of marriage and premarital provision, such as the Office of Religious Affairs, the Religious Courts, and other government and non-government institutions as well as non-governmental organizations that are concerned with the application of law and creation of justice on how the law is understood and applied by law enforcers.

On this basis, the researcher is interested in researching premarital provision in the Kepulauan Riau as an effort to family resilience in terms of *al-maṣlahah al-mursalāh* as *istinbat* Islamic law. To discuss it, researchers used qualitative research methods¹⁶ in the form of field research.¹⁷ The approach used is juridical-empirical,¹⁸ which examines the applicable legal provisions and what actually happens in society. This research was conducted in the Kepulauan Riau, as was the case in this location, the pre-marriage debriefing was not carried out well, because there were various obstacles in implementing the pre-marriage debriefing. Sources of data in this study are divided into two, namely primary and secondary. The primary data is the regulation of the Director General of Islamic Community Guidance No. DJ.II/542 of 2013 concerning the implementation of pre-marriage provision. Meanwhile, secondary data are books that have correlation and relevance to pre-wedding supplies, namely various scientific writings, journals and the latest research results. Data collection techniques used are; observation, interview, and documentation.¹⁹ While the data analysis techniques are; 1) data collection, 2) data reduction, 3) data presentation, 4) drawing conclusions or verification.²⁰

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- ¹² A. Keshavarz, H. A. Amrgha, and N. Melatkhah, "Effectiveness of Marriage Education Before Marriage Change Irrational Beliefs Girls," *Procedia - Social and Behavioral Sciences* 84 (2013): 520–24, <https://doi.org/10.1016/j.sbspro.2013.06.596>.
- ¹³ G. S. Risch, L. A. Riley, and M. G. Lawler, "Problematic Issues in the Early Years of Marriage: Content for Premarital Education," *Journal of Psychology and Theology* 31, no. 3 (2003): 253–69, <https://doi.org/10.1177/009164710303100310>.
- ¹⁴ J. M. Duncan, M. E. Garrison, and T. S. Killian, "Measuring Family Resilience: Evaluating the Walsh Family Resilience Questionnaire," *The Family Journal*, no. 106648072095664 (2020), <https://doi.org/10.1177/1066480720956641>.
- ¹⁵ A. B. Sajoo, "Negotiating Virtue: Principlism and Maslaha in Muslim Bioethics," *Journal of Religion/Sciences Religieuses* 43, no. 1 (2014): 53–69, <https://doi.org/10.1177/0008429813513234>.
- ¹⁶ Jiahui Luo and Cecilia Ka Yuk Chan, "Qualitative Methods to Assess Intercultural Competence in Higher Education Research: A Systematic Review With Practical Implications," *Educational Research Review* 37 (2022): 100476, <https://doi.org/10.1016/j.edurev.2022.100476>.
- ¹⁷ Megan Nyre-Yu, Robert S. Gutzwiller, and Barrett S. Caldwell, "Observing Cyber Security Incident Response: Qualitative Themes From Field Research," *Journal Indexing and Metrics* 63, no. 1 (2019): 437–41, Sage Journal, <https://doi.org/10.1177/1071181319631016>.
- ¹⁸ Ashari and Geatriana Dewi, "Juridical-Empirical Overview of Prisoners' Guidance Model During the Covid 19 Pandemic in Class IIA Correctional Institution Sumbawa Besar," *Unram Law Review (ULREV)* 6, no. 2 (2022): 1–16, <https://doi.org/10.29303/ulrev.v5i2.188>.
- ¹⁹ Jessica L. Johnson, Donna Adkins, and Sheila Chauvin, "A Review of the Quality Indicators of Rigor in Qualitative Research," *American Journal of Pharmaceutical Education* 84, no. 1 (2020): 7120, <https://doi.org/10.5688/ajpe7120>.
- ²⁰ Tamarinde L. Haven and Leonie Van Grootel, "Preregistering Qualitative Research," *Accountability in Research* 26, no. 3 (2019): 229–44, <https://doi.org/10.1080/08989621.2019.1580147>.

Overview of Premarital Provision

Premarital provision is a process of assisting someone who is going to get married in order to maximize their abilities so that they can optimize the benefits for themselves, their marriage, and society. Premarital provision in another reference is referred to as an activity held for the prospective bride and groom carry out her marriage. The prospective bride and groom come to the counselor to be given advice about married life to convince and adapt to their new life later, namely married life.²¹

Understanding premarital provision in terms is a process of social services provided to both prospective bride and groom or prospective husband/wife before marriage in order to obtain prosperity and happiness in marriage and family life. This understanding at the same time confirms that through premarital provision it is hoped that the bride and groom can have an increased understanding and ability in married life so that family harmony will be formed. Therefore, premarital provision is the provision of assistance in the form of advice, guidance, and direction regarding marriage to prospective husband and wife before the marriage contract or marriage agreement is carried out by an expert (extension).²²

The premarital provision program is carried out to provide knowledge and insight to the prospective bride and groom about family knowledge so that the prospective bride and groom have knowledge, physical and mental readiness to enter the marriage stage to form a *sakinah* family. The requirements for participants are someone who has entered the age of marriage, if there is a couple of prospective brides who have done a marriage ceremony but have not attended pre-marital training, then administrative sanctions will be imposed, namely in the form of withholding the marriage book or temporarily not giving it before the couple takes part in pre-marital training because of the training program. Premarital is very obligatory.²³

The legal basis for enforcing premarital briefing is regulation Number: DJ.II/542 of 2013 concerning Guidelines for Pre-Marriage Courses. Several years later, the Director General of Islamic Community Guidance issued regulation Number: DJ.II/542 of 2013 concerning Guidelines for Pre-Marriage Courses, and this became the most important foundation. the birth of these regulations is a form of government concern for the high number of divorces and cases of domestic violence (KDRT) in Indonesia. Their knowledge of the basics of marriage is still lacking, so the government, in this case the Ministry of Religion, issued regulations regarding courses for prospective brides, namely that prospective brides who want to carry out a marriage will be guided or equipped with basic knowledge and skills about home life beforehand.²⁴

In addition to the regulations above, there is also a Decree of the Director General of Islamic Community Guidance Number 373 of 2017 concerning Technical Guidance for Marriage Guidance for Prospective Brides. A year later the Director General of Islamic Community Guidance issued Decree Number: 379 of 2018 concerning Guidelines for Implementing Pre-Marriage Marriage Provisions for Prospective Brides. Along with this latest regulation, a new term appears in premarital training activities, namely Marriage Guidance activities. The advisory material presented is about building relationships within

²¹ Sumarno, Elizar, and Nurul Ajima Ritonga, "Pembekalan Pranikah Calon Pengantin Mubarakah Hidayatullah Batam," *JURNAL AL MUHARRIK KARIMUN* 2, no. 2 (2022): 40–47.

