Non-Muslim Khalwat in Qonun Jinayat in Aceh, Indonesia: Discourse on Islamic Sharia and Human Rights

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Abstrak

Artikel ini mengkaji penerapan Qanun Aceh No 6/2014 tentang Hukum Jinayat terhadap perbuatan khalwat yang dilakukan non-muslim. Tujuan penelitian yakni untuk menganalisis ketentuan hukum terhadap non-muslim yang melakukan perbuatan khalwat berdasarkan ketentuan Qanun Jinayat. Jenis penelitian ini adalah yuridis normatif, dengan pendekatan deduktif. Sumber data yang dipilih ialah data primer dan sekunder. Sumber data primer meliputi Qanun Aceh No 6/2014 mengenai Hukum Jinayat. Sedangkan sumber data sekunder terdiri dari berbagai buku, artikel, jurnal, dan berbagai informasi terkait jarimah khalwat di Aceh. Hasil dari penelitian ini adalah non-muslim yang berkhalwat baik dengan orang Islam atau bukan, maka akan dikenakan ketentuan yang berlaku di dalam Qanun Aceh No 6/2014, dan tidak perlu diberi keleluasaan antara harus memilih diadili dengan Qanun Jinayat ataupun Hukum Nasional (KUHP). Hal ini dikarenakan Hukum Nasional (KUHP) tidak mengatur secara khusus mengenai perbuatan tindak pidana khalwat. Adapun hukuman yang diberikan kepada non-muslim yang melaukan khalwat adalah *uqubat ta'zir* cambuk maksimal 10 kali ataupun membayar denda maksimal 100 gram emas murni ataupun penjara maksimal 10 bulan. Dengan diberlakukannya syari'at Islam kepada non-muslim yang melanggar perbuatan jarimah yang mana ketentuannya tidak diatur dalam Hukum Nasional (KUHP), maka kedepannya Qanun Aceh akan terus menimbulkan kontroversi baik dilingkup nasional maupun internasional.

Kata Kunci: Non-Muslim, Khalwat, Qanun Aceh.

Abstract

In this article, we examine the application of Aceh Qanun No. 6/2014 on the law of jinayat against acts of khalwat committed by non-Muslims. The aim of the research is to analyse the legal provisions for non-Muslims who commit acts of khalwat based on the provisions of the Qanun Jinayat. This type of research is normative jurisprudence. It uses a deductive approach. The sources of data chosen will be both primary and secondary data. The primary source of data is the Aceh Qanun No. 6/2014 on the Jinayat Law. Meanwhile, the secondary sources of data consist of various books, articles, magazines, and various pieces of information related to the Khalwat movement in Aceh. The result of this research is that non-Muslims who engage in khulwat, whether with Muslims or not, are subject to the applicable provisions of Qanun Aceh No. 6/2014 and do not need to be given the freedom to choose whether to be tried under the Qanun Jinayat or the national law (KUHP). Khalwat crimes are not specifically regulated by the national law (KUHP). The punishment for non-Muslims who commit khalwat is uqubat ta'zir caning up to 10 times or paying a fine of up to 100 grams of pure gold or imprisonment for up to 10 months. With the application of Islamic law to non-Muslims who violate the laws of jarimah, the provisions of which are not regulated in the National Law (KUHP), the Aceh Qanun will continue to cause controversy both nationally and internationally.

Keywords: Good Law, Non-Muslim, Unlawful Seclusion (khalwat)

Introduction

The application of Islamic shari'a contained in the Qanun Jinayat Aceh within the legal framework of the Unitary State of the Republic of Indonesia is very interesting to research. In the context of the implementation of Islamic sharia, Qanun Aceh is a type of legislation similar to Provincial or Regency/City Regulations in general, but Qanun has its own characteristics because it contains Islamic shari'a rules as a privilege and its specificity as a special autonomous region of Aceh Province (Susantri & Hidayat, 2020, p. 39). This can be found from several Islamic shari'a rules adopted by Qanun Jinayat in criminal acts, such as the prohibition of khalwat acts with the sanction of whipping. The act of khalwat in the Islamic legal system is interpreted as a perverted act committed by two or more people of the opposite sex, without the existence of a mahrom (marriage bond) in a closed or hidden place (quiet) so that it is possible to commit immoral acts that have the opportunity to commit adultery (Aceh, 2014, p. 4). The prohibition of jarimah khalwat does not only apply to the people of Aceh who are Muslims, but also applies to the people of Aceh who have non-Muslim status (Alamsyah, 2014; Nurhalizah, 2023).

Nowadays, there is often a problem regarding the Aceh government's policy in qanun that imposes the law of whipping on violators. One example in Article 23 (1) of Qanun Aceh No. 6/2014 concerning the Law of Jinayat is the prohibition of the act of jarimah khalwat.

The article is applied to Muslims and non-Muslims, with punishment if found to have committed a criminal act of khalwat, the perpetrator is sentenced *to a* maximum of 10 times or a maximum fine of 100 grams of pure gold or imprisonment for a maximum of 10 months. Rules related to jarimah khalwat and the punishment of whipping in the future can provide challenges and cause contradictions, because in its application qanun which is based on Islamic shari'a is also applied to non-Muslims, moreover, if they violate the rules contained in the qanun, the punishment must be in accordance with what is written in the qanun, for example, non-Muslims violate the rules about khalwat, then they will be punished with ta'zir in the form of whipping a maximum of 10 times or pay a fine a maximum of 100 grams of pure gold or a maximum of 10 months in prison.

The implementation of Islamic shari'a is implemented by the government, because Aceh is one of the regions with the status of a special autonomous region (special), so it is known as the "Special Region of Aceh" based on Law No. 44/1999 concerning the Implementation of Special Privileges of the Province of the Special Region of Aceh and Law No. 11/2006 concerning the Government of Aceh. Aceh Province is known as the City of Mecca Porch because in all aspects of its people's lives it is regulated by Islamic law, this is what characterizes Aceh as an area with special autonomy (Kemendikbudristek, 2023; Tim Redaksi Pemerintahan Aceh n.d). If you go far back, the implementation of Islamic shari'a regulations which later became known as the Aceh qanun is not a new thing, because if analyzed from the history of the implementation of Islamic shari'a or qanun, it has actually been carried out since the time of the Iskandar Muda sultanate (Roslaili, 2021, p. 136). Qanun Aceh is a product of Islamic shari'a law that is still applied to Muslim and non-Muslim communities by the Aceh regional government (Praja & Ulfa, 2020, p. 12). The content of the regulation is outlined in Qanun Aceh No. 6/2014 concerning the Law of Jinayat, which binds the criminal act of jarimah including khamr, maisir, khalwat, zina, ikhtilath, rape, sexual harassment, liwath, qadzaf, and musahaqah.

Qanun Aceh No. 6/2014 concerning Jinayat Law juridically is the result of a number of revisions of the previous Qanun regarding criminal law. However, in its journey, this qanun reaped many polemics and controversies for academics and legal activists because it was considered very opposite and unfair if Islamic shari'a was applied to the people of Aceh who had non-Muslim status (Delta, 2016, p. 36; Mafazi, 2022, p. 491). In terms of personal jurisdiction, the application of qanun to non-Muslims who violate the act of jarimah is

explained in Article 5 letter (b and c) of the Aceh Qanun No. 6/2014 concerning the Law of Jinayat. The Aceh Qanun also contains the law of whipping on the perpetrators of jarimah, then this provision becomes a debate in the scope of human rights, because the application of the whipping law in the Aceh Qanun is considered to violate the basic rights owned by human beings, including the right to life, justice, welfare, security, and the right to personal freedom (ICJR, 2014; Rosida & Hariri, 2023, p. 124).