²² Indira Hanif Asyraq, Asep Kadarisman, and Arry Mustikawan, "Perancangan Buku Edukasi Tentang Pembekalan Pranikah Bagi Dewasa Muda Di Kota Bandung," *eProceedings of Art & Design* 7, no. 2 (2020): 1172–78.

²³ Ainur Rahim Faqih, *Bimbingan Dan Konseling Dalam Islam* (Yogyakarta: UII Press, 2007).

²⁴ Sri Bandiyah, *Sebelum Ijab Kabul, Bekal Untuk Kehidupan Rumah Tangga Yang Bahagia* (Jakarta: Pustaka Alvabet, 2021).

the family and meeting family needs, as well as preparing quality generations. Pre-marital training is carried out with the intention that the bride and groom can achieve happiness and prosperity in life, meaning that through pre-marital training, each prospective bride and groom can know more about the roles and rights and obligations of each, the responsibilities as husband/wife in married life.²⁵

Understanding like this is very important, because it is impossible for a married life (household) to run without problems. At least every life must experience both big and small problems. With this understanding, of course it will help each partner a lot in determining attitudes and actions in dealing with problems so that they do not have a negative impact on household harmony and lead to divorce. So, the purpose of pre-marital training is to prepare the bridal couple to be more prepared and mature and have the ability to deal with problems when married so they can achieve a prosperous and harmonious family.²⁶

Family Resilience in Marriage

Family resilience implies the ability of a family to develop itself to live in harmony, prosperity and happiness both physically and mentally.²⁷ Family resilience is actually a family that is able to manage physical and non-physical resources and respond to challenges faced to achieve the goals of a quality and resilient family as the main foundation for achieving national resilience. including the family's ability to manage resources and problems to achieve well-being. According to Walsh as quoted by Cahyaningtyas,²⁸ family resilience is the ability to survive and adapt to various dynamically changing conditions and have a positive attitude towards various challenges in family life.²⁹

Thus, a family is said to have a high level of family resilience if it fulfills several aspects, namely:³⁰ *First*, physical resilience, namely meeting the needs of food, clothing, housing, education and health. The need for food and clothing means the need for food and drink in order to continue to carry out activities and survive. Likewise with basic human needs for something that can be used or can be used, examples of clothing needs are: clothes, shoes, sandals, bags and accessories. Thus, if all food and clothing needs can be met, then the welfare in the family will increase.³¹

Second, social resilience, which is oriented towards religious values, effective communication, and high family commitment. Religious values in question are the main foundation since the beginning of the family is formed, without an adequate religious foundation the family will not be able to carry out religious functions properly. Because the

²⁵ Djazimah and Hayat, "Pelaksanaan Kursus Pranikah Di Kota Yogyakarta: Urgensitas, Efektivitas Hukum, Dan Tindakan Sosial."

²⁶ Zulfahmi, "Urgensi Penyelenggaraan Kursus Pra Nikah Dan Relevansinya Dengan Esensi Perkawinan (Perspektif Maqashid Asy-Syariah)."

²⁷ Maulana Rezi Ramadhana, "Mempersiapkan Ketahanan Keluarga Selama Adaptasi Kebiasaan Baru Di Masa Pandemi Covid-19," *Jurnal Kependudukan Indonesia*, 2020, 61-68, <https://doi.org/10.14203/jki.v0i0.572>.

²⁸ Anisah Cahyaningtyas, *Pembangunan Ketahanan Keluarga* (Jakarta: CV Lintas Khatulistiwa, 2016).

²⁹ Arditya Prayogi and Muhammad Jauhari, "Bimbingan Perkawinan Calon Pengantin: Upaya Mewujudkan Ketahanan Keluarga Nasional," *Islamic Counseling* 5, no. 2 (2021): 1-17, <https://doi.org/10.29240/jbk.v5i2.3267>.

³⁰ Herien Puspitawati et al., "Relasi Gender, Ketahanan Keluarga Dan Kualitas Pernikahan Pada Keluarga Nelayan Dan Buruh Tani 'Brondol' Bawang Merah," *JURNAL ILMU KELUARGA DAN KONSUMEN* 12, no. 1 (2019): 1-12, <https://doi.org/10.24156/jikk.2019.12.1.1>.

³¹ Kartika Sari Dewi and Adriana Soekandar Ginanjar, "Peranan Faktor-Faktor Interaksional Dalam Perspektif Teori Sistem Keluarga Terhadap Kesejahteraan Keluarga," *Jurnal Psikologi* 18, no. 2 (2019): 245-63, <https://doi.org/10.14710/jp.18.2.245-263>.

purpose of worship is to guide people to the right path. If the family really understands and explores religious teachings, then it is likely that social security will be maintained. Likewise with effective communication, the application of family communication patterns as a form of interaction between parents and children and between family members has implications for the process of children's emotional development.³²

Third, psychological resilience, including the ability to deal with non-physical problems, positive emotional control, positive self-concept, and husband's concern for his wife. The ability to deal with non-physical problems means the ability of family members to manage their emotions so as to produce a positive self-concept and satisfaction with fulfilling needs and achieving family development tasks. The ability to manage emotions and good self-concept is the key in dealing with non-physical family problems (problems that are not related to material things such as misunderstandings, husband and wife conflicts).³³