Initially, Qanun or Islamic shari'a was not applied to non-Muslims in Aceh, quoting the words of Al Yasa' Abubakar who wrote that Islamic shari'a in Aceh was limited to being applied to Muslims only, while non-Muslims were not forced to follow rules or laws based on Islamic sharia, it was aimed at respecting the human rights of non-Muslims (Abubakar, 2005, p. 145). However, over time it became different when the Aceh government passed the Aceh Qanun Regulation No. 6/2014 concerning the Jinayat Law which was effective and came into effect on October 23, 2015, where in the qanun non-Muslims must also submit and apply the rules in the Aceh Qanun No. 6/2014 regarding the Jinayat Law. Therefore, it is not surprising that the Aceh Qanun received a poor response from all sides, because the enforcement of Islamic shari'a in Aceh tends to harm the rights of non-Muslims in Aceh who are also required to submit to Islamic law.

Talking about the act of jarimah khalwat, previously there have been several previous studies written by a number of academics related to the act of jarimah khalwat in Aceh both in terms of the study of criminal law, customary law, the settlement of khalwat in Qanun Jinayat, and other research related to jarimah khalwat. However, in several previous studies, no academics have discussed the act of jarimah khalwat carried out by non-Muslims in Aceh. Based on the description above, the author will discuss and analyze the position and punishment for non-Muslims who commit jarimah khalwat in Aceh. The implementation of Islamic shari'a implemented in Aceh is an interesting issue to study, considering that not all Acehnese residents are Muslims. Therefore, it is necessary to conduct a study related to the position and application of Islamic shari'a to the people of Aceh who are non-Muslims, especially about non-Muslims who practice jarimah khalwat in Aceh.

Research Methods

This research is categorized as a type of normative juridical research, which is research that is descriptive in nature and tends to use analysis with a deductive approach. The primary data sources applied in this writing are divided into (2) two, the first consists of primary data sources, namely Qanun Aceh No. 6/2014 concerning Jinyat Law. Then the

second consists of secondary data sources including books, journals, expert opinions, and information that discusses jarimah khalwat and the application of Qanun Aceh No. 6/2014 regarding the Law of Jinayat. Furthermore, a number of these materials were analyzed using a qualitative descriptive method, namely to describe the implementation of the Qanun of the Jinayat Law so that it could produce a comprehensive conclusion on the implementation of the Aceh Qanun No. 6/2014 concerning the Jinayat Law.

Results Research and Discussion

Qanun Aceh No. 6/2014 Regarding Jinayat Law in Implementing Islamic Shari'a in Aceh

Aceh is a province that enacts a Regional Regulation regarding the comprehensive implementation of Islamic law, it regulates family law, economy, law *Diyāni* (worship and morals), even *Jinayat* which is written in Qanun No. 5/2000 in Article 5 (2). The implementation of Islamic shari'a in Aceh occurred because of the demands of the Aceh Muslim community who uphold Islamic teachings from all aspects of their lives. The Indonesian government realized the implementation of Islamic shari'a in Aceh to prevent Aceh from separating from the Republic of Indonesia. At that time, the rebellion carried out by GAM (Free Aceh Movement) had reached its peak. The people of Aceh who are members of the Free Aceh Movement want to separate from the Republic of Indonesia because of the aspirations of the Acehnese people who want to implement Islamic sharia, the implementation of Islamic shari'a is a desire that has been coveted by the Acehnese Muslim community for a long time since 1959 led by Tengku Muhammad Daud Beureuh (Djumala 2013, p. 76). In anticipation of this action, the Indonesian government decided to give special autonomy to Aceh Province to apply Islamic shari'a to all communities in Aceh.

In the course of Aceh's history, the Indonesian government has positioned the people of the Mecca Porch City in particular, where this characteristic can be seen in matters of religion. In fact, history also records that Islamic shari'a for the people of Aceh is an inherent aspect and cannot be separated from culture and customs (Roslaili, 2021, p. 7). In other words, shari'a is not only considered as a regulation but as a symbol and inherent identity as well as the sovereignty of the Acehnese people in living their lives in accordance with the values they believe. We can see this until now, that almost all activities of the Acehnese people are measured using Islamic religious norms.

Islamic Shari'a was formally implemented in Aceh after the enactment of Law No. 44/1999 concerning the Implementation of Special Privileges of the Province of the Special Region of Aceh and Law No. 18/2001 concerning Special Autonomy for the Province of the Special Region of Aceh, which was subsequently replaced by Law No. 11/2006 concerning the Government of Aceh (Nassir, 2013, p. 332; Santoso, 2003, p. 106). After obtaining the legality of the government to enforce Islamic shari'a rules, the Aceh regional government has the right to legitimacy and immediately formalized the mandate by issuing several Regional Regulations related to the Islamic shari'a implementation system which was later popularly known as "Qanun Aceh" in order to enforce Islamic shari'a massively based on legal rules.

Qanun in KBBI is popularly known as Kanun, which means regulations, legislation, laws, or legal rules, a book of laws (Antariksa, 2017, p. 20). Meanwhile, the word Qanun in Arabic, is interpreted as a law, custom, or custom. So in this case qanun can be interpreted as a legal regulation that is enforced in a certain region (Aceh). Qanun can also be interpreted as a legal stipulation based on fiqh that is so urced from ijtihad fuqaha or ulama which is then made into a stipulation of certain regional regulations (Qotadah and Achmad 2020:78).

Historically, the Canon or what is famously called Qanun is a Constitution made by the kingdom of Aceh Darussalam around the XVI century during the leadership of Sultan Alauddin Riayat Syah II who issued *Qanun Al-Asyi*. Then *Qanun Al-Asyi* perfected by Sultan Iskandar Muda and during the leadership of Ratu Tajul Alam Safiatuddin known as *Qanun Meukuta Alam* or *Meukuta Alam Customs* or *Crown of Nature Customs* or *Qanun Meukuta Alam Al-Asyi* or also known as *Acehnese Customs* (Antariksa, 2017, p. 22). Qanun continues to undergo changes in the era of the next Aceh kings, so that until now the term "qanun" is used as another name for the Regional Regulation whose scope applies to all Regencies/Cities included in the territory of Aceh province.

There are several regulations whose implementation is related to Islamic shari'a that applies in Aceh. For example, the implementation of the Aceh Qanun regarding the famous Jinayat Law is called Qanun Jinayat, this qanun regulates an act that is not allowed in the teachings of Islam and will be subject to sanctions given by the judge for every person who violates it (Rahman, 2020, p. 96). In simple terms, it can be understood that Qanun Aceh is a form of Islamic shari'a implementation carried out by the people of Aceh, as a form of regulating all aspects of their lives.

Entering September 14, 2014, the Aceh Provincial Government through the Aceh House of Representatives, officially ratified the Aceh Qanun No. 6/2014 concerning the Jinayat Law, which was promulgated on October 23, 2014, and enforced on October 23, 2015. (Usman & Al-Asyi, 2019, p. 91) The Qanun is positioned to complement and replace the Aceh Qanun No. 12/2003 concerning Khamr Drinks or the like, the Aceh Qanun No. 13/2003 concerning Maitsir, and the Aceh Qanun No. 14/2003 concerning Khalwat. Qanun Aceh No. 6/2014 concerning the Law of Jinayat regulates jarimah and 'uqubat for jarimah perpetrators. The act of jarimah includes khamr, khalwat, masir, ikhtilath, adultery, rape, liwath, qadzaf, sexual harassment, and musahaqah.

The implementation of Qanun Jinayat Aceh is carried out in the context of enforcing Islamic law to every Acehnese community who is proven to have violated the regulations that have been passed by the Governor and the Aceh DPRA. Furthermore, the existence of Qanun Jinayat aims to become a law that overshadows the government and the people of Aceh. Qanun Jinayat as a product of Islamic sharia law must be obeyed by all Acehnese people, both Muslims and non-Muslims, as explained in the provisions listed in Article 5 of Qanun Aceh No. 6/2014 concerning the Law of Jinayat. This indicates that the Aceh government does not discriminate in the application of Islamic shari'a to the people of Mecca City.

Jarimah Khalwat According to Qanun Jinayat Aceh

Etymologically the word *jarimah* rooted root word *jarama-yajrīmu-jarīmatan,* means to do or to cut, then this word is more specifically used for an act of sin or an act that is hated, besides that *jarimah* rooted in root words *Ajrama-yujrīmu* which means carrying out something that is not in line with the principles of justice, truth, and even deviating (Hasan & Saebani, 2013, p. 14). While the term from *Jarīmah* quoted from al-Mawardi are various acts that are prohibited by sharia and threatened *Limits* or ta'zir (Berutu, 2020, p. 2). It is understood that *Jarīmah* is an act that deviates from the rules, as is the case with the jarimah of theft, jarimah *Maisir*, jarimah zina, jarimah khamar, and so on including jarimah khalwat.

Etymologically, khalwat comes from Arabic, namely *khulwah* rooted in the word *khalā-yakhūlu*, in the dictionary *Arabic Lisan* The word khalwat has a number of variations in meaning, including solitary, hidden, quiet, closed, and silent (Berutu, 2020, p. 2). Meanwhile, in terminology, khalwat is termed as a situation of individuals who avoid crowds

and are far from the crowd. In its use, the word khalwat contains two connotations of terms that lead to positive and negative things (Ikhwan & Daudy, 2019, p. 199). In a positive sense, the word khalwat is interpreted as being lonely to be closer to Allah. Meanwhile, in a negative sense, khalwat is interpreted as the act of being alone in a quiet place or far from the reach of other individuals between two lovebirds who are not mahrom and are not bound in marriage. The meaning of the word khalwat that is intended and will be discussed in this article is the second meaning of khalwat.

The word khalwat is also often encountered and explained in fiqh books, according to the agreement of fiqh scholars what is meant by khalwat is an act that contains a possibility or opportunity for adultery to occur, the act does not only depend on the condition or loneliness of the place where they are alone (such as houses, hotels, villas, workplaces, and so on), but it depends on the act that has the opportunity to lead to adultery (Arifin, 2015, p. 10). If referring to fiqh books or Islamic law, the act of khalwat is clearly prohibited, this aims to prevent the infection of influences that lead to adultery. Khalwat is one part of Qanun Aceh No. 6/2014 concerning Jinayat Law and is also one of the implementation parts of Islamic shari'a in Aceh. Regulations related to prohibition *khalwat* is also explained in the Aceh qanun along with its punishment and applied to every perpetrator who violates the act of *Jarīmah khalwa.*

In the general provisions of Article 1 (23) of Qanun Aceh No. 6/2014 concerning the Law of Jinayat, it is explained that what is meant by khalwat is "any act of being in a closed or hidden place between two people of different sexes who are not mahram and without the bond of marriage with the willingness of both parties which leads to the act of adultery." From this definition, the prohibition of khalwat includes any activity of silence that leads to adulterous behavior. However, in its development, khalwat can also be done in crowded locations such as on the street, car, or other places where 2 (two) people of the opposite sex are alone without any mahram relationship or marital bond. Islam expressly prohibits the act of khalwat because it is considered an opportunity for the act of adultery, therefore khalwat in the Aceh qanun is classified as an act of *jarimah* and can be threatened *with 'uqubat ta'zir.* The prohibition of khalwat is intended and aims as a preventive effort to protect all Acehnese people from committing adultery.

The scope of the prohibition of khalwat in Aceh as regulated in the qanun jinayat is various activities, actions, situations that are close to adultery. Reviewing the definition of khalwat contained in Article 1 (23) of the Aceh Qanun regarding the Law of Jinayat, it can

be understood that a person can be said to have violated the jarimah of khalwat if several elements have been fulfilled, including: (1) An act in a quiet, closed, or hidden location; (2) Involving 2 (two) opposite sexes who are not mahrams and are not bound by marriage; (3) There is a willingness between the two parties; (3) Leading to the act of adultery (Abubakar & Lubis, 2019, p. 78).

The Aceh Regional Government expressly prohibits all Acehnese people from committing acts of khalwat. If the Aceh Qanun No. 6/2014 concerning the Law of Jinayat is reviewed again, then it can be found that the certainty of the law of *uqubat* for anyone who violates the provisions of the jarimah khalwat in the Aceh region. In Article 23 (1) of Qanun Aceh No. 6/2014 concerning the Law of Jinayat, it is explained that "every person who deliberately commits the jarimah khalwat, is threatened with 'uqubat ta'zir whipping at most ten times or pays a fine of up to one hundred grams of pure gold or imprisonment for a maximum of ten months." Not only the perpetrators of khalwat, but even the facilitator or person who facilitates the place to perform khalwat will also be charged with Article 23 (2), which reads "every person who deliberately organizes, provides facilities or promotes jarimah khalwat, is threatened with 'uqubat ta'zir whipping a maximum of 15 (fifteen) times or pays a fine of a maximum of 150 (one hundred and fifty) grams of pure gold and/or imprisonment for a maximum of 15 (fifteen months)." Based on this Article, a conclusion can be drawn that khalwat is a form of jarimah and *its 'uqubat* is included in the ta'zir part, where in its implementation it is handed over to the ruler of the "judge" in its entirety by considering the condition of the perpetrator and his jarimah actions.

Komnas Perempuan on the Implementation of Islamic Shari'a in Aceh considers that the act of khalwat in Qanun Jinayat when viewed from the type of unlawful act is equated with the rules on morality as regulated in the Criminal Code (Yani, 2011, p. 177). However, if we re-analyze the two clearly have different legal orientations, the act of khalwat will still be punished whether it is carried out in a closed or open place (public), which means that the legal orientation regarding the act of khalwat is for the benefit and benefit of the community. Meanwhile, immoral acts regulated in the Criminal Code will be decided as a violation of the law if they are committed in a public place (open), but if they are carried out in such a closed place, they will no longer be objects of law, meaning that the orientation of criminal law regarding the rules of morality leads to efforts to protect others so that they are not disturbed or not affected by actions that cause the sexual arousal of others. The difference

between Qanun on Khalwat and the Criminal Code on Morality indicates that in material law, the rules of khalwat do not have *Justification* products of the legislation on it, even if viewed from *considerations,* In the qanun, there is no mention of the Criminal Code as assumed above if the Criminal Code also regulates the same matter. *Considerations* mentioned in the qanun of Jinayat are the Quran and as-Sunnah, therefore the qanun is materially limited to having *Justification* Islamic Shari'a. In the author's view, based on the difference in legal orientation between khalwat and morality, it can be concluded that khalwat is not included in criminal acts in the Criminal Code and the two are clearly different and cannot be equated.