In addition, there must also be the ability to control emotions positively. Emotional control is very important in human life, especially to reduce the tension that arises due to mounting emotions. Emotions cause hormonal imbalances in the body, and cause psychological tension, especially negative emotions. Good family resilience will have a positive influence on people's lives. A country that has a foundation of family resilience will be able to ward off liberal values that are inconsistent with national identity.³⁴

In Islam, there are several factors behind the weak family resilience, namely; a) weak commitment to Islamic values, b) materialistic attitude of life, c) the development of *jahiliyah* values that can be easily accessed through current technological advances, d) lack of communication between family members, e) weak *tarbiyah 'ailiyyah* (family coaching). Islam teaches to strengthen family resilience. Every religion certainly teaches its adherents to be loyal and obedient to the norms and rules of the religious teachings such as the social and communal values taught by their religion. Religious beliefs will affect attitudes and behavior someone because they are considered very important for life in this world and in the hereafter.³⁵

Al-Maslahah al-Mursalah: Approaches in Islamic Law

al-Maslahah al-Mursalah is one of the methods of *ijtihad* which is a source of argument in the treasury of Islamic law, this method seeks to establish *syara'* law against a legal case on the basis of benefit that is in line with the objectives of the *shari'ah*, but specifically not expressly stated by *nash* in admitting or rejecting it. Meanwhile, if it is done, it is certain that it will bring general benefit and if it is abandoned, it will result in general harm as well.³⁶ As quoted by Fauzul Iman, Muhammad Rasyid Ridla stated that *al-maslahah al-mursalah* is something

³² Retno Wijayanti, Euis Sunarti, and Diah Krisnatuti, "Peran Dukungan Sosial Dan Interaksi Ibu-Anak Dalam Meningkatkan Kesejahteraan Subjektif Remaja Pada Keluarga Orang Tua Bekerja," *JURNAL ILMU KELUARGA DAN KONSUMEN* 13, no. 2 (2020): 125–36, <https://doi.org/10.24156/jikk.2020.13.2.125>.

³³ Dewi and Ginanjar, "Peranan Faktor-Faktor Interaksional Dalam Perspektif Teori Sistem Keluarga Terhadap Kesejahteraan Keluarga."

³⁴ Ramadhana, "Mempersiapkan Ketahanan Keluarga Selama Adaptasi Kebiasaan Baru Di Masa Pandemi Covid-19."

³⁵ Salma Nida, "Konsep Kafa'ah Dan Dampaknya Terhadap Ketahanan Keluarga," *ISTI'DAL" Jurnal Studi Hukum Islam* 9, no. 2 (2022): 1–15, <https://doi.org/10.34001/ijshi.v9i2.4020>.

³⁶ Hadi, "Konsep al Maslahah al Mursalah Dalam Perspektif Ekonomi Pada Era Revolusi Industri 4.0."

that is considered beneficial but there is no legal firmness to realize it and there is also no specific argument that supports or rejects it, so it is called *al-maṣlaḥah al-mursalāh*.³⁷

If seen from the position *al-Maṣlaḥah al-Mursalāh* whether it is a source or proposition in Islamic law, then this is still a difference by the *jumhur mujtahid*, which the scholar states that the sources and arguments of Islamic law itself are mutually agreed upon and there are also legal arguments which different or not agreed. As for the concept *al-Maṣlaḥah al-Mursalāh* is part of the legal argument *al-mukhtalaf* has not been agreed upon by the scholars, it's just that it is still used by some scholars in the framework of making a legal decision which is commonly referred to as the term *reference law*.³⁸

The *ushul* scholars explained that some scholars used other terms in expressing *al-maṣlaḥah al-mursalāh*, like *al-munasib al-mursalāh*, *al-istishlah*, *al-istidlal al-mursalāh*. These terms, although they look the same, have one purpose, each has a different view with different conditions. Every law established on the basis of benefit can be viewed from three aspects, namely:³⁹ *First*, look at the *maṣlaḥah* contained in the case in question. For example, making acta marriage as a complement to the administration of the present marriage contract. Act the marriage has benefits. However, the benefit is not based on arguments that show the importance of making the marriage certificate. The benefit from this point of view is called *al-maṣlaḥah al-mursalāh* (*maṣlaḥah* that is independent of specific arguments), but in line with the general guidelines of Islamic law. *Second*, seeing the nature that is in accordance with the objectives of *syara'*, which requires the existence of a legal provision in order to create a benefit. For example, the marriage certificate contains properties in accordance with the objectives of the *syara'*, among others, to maintain hereditary status. However, the nature of this suitability is not shown by specific arguments. Therefore, from this point of view it is called *al-munasib al-mursalāh* (conformity with the purpose of syariah that is independent of specific syariah proofs). *Third*, looking at the process of determining the law against a *maṣlaḥah* indicated by special propositions. In this case, it is the determination of a case that it is recognized as valid by one of the objectives of the *syara'*. Such a process is called *istishlah* (exploring and establishing a *maṣlaḥah*).

The principles agreed upon by most followers of the sect are those found in jurisprudence. If it is indeed human welfare that is the purpose of shari'a, then it is actually contained in the generality of shari'a and the laws established by God. In the context of worldly benefits connected with *naṣ-naṣ syara'*.⁴⁰ So that the theory of *maṣlaḥah mursalah* will be used to see the extent of the benefits that can be taken from the implementation of pre-marriage supply which is a good activity according to reason with the consideration that it can create good and avoid bad things for humans, where what is good according to reason is also in line with the purpose of syariah.⁴¹

Basically, *maṣlaḥah mursalah* is one of the legal *istinbat* methods to emphasize the benefits aspect in decision making, Imam Al-Syatibi divides the benefits based on the quality

³⁷ Fauzul Iman, "Konsep Qiyās Dan Masalahah Dalam Ijtihad Muhammad Rasyid Ridla," *Tajdid* 26, no. 2 (2019): 143–68, <https://doi.org/10.36667/tajdid.v26i2.334>.