Furthermore, in Article 24 of the Aceh Qanun No. 6/2014 concerning the Jinayat Law, it is explained that "the jarimah khalwat which is the authority of the customary court is settled in accordance with the provisions of the Aceh Qanun concerning the development of customary life and customs and/or other legal arrangements regarding customs." In other words, the existence of this article indicates that the settlement of jarimah khalwat cases when referring to Qanun Jinayat Aceh can be grouped into two types by looking at the case from the perpetrator's side(Muksalmina et al., 2023, p. 440).

1. Settlement of jarimah khawat case through the Aceh Syar'iyyah Court

   The settlement of jarimah khalwat cases through the Sharia Court is carried out to each perpetrator who lives in a different place based on evidence and witnesses at the crime scene who saw or heard it directly.

2. Settlement of jarimah khalwat cases through the Customary Court

   If we look at Article 24 of Qanun Aceh No. 6/2014 concerning Jinayat Law, it is explained that "The Customary Court also has the authority to resolve cases of khalwat cases according to the provisions of the Aceh Qanun concerning the development of customary life and customs." This is also explained in Article 13 of Qanun Aceh No. 9/2008 concerning the Development of Traditional Life.

Based on this explanation, it can be understood that the Syar'iyyah Court and the Customary Court have the authority to resolve the case of jarimah khalwat that occurred in Aceh. The existence of these two authorities is actually feared to cause legal dualism which must be an evaluation of the Aceh Regional Government. Because in the Aceh Qanun, it is not explained in detail how certain limits or levels related to khalwat must be resolved in the Syar'iyah Court or in the Customary Court.

Jarimah Khalwat Non-Muslims in Qonun Jinayat Aceh

The implementation of Qanun Jinayat in Aceh has been going on for a long time, but the implementation of Qanun Jinayat for non-Muslims is arguably still new as previously explained. Based on statistics from Aceh Province, the population of Aceh consists of Muslims who reach 98.923%, 0.795% Protestant Christians, 0.162% Catholic Christians, 0.103% Buddhists, 0.014% Hindus, and 0.005% Confucianists (Mafazi, 2022, p. 493). Thus, it can be seen that the existence of non-Muslims in Aceh is a minority community that only amounts to less than (3%) three percent.

The implementation of Islamic shari'a is basically limited to Muslims living in Aceh (Ismail, 2013, p. 63). Likewise, some of the author's readings from various references show that the implementation of Islamic shari'a in Aceh is basically limited to being applied to the Muslim community of Aceh, and is not applied to non-Muslim communities. However, in fact, the author also found that the Qanun on Jinayat Law as a form of implementation of Islamic shari'a in Aceh could apply to non-Muslims in Aceh when viewed from the provisions of Article 129 (1 and 2) of Law No. 11/2006 concerning the Government of Aceh. As also mentioned in Article 5b of the Aceh Qanun No. 6/2014 regarding the Law of Jinayat, it is explained that "every non-Muslim person who performs jarimah in Aceh together with Muslims and chooses and voluntarily submits to the Law of Jinayat." The point is that if a non-Muslim commits adultery with a Muslim, then the non-Muslim has the right to choose to submit to the Qanun Jinayat or the National Law (KUHP) "if the act is also regulated in the National Law" if he chooses to voluntarily submit to the Qanun Jinayat, then he will be judged in accordance with the provisions of the applicable Qanun and if he chooses the National Law (KUHP), then he will be released from Qanun Jinayat and will also be tried in accordance with the provisions of the applicable Criminal Code.

In Article 5 letter (b), a non-Muslim who commits a jarimah in the Aceh region is allowed to choose an alternative punishment *(choice of law)* and the judiciary *(choice of forum)* which is different if the act of violation is also regulated in other legislation. Alternative punishment *(choice of law)* interpreted as the freedom given to non-Muslims in choosing the punishment imposed according to the provisions of the law (Delimunthe and Siregar 2022:89). It is different if the provision is not bound by other laws and regulations, but is only bound in the Qanun.

Furthermore, Qanun also applies to non-Muslims if the rules cannot be found in the Criminal Code or other laws as explained in Article 5c of Qanun Aceh No. 6/2014 concerning the Jinayat Law that "every person who is not a non-Muslim who commits an act of jarimah in Aceh that is not regulated in the Criminal Code (KUHP) or criminal provisions outside the Criminal Code, but it is regulated in this Qanun." This means that if a non-Muslim commits a jarimah where the provisions are not bound by the Criminal Code or other laws, then he will be subject to sanctions or various provisions that apply in the Qanun Jinayat. For example, if a non-Muslim commits a khalwat jarimah that is tied in the Qanun Jinayat and is not bound in the Criminal Code, then the non-Muslim is enforced or tried with various provisions that apply in the Qanun Jinayat, because the jarimah khalwat is not specifically regulated in the provisions of the Criminal Code. In other words, if there is a non-Muslim who violates the act of jarimah khalwat, he will be subject to *'uqubat* ta'zir as stated in Article 23 (1) of Qanun Aceh No. 6/2014 concerning Jinayat Law that "every person who deliberately commits jarimah khalwat, is threatened with 'uqubat ta'zir whipped a maximum of ten times or pays a fine of a maximum of one hundred grams of pure gold or imprisonment for a maximum of ten months."

The provisions regarding jarimah khalwat actually also raise a dilemma in the application of criminal law in Aceh. Because the implication of the provisions in the Qanun Jinayat is that non-Muslim groups who commit criminal acts that are not regulated in the regulations or laws applicable nationally either in the Criminal Code or outside the Criminal Code, will be punished based on the provisions of Islamic law or Qanun Jinayat. Public law in principle adheres to the principle of territoriality, which means that the law applies to anyone who commits a criminal act in the area where the law is enforced. However, for this Qanun, the principle has changed to a mixture of territorial principles and personality principles (Melayu et al., 2021, p. 144). It is very clearly illustrated where a non-Muslim is punished with Islamic law while there is no option of surrender as referred to by Article 5c of Qanun Aceh No. 6/2014 concerning the Law of Jinayat.

In general, in the theory of law there is a principle *lex superior derogat legi inferiori,* This means that higher regulations in the hierarchy can remove lower legal regulations under them. In the context of the enactment of Qanun Jinayat according to the arguments of legal experts in Aceh, the principle of *lex superior derogat legi inferiori* does not apply (Sucondro 2022:68). In fact, what applies is the opposite, namely *lex inferiori repealed superior law,* This can be seen in Article 72 of the Aceh Qanun No. 6/2014 concerning the Jinayat Law

which says that if the criminal acts in the Jinayat Law Qanun are also regulated in the Criminal Code (KUHP) or other criminal provisions, then what applies is the jarimah rule in the Jinayat Law Qanun (Melayu et al., 2021, p.144).

At least up to this point, it can be understood that non-Muslims who violate the act of jarimah khalwat will be subject to the provisions that apply in the Qanun Jinayat, and there is no need to be given the flexibility between having to choose first to be tried by the Qanun Jinayat or the National Law (KUHP). Apart from the assumption that Qanun Khalwat is equated with the Criminal Code on Morality, in the author's analysis of the previous material, khalwat is one of the acts whose provisions are only bound in Qanun Jinayat and not bound by the National Law that is enforced, namely the Criminal Code. Therefore, the author thinks that non-Muslims who perform jarimah khalwat will be directly enforced with the applicable Qanun Jinayat, because the provisions are not regulated in the National Law.

However, for the solution, the case must be seen first whether it is resolved at the Syar'iyah Court or the Customary Court. So that if there are non-Muslims who commit violations of jarimah khalwat, it must first be seen the limits of jarimah khalwat that can be resolved at the level of the Customary Court, then it will be the authority of the Customary Court accompanied by supervision from the relevant institutions. On the other hand, if it falls within the limits of jarimah khalwat that must be completed at the Syar'iyyah Court Level, then the case will immediately be transferred to Wilayatul Hisbah for further processing at the Syar'iyah Court (Muksalmina et al., 2023, p. 437). The settlement of khalwat is indeed still a polemic, because Qanun Jinayat has never given a limit related to the khalwat case that can be resolved by the Syar'iyah Court or the khalwat case that can be resolved by the Customary Court. According to Yudi Junaidi, this is because the meaning of khalwat is given a very broad meaning which in legal practice is often referred to as the "rubber article", so it is not surprising that its enforcement is also carried out haphazardly (Junaidi, 2012, p. 62).

Based on the description that the author has explained, it can be understood that regarding a non-Muslim who commits the act of jarimah khalwat in Aceh, the rule enforced is Qanun Jinayat which regulates the act of jarimah khalwat, because the Criminal Code does not specifically regulate the act of khalwat. As explained in Article 5c of Qanun Aceh No. 6/2014 concerning Jinayat Law, if it is not bound in the Criminal Code, Qanun Jinayat will be enforced. On the other hand, if in practice non-Muslims who violate the act of khalwat

are given the freedom to choose by what law they are tried by between Qanun Jinayat or the Criminal Code, then this will create a legal uncertainty for non-Muslims who commit violations of Qanun Jinayat, especially for a number of criminal offenses that are not specifically bound in the Criminal Code, for example khalwat, khamr, gambling, and other similar acts. This kind of act unconsciously gives non-Muslims the freedom to avoid the bonds of Jinayat Law (Abubakar, 2020, p. 75).

Intersection of Islamic Shari'a and Non-Muslim Human Rights in Aceh

Qanun Aceh No. 6/2014 concerning the Jinayat Law in its journey caused a number of contradictions, criticisms, and even rejection from a number of circles, both from practitioners, academics, to the general public. On September 14, 2014, in the plenary session of the Aceh DPRA, after the legalization of Qanun Aceh No. 6/2014 regarding the Jinayat Law, it immediately reaped polemics from interfaith groups and human rights activists in Aceh. Because the material contained in the Qanun Jinayat is considered to be full of coercion against non-Muslim Acehnese citizens, because there are several articles that state that this Qanun Jinayat must be obeyed and also applies to the non-Muslim community of Aceh. This condition raises an assumption and concern in carrying out non-Muslim activities in Aceh, because they are forced to submit to Islamic shari'a which is not their religion. If we re-observe in the previous explanation that Qanun Jinayat also applies to non-Muslims, but it should be noted that the act of jarimah contained in the Qanun Jinayat is a prohibition in the moral deviation of the Acehnese people and has nothing to do with the restrictions on worship for non-Muslims in Aceh. Al Yasa' Abubakar as the former Head of the Islamic Sharia Office emphasized that juridically religious freedom for minorities (non-Muslims) is protected their right to worship and carry out their religious teachings (Nurdin et al., 2018, p. 154). However, the presence of Qanun Jinayat is still considered and considered as a form of discrimination against minorities, because there is an element of coercion on non-Muslims to submit to Qanun Jinayat as a form of implementation of Islamic shari'a in Aceh.

The peak of the criticism and rejection of Qanun Aceh Number 6 of 2014 concerning the Jinayat Law is the submission of the right to material examination *(judicial review)* to the Supreme Court carried out by legal activists in representing the unrest of the Acehnese people, especially minorities (ICJR, 2016). According to the petitioners, although the Aceh Government has the authority to regulate Aceh as a special autonomous region based on the UUPA (Aceh Government Law), it should be remembered that the authority concerned is

not absolute in nature to the national legal corridor and human values, including human rights agreements *international* which has been ratified by Indonesia which is the limit for the implementation of the authority of the Aceh government (Abubakar & Lubis, 2019, p. 48; Female, 2016, p. 6). In addition, legal and human rights activists also criticized the implementation of the *'Uqubat of Zir* whipping for all people who violate the rules of the Qanun Jinayat, because the punishment is considered harsh, cruel, and inhumane (Abbas, 2018, p. 24). These lawsuits are on behalf of NGOs (non-governmental organizations) in the legal sector to represent the minority community in Aceh, because they are worried that if they directly sue individually, they will be increasingly intervened and seen as infidels because they sue Islamic law.

The application of the Jinayat law implemented by the Aceh Regional Government for non-Muslims, actually puts non-Muslims in Aceh in a dilemma (Abubakar, 2007, p. 56). The reason is, if non-Muslims reject the implementation of Islamic law, they are aware that non-Muslims are a minority who do not have strong political power at all. But on the other hand, if they accept it, they are worried that they will be treated unfairly by Muslim rulers such as being forced to convert to Islam, obliged to wear a hijab, having their hands cut off if proven to steal, and so on that enforce Islamic shari'a (Salim, 2017, p. 52). This kind of dilemmatic position is natural for non-Muslims, given that they are only a minority living in the midst of a majority society.

In addition, there are legal impacts felt as a result of this transformation both in the national and international context. At the national level, the implementation of Qanun Jinayat often raises contradictory discussions regarding the harmonization of law between sharia law and national law, which results in legal dualism in Indonesia (Gayo, 2017, p. 141). Some legal experts consider that the implementation of Islamic shari'a in Aceh poses a challenge in maintaining the unity of the legal system in Indonesia (Efendi, 2024, p. 47). This is because Qanun Aceh has established principles that are not entirely the same as the principles of national criminal law, so that this can result in incompatibility on the one hand, but can also fill the void of national criminal law on the other hand (Nurdin, 2018, p. 358–59).

Meanwhile, at the international level, the implementation of the Jinayat law in Aceh is in the spotlight because it is considered contrary to the international convention on human rights that has been ratified by Indonesia (Panjaitan & Tjandra 2022, p. 94). For example,

the rules of wearing clothes and the punishment of caning, such as jarimah khalwat, which often receive attention and criticism from groups that fight for human rights (Rahman et al., 2024, p. 190). Because the caning is considered a discriminatory form and is considered inconsistent with international human rights principles regarding human treatment (ICJR, 2014).

At the end of this writing, it can be understood that the application of Islamic shari'a in this case Qanun Jinayat applies to all Acehnese people including Muslims and non-Muslims, because the purpose of this application is the benefit of all mankind and the realization of human rights. Apart from the pro-con debate regarding the implementation of shari'a for Muslims and non-Muslims in Aceh. In that case, according to the author, the application aims to create the principle of *equality before the law* (everyone is equal before the law). Regarding the authority of Qanun Jinayat, it has become the responsibility of the Aceh Government in implementing Law No. 44/1999 and Law No. 18/2001, which was subsequently replaced by Law No. 11/2006.

However, in the future, issues related to the implementation of Islamic shari'a contained in the Qanun Jinayat will continue to cause pro-con debates both at the national and international levels. The main challenge is how the Aceh government seeks the relevance and effectiveness of the law to the non-Muslim community of Aceh. So in this case, it is necessary to continuously evaluate Qanun Jinayat in order to be able to adapt to the times, including reconsidering aspects of law that are more progressive and inclusive. Of course, further research is also urgently needed to assess the future impact of the implementation of Islamic shari'a on non-Muslims in Aceh.