³⁸ M. Hasbi Umar and Warfian Saputra, "Penerapan Masalahah Mursalāh Sebagai Pertimbangan Hakim Dalam Memutus Perkara Di Pengadilan Agama," *Wajah Hukum* 4, no. 2 (2020): 1–18, <https://doi.org/10.33087/wjh.v4i2.228>.

³⁹ Imam Syafi'i and Tutik Hamidah, "Masalahah Controvers As Sources, Methods And Objectives (Comparative Analysis Study Of The Four Madhab)," *Al-'Adalah: Jurnal Syari'ah Dan Hukum Islam* 7, no. 1 (2022): 19–38, <https://doi.org/10.31538/adlh.v7i1.1642>.

⁴⁰ Muhammad Abu Zahrah, *Ushul Fiqih* (Jakarta: PT Pustaka Firdaus, 1994).

⁴¹ Purwanto, "Konsep Masalahah Mursalāh Dalam Penetapan Hukum Islam Menurut Pemikiran Najmuddin At-Thufi" (Institut Agama Islam Negeri Metro Lampung, 2018).

and importance aspects of the benefits into three parts, namely:⁴² *First, Al-Maṣlahah al-Mursalah al-Dharuriyah*, *Maslahah* is *maslahat* related to basic or basic (primary) human needs in this world and in the hereafter. According to Zakaria al-Birriah *maṣlahah al-mursalah al-dharuriyyah* this is the basis for ensuring human survival. This benefit is very important for human life, if it is not fulfilled it will cause destruction, disaster and damage to human life. These benefits include the preservation of religion, self, intellect, offspring and property. According to *ushul fiqh* scholars, this fifth benefit is called *al-masail al-khamsah*. These aspects must be defended and protected so that they can go hand in hand so that they can provide happiness for the community. For example, the preservation of offspring and wealth is through *muamalah* activities such as interaction with fellow human beings.⁴³

Second, Al-Maṣlahah al-Mursalah al-Hajiyah, is a benefit that completes the main benefit and also eliminates the difficulties faced by humans. This benefit is a legal provision that brings relief to human life (secondary needs). As has been proposed by Hasbi Ash-Shiddieqy,⁴⁴ which can complete everything that is needed by humans to make it easier and able to bear the difficulties of *taklif* and the burdens of life. In *muamalat*, this relief is realized by being allowed to trade *salam*, cooperate Agriculture and farming. In terms of needs, *maṣlahah mursalah ḥajiyah* is at a lower level than *Maṣlahah mursalah daruriyyah*. If it is not embodied in life, it does not harm life itself, but its existence is still necessary. All legal provisions for benefit are set to advance common interests not personal interests, among examples of *maṣlahah mursalah ḥajiyah* such as allowing travelers and sick people not to fast and pray *qashar* on the way.⁴⁵

Third, Al-Maṣlahah al-Mursalah al-Tahsiniyah, is a complementary benefit *takmiliyyah*). The nature of this *maṣlahah* is to maintain the flexibility and goodness of character and the beauty of the previous *maṣlahah*. This benefit is intended to improve character. If this benefit is not realized in human life, then it will not cause damage to human life. If this benefit cannot be actualized in life, it will not cause difficulties and shocks or damage the entry system of human life. *Maslahat* is more concerned with goodness. For example, in worship, it is obligatory to purify, cover the nakedness and wear beautiful clothes. However, if this goodness is not fulfilled, then the goodness of human life will cause problems in life and continue to be less enjoyable.⁴⁶ *Maṣlahah mursalah tahsiniyyah* can be defined as improvement. All these benefits relate only to *tahsiniyyah*, if it can't be realized and achieved by people then impact *maṣlahah mursalah tahsiniyyah* does not complicate or damage living systems.⁴⁷

To maintain the purity of the method *maṣlahah mursalah* as the basis of Islamic law, it must have two important dimensions, namely the first side must be subject to and in accordance with what is contained in it *naṣ* (al-Qur'an and al-Hadith) either textually or contextually. The second side must consider the existence of human needs that are always developing according to the times. These two sides must be carefully considered in the formation of Islamic law, because if the two sides above do not apply equally, then the

⁴² Hamka Haq, *Al-Syathibi: Aspek Teologis Konsep Maslahah Dalam Kitab Al-Muwafaqat* (Jakarta: Erlangga, 2007).15

⁴³ Haq.20

⁴⁴ Muhammad Ulinnuha and Mamluatun Nafisah, "Moderasi Beragama Perspektif Hasbi Ash-Shiddieqy, Hamka, Dan Quraish Shihab: Kajian Atas Tafsir an-Nur, al-Azhar, Dan al-Mishbah," *Suhuf* 13, no. 1 (2020): 55–76, <https://doi.org/10.22548/shf.v13i1.519>.

⁴⁵ Haq, *Al-Syathibi: Aspek Teologis Konsep Maslahah Dalam Kitab Al-Muwafaqat*.

⁴⁶ Muhammad April and Asrizal Saiin, "Perfection of Sex for The Intersex (Khunṣa) to Get Married: Maqāṣid Syariah Perspective on Corrective Surgery," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 14, no. 2 (2021): 1–19, <https://doi.org/10.14421/ahwal.2021.14205>.

⁴⁷ Haq, *Al-Syathibi: Aspek Teologis Konsep Maslahah Dalam Kitab Al-Muwafaqat*.

results reference the law will be very rigid on the one hand and to follow the passions on the other. So, in this case it is necessary to have the correct terms and standards in using it *maṣlaḥah mursalah* both methodologically and in application.⁴⁸

From the provisions above it can be formulated that *maṣlaḥah mursalah* can be used as a legal basis and can be applied in everyday actions if the conditions as mentioned above have been met, and added *maṣlaḥah* is a real benefit, not limited to a benefit that is still prejudice in nature, which if it can attract a benefit and reject harm. Likewise, *maṣlaḥah* contains expediency in general by having comprehensive access and not deviating from the objectives contained in the Qur'an and Hadith.⁴⁹ In everyday life *maṣlaḥah mursalah* often used to find alternatives to various problems that arise in society, where not clearly described in *naṣ* (al-Qur'an dan Hadis).⁵⁰

History of the Establishment of the KUA Kepulauan Riau Province

The Office of Religious Affairs (KUA) is an office that carries out some of the tasks of the Indonesian Ministry of Religion offices in districts and municipalities in the field Islamic religious affairs in the district area.⁵¹ It is also known that it has quite a long history in Indonesia, either related with institutions and roles and functions, including in the Kepulauan Riau Province.⁵²

The sub-district religious affairs office, hereinafter referred to as KUA, is the technical implementation unit of the Directorate General of Islamic Community Guidance in the sub-district area. as explained in the Regulation of the Minister of Religion Republic Indonesia Number 11 of 2007 Concerning Marriage Registration Article 1 that the Sub-District Office of Religious Affairs, hereinafter referred to as KUA, is an agency of the Ministry of Religion whose task is to carry out some of the tasks of the Regency/City Office of the Ministry of Religion in the field of Islamic religious affairs within the sub-district area.⁵³

As for the Kepulauan Riau Province, it has 47 KUA at each sub-districts spread across seven regencies/cities, namely Tanjungpinang City, Batam City, Bintan Regency, Karimun Regency, Natuna Regency, Lingga Regency and Anambas Islands Regency.⁵⁴ The existence of KUA at each the sub-district is the spearhead of the existence of the Ministry of Religion of the Riau Archipelago Province in fostering the religious life of the Riau Islands community at the lowest level. But unfortunately, it is still not handled optimally. Though deep the practice, they are charged with greater responsibility than the quantity of work they are supposed to do.⁵⁵

⁴⁸ Syafi'i and Hamidah, "Maslahah Controvers As Sources, Methods And Objectives (Comparative Analysis Study Of The Four Madhab)."

⁴⁹ Iman, "Konsep Qiyâs Dan Maslahah Dalam Ijtihad Muhammad Rasyid Ridla."

⁵⁰ Saifudin Zuhri, "The Confusion about Maslahah Implementation in Ijtihad Discourse," *Pertanika Journals* 27, no. 3 (2019): 1893–1902.

⁵¹ Karina Arfany Arfah, "Efektivitas Kinerja Pegawai Dalam Meningkatkan Pelayanan Pada Kantor Urusan Agama (KUA) Kecamatan Biak Kota," *Gema Kampus* 14, no. 2 (2019): 9–16, <https://doi.org/10.52049/gemakampus.v14i2.83>.

⁵² Qurniadi, *Kebudayaan Melayu Kepulauan Riau* (Batam: CV Bintan Dunia, 2013).

⁵³ Arfah, "Efektivitas Kinerja Pegawai Dalam Meningkatkan Pelayanan Pada Kantor Urusan Agama (KUA) Kecamatan Biak Kota."

⁵⁴ Kantor Wilayah Kementerian Agama Provinsi Kepulauan Riau, "Data KUA se Provinsi Kepri," <https://kepri.kemenag.go.id/page/detartikel/02102017101955>, access on April 19, 2023.

⁵⁵ I. Atmaja et al., "Peranan Kantor Urusan Agama (KUA) Dalam Penguatan Ketahanan Keluarga Di Kecamatan Tepus," *Nuansa Akademik: Jurnal Pembangunan Masyarakat* 5, no. 2 (2020): 75–88, <https://doi.org/10.47200/jnajpm.v5i2.575>.

The results of research by the Center for Research and Development on Religious Life at the Research and Development Agency and Education and Training Department of the Ministry of Religion in 2003, revealed that let alone developing other roles, carrying out the existing functions was apparently not optimal. One reason is the low performance of the KUA due to the uneven distribution of Human Resources (HR) both in quantity and quality. There are a number of KUA that are occupied by employees who have sufficient qualifications and competence and sometimes there are excess numbers, but there is also the opposite.⁵⁶

Despite this, KUA at each of the sub-districts in the Kepulauan Riau Province have a Vision and Mission in accordance with the KMA. Number: 39 of 2015. Vision and Mission are two words that cannot be separated in building and developing an activity, because a vision without a mission is like a person having a destination to an area without thinking about what vehicle and how to reach that area, while a mission without a vision likened to a complete vehicle and equipment for traveling, but has no direction and purpose. Vision is the targets and goals that must be achieved by an activity, while the mission is the strategy that must be set by the office to expedite and assist the performance of the office itself in carrying out the assigned tasks and achieving the desired targets.⁵⁷

In each sub-district KUA, there is an organizational structure that has been established based on the Decree of the Minister of Religion Number 517 of 2001 concerning Organizational Structure of the Sub-District KUA, which consists of; 1) Head of KUA, 2) Supervisor of Islamic Religious Education, 3) Extension, 4) Administration, 5) Penghulu, 6) Penghulu Section, 7) Partnership Section along with, 8) Halal Products Section, 9) Social Worship Section, 10) Sakinah Family Section, and 11) Penghulu Assistant.⁵⁸