Conclusion

Khalwat is part of the jarimah act that is prohibited in the Qanun Jinayat Aceh, and every Acehnese person who violates the jarimah of khalwat will be subject to *'uqubat ta'zir* in the form of a maximum of 10 whippings or pay a maximum fine of 100 grams of pure gold or imprisonment for a maximum of 10 months. The prohibition of khalwat does not only apply to the Muslim community, but also applies to non-Muslims in Aceh. Non-Muslims who violate the act of jarimah khalwat will be subject to the provisions applicable in the Qanun Jinayat, and there is no need to be given the flexibility between having to choose first to be tried with the Qanun Jinayat or the National Law (KUHP), this is because the National Law (KUHP) does not specifically regulate the act of the criminal act of

khalwat. In responding to this, there needs to be an evaluation from the government regarding jarimah khalwat and the punishment imposed on non-Muslims, this aims to harmonize the law between Islamic shari'a law and national law.

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The Tradition of the Pilgrimage to the Tomb of Mbah Priok in North Jakarta, Indonesia: A Socio-Economic Study from a Religious Perspective

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Abstrak

Tradisi ziarah makam merupakan bagian penting kehidupan keagamaan di Indonesia yang mencerminkan nilai spiritual sekaligus memengaruhi dinamika sosial dan ekonomi. Makam Mbah Priok di Jakarta Utara menjadi simbol warisan budaya dan spiritual yang menarik berbagai peziarah. Namun, modernisasi dan perubahan sosial-ekonomi menimbulkan tantangan dalam menjaga relevansi tradisi ini. Oleh karena itu, penelitian ini dilakukan untuk mengungkap peran makam Mbah Priok dalam menjaga tradisi keagamaan sekaligus menyoroti dampaknya terhadap aspek sosial dan ekonomi masyarakat setempat. Dengan tujuan utama penelitian ini adalah mengidentifikasi peran makam Mbah Priok sebagai pusat praktik atau tradisi keagamaan dampaknya terhadap aspek sisoal-ekonomi masyarakat sekitar. Penelitian ini menggunakan pendekatan kualitatif. Data dikumpulkan melalui observasi partisipatif, wawancara mendalam, dan dokumentasi, dengan instrumen berupa panduan wawancara, catatan lapangan, dan alat perekam. Teknik pengambilan sampel menggunakan purposive sampling yang dikembangkan melalui snowball sampling**.** Hasil penelitian menunjukkan bahwa tradisi ziarah makam Mbah Priok memperkuat nilai sosial seperti gotong royong dan kebersamaan, meningkatkan kepatuhan terhadap norma keagamaan, dan menciptakan peluang ekonomi baru melalui kegiatan perdagangan lokal. Kesimpulan penelitian ini menyoroti pentingnya strategi pelestarian tradisi yang seimbang dengan perkembangan modern, agar tradisi ini tetap menjadi bagian penting dari identitas budaya dan spiritual masyarakat.

Kata Kunci: Tradisi Keagamaan Masyarakat, Perubahan Sosial Ekonomi

Abstract

The tradition of grave pilgrimage is an integral part of religious life in Indonesia, reflecting spiritual values while influencing social and economic dynamics. The Mbah Priok grave in North Jakarta serves as a symbol of cultural and spiritual heritage, attracting pilgrims from diverse backgrounds. However, modernization and socio-economic changes pose challenges to maintaining the relevance of this tradition. This study aims to uncover the role of the Mbah Priok grave in preserving religious traditions and highlighting its impact on the social and economic aspects of the local

community. The primary objective is to identify the grave's role as a center for religious practices or traditions and its influence on the surrounding community. This research employs a qualitative. Data were collected through participatory observation, in-depth interviews, and documentation, utilizing instruments such as interview guides, field notes, and recording devices. Sampling techniques involved purposive sampling, which was further developed using snowball sampling. The findings reveal that the tradition of pilgrimage to Mbah Priok strengthens social values such as cooperation and solidarity, enhances adherence to religious norms, and creates new economic opportunities through local trade activities. The conclusion highlights the importance of balanced strategies for preserving traditions alongside modern developments, ensuring this tradition remains a significant part of the cultural and spiritual identity of the community.

Keywords: Community Religious Traditions, Socio-Economic Changes

Introduction

Religion has an important role in shaping the culture and identity of a society. Indonesia, which is rich in religious traditions as built in Islam, is a religion that is conditioned by great traditions and built through the behavioral practices of its adherents. Islam in Indonesia as a religion that has the largest adherent capacity in the world compared to other countries is certainly rich in culture. Like the tradition of tomb pilgrimage, a form of religious expression, has become an inseparable part of the life of the Indonesian people. Grave pilgrimage is a religious practice or tradition that is carried out by a person by visiting or traveling to the grave of someone who is respected, such as religious figures, elders, or people who are considered to have a high position in the spiritual aspect. In the Indonesian context, the pilgrimage to the tomb in Mbah Priok has become a phenomenon that reflects the dynamics between religious traditions and socio-economic changes in the local community. (Rohimi, 2019)

Mbah priok is one of the many historical sequences of the city of Jakarta. Mbah Proik is an area in Jakarta where this place is famous for having a tomb that is believed to be the place where a spiritual figure or elder who is respected by the local community resides. Mbah Priok has another name, namely Habib Hasan bin Muhammad Al-Haddad. Habib Hasan or Mbah Priok was born in Ulu, Palembang, South Sumatra in 1874 and Habib Hasan died in 1927. Habib Hasan was someone who spread the teachings of Islam in the 18th century. The tomb in Mbah Priok is considered a sacred place and is often a pilgrimage destination for

people who want to get blessings, healing or even get spiritual guidance in getting peace of mind. (Hertiani, 2019)(Chaer, 2016)

Mbah Priok is also part of the cultural heritage in Indonesia.The tradition of pilgrimage to Mbah Priok's tomb has become a descending practice that is carefully guarded by the local community. The rituals related to the food pilgrimage are an inseparable part of the local cultural identity. In addition to the religious aspect, Mbah Priok is also the center of social life where people gather, interact, and strengthen bonds of togetherness. The tradition of pilgrimage to the tomb in Mbah Proik often influences local values, norms and culture. These religious practices become an integral part of the cultural identity of the local people and shape their views of spirituality, purity and togetherness. (Sari, 2021)

This phenomenon is clearly seen in the context of religious traditions in Mbah Priok which later became the center of attention in this research study. In this context, the research focuses on the dynamics of religious traditions related to the pilgrimage to the tomb in Mbah Priok and how this tradition can affect socio-economic changes in the local community. Grave pilgrimages have been an important part of the religious practices and rituals of the local community for many years. But it is important for us to understand how these traditions have changed over time and their impact on the social and economic dynamics of the surrounding environment.

The dynamics of religious traditions as well as social and economic changes are important aspects that are the focus of this study. The phenomenon of pilgrimage to the tomb not only has religious implications, but also has an impact on the social and economic structure of the community. Weber sees sociology as a study of social action between social relationships. Human action is considered a form of social action that is directed at others. In studying these social actions, sociologists interpret or understand, especially the motives of a person's actions. Its theoretical framework is focused on the subjective meaning of human actions and interactions in social contexts (Haryanto, 2015, p. 62). Max Weber (as quoted in Ritzer, 2008, p. 136) argues the relationship between religious values and the development of modern capitalism. Weber highlighted the role of certain religious values, especially in the teachings of the two aspects above.