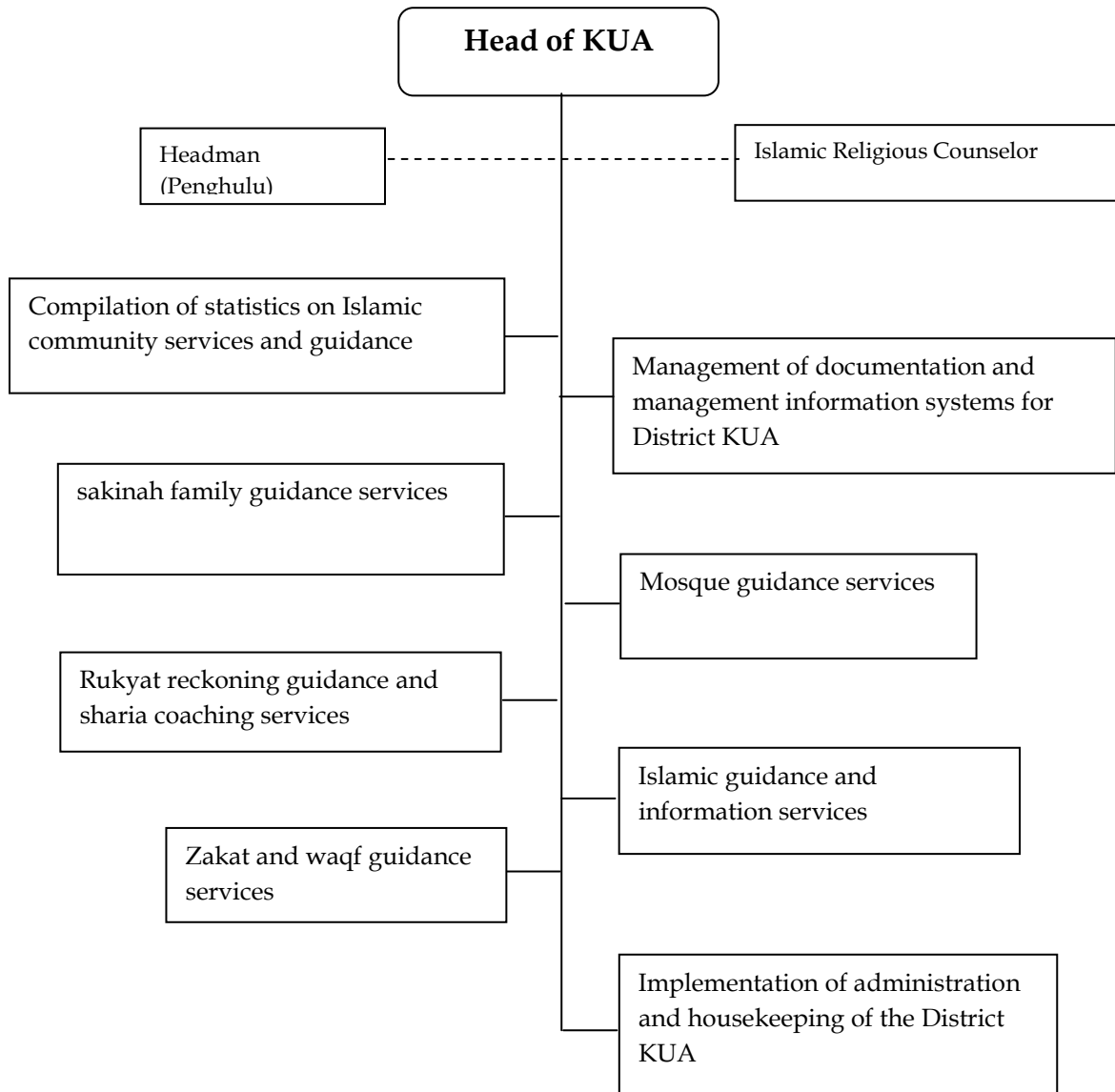
In general, the duties of the sub-district KUA in Kepulauan Riau Province are explained in the Regulation of the Minister of Religion of the Republic of Indonesia Number 34 of 2016 concerning the Organization and Work Procedure of the Sub-District Religious Affairs Office, in article 2 namely carrying out services and guidance to the Islamic community in their working area. Then based on this regulation, the organizational structure in KUA in general can be seen in the figure shown below:

⁵⁶ "Pedoman Pembantu Pegawai Pencatat Nikah, Proyek Peningkatan Tenaga Keagamaan Direktorat Jenderal Bimas Islam Dan Haji, Jakarta: Departemen Agama RI, 2004," n.d.

⁵⁷ Atmaja et al., "Peranan Kantor Urusan Agama (KUA) Dalam Penguatan Ketahanan Keluarga Di Kecamatan Tepus."

⁵⁸ Arfah, "Efektivitas Kinerja Pegawai Dalam Meningkatkan Pelayanan Pada Kantor Urusan Agama (KUA) Kecamatan Biak Kota."

Figure 1.1: Structure of the Office of Religious Affairs in Indonesia



In addition, the sub-district KUA is assisted by the BP4 institution. The Office of Religious Affairs (KUA) and the Marriage Advisory, Development and Preservation Agency (BP4) have a very close relationship. BP4 is a marriage dispute advisory body, whose job is to provide a statement that the husband and wife have asked BP4 for advice and then submit the statement to the Head of KUA to grant a divorce from the husband and wife. KUA apart from being a place to carry out marriages is also the place or office of BP4, because the head of KUA is also the head of BP4.⁵⁹

The real role of marriage counseling starts from domestic life and the challenges faced are very heavy due to the condition of some adolescents who deviate far from the norms religion and social yet handled nicely. In this case the role of BP4 is to focus on efforts to maintain the integrity of the household and lead it towards achieving happiness and prosperity in life. While practically the role of the BP4 itself is as a national body and also as a support for part of the duties of the Ministry of Religion which plays a role in providing

⁵⁹ Mucktar Kusuma Atmaja, *Peranan BP4 Sebelum Diajukan Ke Pengadilan* (Jakarta: BP4 Pusat, 1990).

the widest possible marriage, dispute and divorce advice to the community so that a household that is expected.⁶⁰

From that role, the efforts that can be made by BP4 are; 1) Provide guidance, advice and application on marriage, divorce, divorce, refer to good society individual as well as groups. 2) Provide guidance on existing laws and regulations related with family. 3) Provide mediation assistance to the party's litigation in a religious court. 4) Provide advocacy assistance in overcoming marital, family and household disputes in court. 5) Reducing the occurrence of disputes and divorce, irresponsible polygamy, underage marriages and unregistered marriages. 6) Efforts and other efforts deemed useful for the benefit of the organization and family welfare. beneficial for the benefit of the organization as well as for the happiness and welfare of the family.⁶¹

From the description above, the researcher concludes that the role of BP4 is still needed at this time, especially in the face of today's all-digital era, it is very easy for disputes to occur. For this reason, KUA through BP4 must improve the quality of advisory officers and uphold the existence of BP4.

Premarital Provision at the KUA in the Kepulauan Riau Province

As mentioned earlier, the divorce rate in the Riau Islands is very high. If you look at the implementation of pre-marital training at the KUA Kepulauan Riau, it is not in accordance with applicable regulations. The problems so far in practice, in the Riau Archipelago have not been held properly and still contain a number of problems. Among them, the provision of the bride and groom was held only as a formality, only sparingly, and was not carried out by the BP4, but was carried out by the headman or the head of the local KUA, so that it was not optimal and did not achieve the goal of conducting the bride and groom debriefing.⁶²

In the Kepulauan Riau, related to material, it is only limited to the introduction of marriage. Even though the material that must be conveyed to be understood by the prospective bride and groom includes marriage procedures and procedures, religious knowledge, laws and regulations in the field of marriage and family, rights and obligations of husband and wife in the household, reproductive health, efforts to maintain maternal health during pregnancy, childbirth, the importance of family planning (KB), problems of marriage and their resolution, sharia law on marriage, family management and psychology of marriage and family.⁶³ With the density of material delivered in a very short time, of course the purpose of the stipulation of regulations regarding the implementation of premarital guidance has not achieved the expected aims and objectives.⁶⁴

Become a challenge for related parties and policy makers. The roles and functions as well as efforts to implement premarital provision must really be carried out according to procedures and rules. It is not only a prerequisite, but also has a positive impact on the sustainability and resilience of the bride and groom in their family. The Marriage Law mandates to be able to maintain the integrity of a family, so before the foundation of a household is built, premarital training must be an integrated and measurable program that

⁶⁰ Elsi Nurfaejri, "Pelaksanaan Kursus Pra Nikah Di BP4 Se-Kota Yogyakarta" (UIN Sunan Kalijaga Yogyakarta, 2017).

⁶¹ Atmaja, *Peranan BP4 Sebelum Diajukan Ke Pengadilan*.

⁶² Candra Wesnedi, Interview Head of KUA Tanjungpinang City, Kepulauan Riau Province, on October 3, 2022.

⁶³ Regulation of the Director General of Islamic Community Guidance Concerning Guidelines for Organizing Premarital Courses Number DJ.II/542 of 2013.

⁶⁴ Mulyadi, Interview Head of KUA Bintan, Kepulauan Riau Province, on September 15, 2022.

refers to the curriculum as regulated by the Director General of Islamic Community Guidance Number Dj.II/491 of 2009 concerning Courses for Prospective Brides.

Family resilience efforts are that in order to minimize the high number of disputes, divorce and domestic violence, one of which is caused by the low knowledge and understanding of the prospective bride and groom about household life, as well as to create a healthy family life *sakinah*, it is necessary to do the provision of the bride and groom. Advice is not only a formal requirement when someone is getting married, but is a substantial requirement, so that someone who is going to get married understands design household in accordance with Law Number 1 of 1974 concerning marriage.

If examined in depth, based on Law Number 1 of 1974, marriage is the beginning of the formation of a family. Where is a sacred bond physically and spiritually between a man and a woman, with the aim of forming and create happy and eternal family (household) based on Belief in the One and Only God. From this it can be understood that the marriage law in our country is a religious and religious law, not a secular law.⁶⁵ So, husband and wife must be able to form a religious and religious family, namely a family that is equipped with religious values and norms, including Islam. To realize the quality of family and marriage based on Islamic law, a method or method is needed reference the right law, so that it can be accepted in a society that is so dynamic and developing in the flow of global change, as well as practical methods deal with and solve problems that arise.

Either method or *reference* the law applied in establishing Islamic law is *al-maṣlaḥah al-mursalah*. *Al-maṣlaḥah al-mursalah* means absolute.⁶⁶ In term *ushūl*, that is benefit that is not stipulated by *syāri'* law to set. It is called absolute because it is not associated with explanations or arguments that cancel it.⁶⁷ Other definitions explain *al-maṣlaḥah al-mursalah* is goodness (benefits that are not mentioned by *syara'* clearly to do or leave it, whereas if it is done it will bring benefits or avoid damage or cons, like someone punishing something that has not yet been stipulated by religion.⁶⁸

Definition about *maṣlaḥah mursalah* above, when viewed from the editorial perspective there appears to be a difference, but in terms of content in essence there is one fundamental similarity, namely establishing laws in matters that are not mentioned in the Qur'an or Sunnah at all, with consideration for the benefit or the interests of human life based on the principle of benefiting and avoiding harm. *Maslaḥah* can be categorized based on the quality and importance of benefit, benefit content, change or not benefit, and existence *maṣlaḥah*. In terms of the quality and importance of benefit, ushul fiqh scholars divide it into three *dhawabith* (level) namely: *Maslaḥah daruriyah*, *maṣlaḥah hajiyyah* and *maṣlaḥah tahsiniyah*.⁶⁹

Regarding the implementation of premarital briefings at the KUA of the Kepulauan Riau, the premarital briefings carried out include: *al-maṣlaḥah al-hajiyyah*, because it is not part of the pillars and conditions of marriage. But this premarital provision is very important because it relates to the consequences that arise and will be very helpful in terms of

⁶⁵ Nurhadi, "Undang-Undang No. 1 Tahun 1974 Tentang Pernikahan (Perkawinan) Di Tinjau Dari Maqashid Syariah," *UIR Law Review* 2, no. 2 (2018): 1-5, [https://doi.org/10.25299/uirlrev.2018.vol2\(02\).1841](https://doi.org/10.25299/uirlrev.2018.vol2(02).1841).

⁶⁶ Hadi, "Konsep al Maslahah al Mursalah Dalam Perspektif Ekonomi Pada Era Revolusi Industri 4.0."

⁶⁷ Abu Yazid, *Logika Ushul Fiqh Interelasi Nalar, Wahyu, Dan Maqashid Asy-Syari'ah* (Yogyakarta: IRCiSoD, 2019).