In the context of the tomb pilgrimage in Mbah Priok, this weber approach is to understand how modernization and rationalization affect the practice of tomb pilgrimage in Mbah Priok. Where this includes the community's mindset towards religious traditions, then the role of religion in the social life of the local community and the way in which the value

of modernity influences and overhauls local traditions such as the pilgrimage to the tomb in Mbah Priok. The value of modernity consists of aspects of individuality, rationality and knowledge, renewal and innovation, and openness to various cultures and values.

Meanwhile, in the aspect of social change, according to Selo Soemardjan, social change is a change that occurs in social institutions in a society that affect the social system, including values, attitudes, and behaviors among groups in society (Soemardjan, 2009). One of them is in the theory of functionalism where it emphasizes how each part of a social system contributes to the survival of the system. This theory of functionalism was initiated by Emile Durkheim who believes that social institutions such as education, religion and law play a role in maintaining cohesion and solidarity in society. Durkheim's functionalism highlights the importance of norms and values, values and social integration in maintaining the social balance of society. In this context, this study seeks to uncover the role of religious traditions, such as tomb pilgrimages, in maintaining social stability and strengthening bonds between community members. In addition, this study explains how the pilgrimage tradition at Mbah Priok's tomb can maintain religious values and preserve other local traditions.(Sitorus, 2022) (Zainal, 2019)

Then in the aspect of economic change, the pilgrimage to the tomb in Mbah Priok became an event or opportunity for local traders to then participate in the giving and sale of the goods needed. As mentioned in economic theory in the aspects of tourism, creative industry, local economy, and cultural economy. In tourism theory, it is explained that this theory studies the interaction between tourism, tourism activities and their impact on the local economy. According to (Prabowo, et al., 2020) Tourism activities can create positive externalities in the form of encouraging community economic activities around tourist attraction areas. In the context of the pilgrimage to the tomb in Mbah Priok, increasing the number of tourists who make pilgrimages can be one of the significant economic impacts on the Mbah Priok area. Then in the theory of cultural economics, it is explained that connecting cultural aspects with economics and researching how culture affects people's economic behavior, which means that in the context of the pilgrimage to the tomb in Mbah Priok, this theory can help understand how this religious practice can affect consumption patterns, production or development of local industries.

Therefore, the existence of this research is actually to find out how the tradition of pilgrimage to the tomb of Mbah Priok can develop from time to time, then what is the role

of this tomb pilgrimage in forming social interaction and solidarity among the local community, to whether there is a socio-economic inequality listed with the religious practice of this pilgrimage. In addition, is there an impact on the local community's economy with this tradition of eating pilgrimage. This research then aims to provide an in-depth understanding of the dynamics of religious traditions in the pilgrimage to the tomb in Mbah Priok and what impact it has on the social and economic changes of the local community.

Research Method

This research is a type of *field research* using a phenomenological or interpretive and qualitative exploratory approach as the method. The sociological and economic paradigm which is also a theoretical approach in this study uses the analysis of *Max Weber*'s modernization theory, then also supported by the theory of social change in the theory of functionalism by *Emil Durkheim*, then also supported by *Pierre Bourdieu***'s** theory of cultural economy who see the practice of pilgrimage to this tomb as part of the study of culture and habits in the community. Then the proponents of the next theory use socioeconomic theory analysis. To reveal the socio-economic changes that occurred in the community around the Mbah Priok Tomb as it is, the collection of data and information was carried out by researchers with primary techniques in the form of *participant observation*, interviews and documentation of respondents with *purposive* and *snowball* sampling techniques for further processing and analysis of data findings to obtain research data.

In addition, the researcher also conducted interviews by recording every thing submitted in the interview process to each respondent that has been determined based on the category of respondents (*purposive* sampling) who have known, interacted directly, and are involved in the activities of visiting and pilgrimage to the tomb of Mbah Priok in Jakarta and then the information of the respondents is processed to be developed again to have more complete data to other respondents for continuous intersubjective confirmation during the research process (snowballing sampling). After all the data and information are recorded, recorded and documented properly, then at the final stage an analysis is carried out according to the theoretical paradigm used in this research approach.

Results Research and Discussion

Diversity of Pilgrims

Like the growth of the times in the dynamics that support the continuity of today in modern life, it is not to be missed that various varieties and motives of tomb visitors in gender identity and social groups can be found in the environment around the tomb. Precisely

in the pilgrimage to the Tomb of Mbah Priok, there is a diversity and a different background from each visitor or grave pilgrim. For example, from the aspect of gender, in Mbah Priok it is not only dominated by one gender but genders such as men and women equally dominate this sacred place. In addition, from the aspect of age, it is not dominated by the young age alone, but the age of adulthood also participates in this religious practice. In fact, every age level can be found in religious practices in Mbah Priok. Then from the aspect of residence, not only local people or pilgrims make pilgrimages at Mbah Piok's tomb but also pilgrims from outside are found making pilgrimages at Mbah Priok's tomb. Like pilgrims from Banyuwangi, Solo and Surakarta are found in this religious practice. As the researcher found that there was one of the sati from the pilgrims who came from outside the city, he said that he came with his wife and children. He is from the island of Sulawesi. Beliah said that "I and my family members came to this cemetery for the first time. I am interested because this cemetery is a historical cemetery and has civilizational values in Islam. I would like to introduce to my family members that this place is the tomb of an influential person in the progress of Islam in this country. I don't bring pilgrimage preparations like I often prepare in my village when I am going to make pilgrimages such as: prepare to sow flowers and others". According to the information that researchers found, they (pilgrims from outside the city) were also facilitated by a local community who then made a pilgrimage to Mbah Priok's tomb. It is facilitated starting from departure and return using a tourism bus. So every day tourism buses are crowded passing by in the vicinity of Mbah Priok to escort and pick up pilgrims from outside the city.

Activities and time of pilgrimage to the Tomb in Mbah Priok

People or visitors who come to Mbah Priok do not only immediately make a pilgrimage to the tomb but before carrying out the tradition of pilgrimage to the tomb, the visitors begin their activities by reciting, reciting ratib, praying the Prophet's prayer to praying together led by the Habaib and Ulama in Mbah Priok. Although actually, according to information obtained by researchers from the local community, it is okay if they just want to make a pilgrimage without following a series of recitation activities, but the fact that people or visitors there actually come to Mbah Priok is none other than to recite prayers and achieve blessings and tranquility from the process of activities before pilgrimage. Generally, the recitation that is carried out before the grave pilgrimage is only carried out every Friday night. And for the pilgrimage to his tomb, Mbah Priok opens the place every day and does

not limit visitors to be able to make a pilgrimage to the tomb in Mbah Priok. In addition to pilgrimage to the tomb and routine recitation, Mbah Priok also held other social activities such as going down to the street to share with anyone passing around Mbah Priok. This means that if viewed from the sociality of Mbah Priok, it is a religious institution that upholds the value of social values to the community with the existence of sharing activities.

Perception and Experience and Impact of Community Spirituality Related to the Tradition of Pilgrimage to the Tomb of Mbah Priok

As explained above, every pilgrim is certainly diverse starting from his age, gender and also his place of residence. Therefore, if you look at the smallest aspect, it is diverse, especially if you want to see how the views or perceptions of the local community are to what their experience in the tradition of pilgrimage to this tomb is certainly very diverse and has the views or perceptions of each person. As has been researched, researchers have found and collected information through interviews with several people who often visit and local people who are close to Mbah Priok's grave.