⁶⁸ Hadi, "Konsep al Maslahah al Mursalah Dalam Perspektif Ekonomi Pada Era Revolusi Industri 4.0."

⁶⁹ Purwanto, "Konsep Maslahah Mursalah Dalam Penetapan Hukum Islam Menurut Pemikiran Najmuddin At-Thufi."

knowledge to form a happy family and even hopefully to the degree *sakinah*.⁷⁰ Besides that, premarital training is very efficient as an effort to maintain family resilience, because with premarital training, it makes perfection for the prospective bride and groom, namely to gain knowledge about marriage for the sake of creating a family *sakinah, mawaddah, warahmah*.⁷¹ As for the premarital briefing held at the KUA of the Kepulauan Riau Province, in terms of activities and from the material presented, although not complete, it has provided benefits in education partner who are getting married, so that according to the concept *maṣlaḥah mursalah*.⁷²

Therefore, the scholars require in *maṣlaḥah mursalah* which is used as the basis for the formation of the law into several conditions that apply to the theory *maṣlaḥah mursalah*: *First*, first analyze whether or not the approach used in the legal exploration process (*reference law*) regarding the implementation of pre-marital provision at the KUA of the Kepulauan Riau to provide pre-marital provision as a form of family resilience. This use is appropriate because there is no explicit argument that explains an issue studied both from the Qur'an and Hadith.⁷³ *Second*, approach using theory *maṣlaḥah mursalah* the condition is that the benefit is in line with *maqasid al-shari'ah* and not contrary to *naṣ* or *qath'i* arguments. The implementation of premarital briefing at KUA throughout the Kepulauan Riau is in line with *maqasid al-shari'ah*, because this activity aims to provide premarital education provision to realize family resilience and form a strong family *sakinah, mawaddah, warahmah*. *Third*, the benefit must really bear fruit *maṣlaḥah* or not based on making it up. The aim is to realize the formation of laws regarding problems or events that give birth to benefits and reject harm. Such as providing premarital education materials and also providing cases in every material to deepen and solve the case. So. the problem is not based on suspicion, or the formation of the law brings benefits regardless of whether advice that is only taken based on guesswork. *Fourth*, the benefit is general, not individual. The law cannot be prescribed because it only produces benefits specifically for leaders or certain people by not paying attention to the benefits of the people. In other words, *maṣlaḥah* benefits all people. So, it is very clear that this activity is for the benefit of a general nature, not individual. Because with this premarital provision, it can provide education to couples who are getting married or to teenagers of marriageable age. Premarital education can prevent divorces that will occur.

Therefore, according to the researchers, the premarital provision that took place in KUA throughout the Kepulauan Riau met the requirements in forming a law by adhering to reasoning *al-maṣlaḥah al-mursalah*, efforts to carry out premarital training activities have benefited the community, especially couples who want to get married. Even though there is no evidence for premarital provision in the Qur'an or hadith, the formation of activities in teaching and guiding them does not conflict with Islamic law or basic provisions. *in the* and consensus and provide benefits for the community and prevent harm. Thus, it can be concluded that the implementation of premarital briefings held at KUA throughout the Kepulauan Riau, although not a requirement and pillar of marriage, is based on an analysis

⁷⁰ Asrizal Saiin et al., "Examining Malay Customary Marriage Law in the Malay Countries: An 'Urf Perspective," *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 10, no. 1 (2023): 1-18, <https://doi.org/10.32505/qadha.v10i1.4725>.

⁷¹ Asrizal Saiin, "Relevansi Kafā'ah Terhadap Keharmonisan Rumah Tangga Perspektif Normatif Dan Yuridis," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 8, no. 1 (2015): 1-17, <https://doi.org/10.14421/ahwal.2015.08105>.

⁷² Sumarno, Elizar, and Ritonga, "Pembekalan Pranikah Calon Pengantin Mubarakah Hidayatullah Batam."

⁷³ Prayogi and Jauhari, "Bimbingan Perkawinan Calon Pengantin: Upaya Mewujudkan Ketahanan Keluarga Nasional."

al-maṣlaḥah al-mursalāh, this activity is important for the community to have provision before forming a family. So that when you are about to form a family, you can provide family resilience because you already have premarital education.

Conclusion

Based on the results of the research that was discussed and clearly described previously, it can be concluded that premarital training that took place at the KUA of the Kepulauan Riau Province was broadly not effective as an effort to family resilience. This can be proven that the implementation is not in accordance with the decision of the Director General of Islamic Community Guidance number 379 of 2018 concerning instructions for implementing premarital provision for prospective brides. Besides that, the material for pre-marital provision at the KUA of the Kepulauan Riau Province is limited to a formality and only as an administrative requirement. Apart from that, it can be proven by the existence of statements from people who have not felt the benefits, even though many people admit that this premarital provision is important for them. The implementation of premarital provision for prospective brides and grooms at the KUA of the Kepulauan Riau in an effort to increase family resilience is the first step in preparing the prospective bride and groom to navigate their new life, namely married life. By delivering the material related by preparing the bride and groom as husband and wife both physically and psychologically, it allows the bride and groom to be able to maintain their family to become a stable family *sakinah mawaddah warahmah* as a destination wedding.

Based on *al-maṣlaḥah al-mursalāh*, in terms of its strength as evidence in establishing law, the concept of premarital provision is included in *al-maṣlaḥah al-hajiyyah*, because it is not part of the pillars and conditions of marriage. But this premarital provision is very important because it relates to the consequences that arise and will be very helpful in terms of knowledge to form a happy family and even hopefully to the degree of *sakinah*. Besides that, premarital training is very efficient as an effort to maintain family resilience, because with premarital training, it makes perfection for the prospective bride and groom, namely to gain knowledge about marriage for the sake of creating a family *sakinah, mawaddah, warahmah*. As for the premarital briefing held at the KUA of the Kepulauan Riau Province, in terms of activities and from the material presented, although not complete, it has provided benefits in education partner who are getting married, so that according to the concept *maṣlaḥah mursalah*.

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