Nilawati (56) explained that her perception or view regarding the pilgrimage to Mbah Priok's grave is that she feels that the pilgrimage to Mbah Priok's grave is necessary for her. He said that the pilgrimage to the tomb in Mbah Priok has a high spiritual value for him, she also believes that if he makes a pilgrimage to the tomb of Mbah Priok, he will feel blessings and serenity in every series of his life that comes directly to him, none other than when he makes a pilgrimage to eat to this waliyullah.

She felt that he became more diligent when doing other worship because of the calmness he got Then he also mentioned that this grave pilgrimage has indeed become part of the tradition of the culture that has been descended which is based on historical values or traditional beliefs that are important to him. In the information that the researcher found, she has made a pilgrimage to the grave every week which he carries out every Friday night, unlike other pilgrims who can come to Mbah Priok every day. She also explained that the purpose of his pilgrimage to this tomb was not only to gain blessings and peace of life, but also to find solutions to problems and find spiritual meaning that he could not get anywhere else. And then that goal was proven for her.

She really felt the benefits of this grave pilgrimage for himself. And according to him, this grave pilgrimage is important for someone to do if they want to find spiritual meaning that has not been obtained, but returning to the views of others is not the same as ours. In his experience, he only played the role of a visitor and pilgrim to the tomb without

giving any other participation to the activities in Mbah Priok. So, he only came and followed a series of activities without any participation. If you look at this perception that this grave pilgrimage is interpreted as a religious tradition that has been inherent in his culture, it can be said that it has become a habit for her and does not interfere with his activities, even carrying it out, he can even feel the tranquility and vast blessings that of course come from Allah Subhaanahu Wa Ta'ala. this is analyzed or discussed.

Then in the perception or view of other people such as Inah (45) explained that just like the opinion above, he said that this grave pilgrimage is important as a place for us to respect our ancestors, our religious leaders who have made many contributions to building Jakarta civilization which was originally far from religion so that the existence of ancestors and religious figures like Mbah Priok in Jakarta is better. For her, the grave pilgrimage is a religious tradition that continues to be carried out in his culture.

She really felt the satisfaction and benefits of the pilgrimage to the tomb in Mbah Priok. She could feel a perfect serenity, something she had never experienced anywhere else. It was during the pilgrimage to the tomb to Mbah Priok that she felt a very deep calm. His experience and participation in the pilgrimage to the tomb in Mbah Priok is that she plays the role of a "Cook" in this recitation and pilgrimage to the tomb. She helps in preparing and cooking consumption for pilgrims and visitors who come to recite and make pilgrimages. However, such participation is only done during the haul, not every day when she makes a pilgrimage. Because if there is no haul event, there will be no consumption for visitors and pilgrims at the Mbah Priok Tomb. For him, the pilgrimage to the tomb to Mbah Priok has a good purpose.

She made a pilgrimage to this tomb to find a solution to the problems in his life, to ask for the healing of his grandson. Because according to him she only felt special in asking when she made a pilgrimage to the Tomb of Mbah Priok, she felt that if he came to the tomb of Mbah Priok, the problem would be solved immediately and as explained above he would get a very deep calm.

Social Impact of the Pilgrimage Tradition of Mbah Priok's Tomb

Of course, what is called a social activity will definitely involve a handful of people in its implementation. As in this grave pilgrimage, of course there are many people or visitors whose origin is not only from one place. There must be such a thing as a social influence

from the tradition or religious practice of pilgrimage to this tomb, precisely in the pilgrimage to the Mbah Priok Tomb.

The social impact felt according to the information obtained by the author through interviews is that visitors or pilgrims feel that the pilgrimage to the tomb of Mbah Priok creates a moment where people from different backgrounds can gather in one place. Visitors interact with each other, which is evidenced by visitors who previously did not know each other now know each other. Nilawati (56) and Inah (45) also revealed that this grave pilgrimage brought her to get to know her pilgrim friends who were far away from her, so that when they met in other places, they knew each other and then established a good relationship and so on, not only when they were making a pilgrimage to the grave. Then they also explained the high level of solidarity at the grave pilgrimage site between visitors one and the other to take care of each other's needs because they are so caring and solid for others. Inah (45) also explained that even when in the kitchen, for example, there is a shortage of tools or materials in preparing for consumption, visitors or fellow pilgrims also help in fulfilling the shortage.

The Impact and Economic Implications of the Pilgrimage Tradition of Mbah Priok's Tomb

The tradition of pilgrimage to the tomb of Mbah Priok has several significant economic implications. According to the information that the author found during the interview, if according to Nilawati's view, there is a pilgrimage to the grave, according to him, it does not make her family's economy advance or regress. She felt that when she made a pilgrimage to the tomb of Mbah Priok, he didn't spend much money, except for the fare to and from home, and for charity. Even charity is optional, if you don't want to, then the other party does not force it, but according to him, there is no one who does not set aside his money to do charity there. Although going to Mbah Priok's grave requires a fee, according to Nilawati, it does not burden her and does not affect his economy because she runs it based on sincerity in order to achieve her Pleasure. She felt that when carrying out this tomb pilgrimage, sustenance came and flowed from anywhere, thanks to our determination in seeking the blessings that Allah Ridhio through this tomb pilgrimage.

Then it is another matter with Inah (45) explaining that previously it was the same as explained by Nilawati that there was a continuous pilgrimage to the grave or this decline did not make the economy go down or plummet. In fact, for him, the pilgrimage to the tomb in Mbah Priok is an opportunity for him to shape and build his economy. She did this by trading

around the Tomb of Mbah Priok. However, she did not trade directly but he gave the opportunity to his son. According to Inah's presentation, this opportunity to sell is indeed offered by the management or committee of Mbah Priok where the initial capital is provided by the habaib and scholars in Mbah Priok, but if they have traded or sold, a person is not allowed to leave his merchandise to make a pilgrimage to the tomb of Mbah Priok. This trading opportunity also makes it easier for other pilgrims to find food and drinks to be consumed at a short distance without needing to go out of the Mbah Priok Tomb area to buy them. Therefore, the existence of this opportunity to trade makes her son's economy more advanced, originally her son did not have a job and income, now until his son can buy a used motorcycle to then go back and forth from home to the Tomb of Mbah Priok to pick up goods to be sold, then from the existence of the trade opportunity, his son can also buy a cellphone to his grandson who can be said to need a cellphone to support his learning in addition to books from school.

Then the researcher also found other information, according to Eni (35) explaining that she was taking advantage of the trading opportunities at the Mbah Priok Tomb. Eni revealed that his income from trading in the Mbah Priok grave area greatly changed her income and economy, starting from being able to buy a cart, being able to pay rent, which was all nothing but the proceeds of her trade in the Mbah Priok area. But sometimes Eni also wants to keep making a pilgrimage to Mbah Priok's grave. The tomb of Mbah Priok, starting from habib and other scholars, agreed that if there are local traders who want to continue the pilgrimage, as long as they close their goods first, they can take part in the pilgrimage to the tomb in Mbah Priok. So, according to Eni, in addition to being able to improve his economy, she can also get blessings and happiness in his life through this grave pilgrimage, and she is very grateful that Mbah Priok cares very much about the small people and is very helpful in terms of the economy of the local community who want to do business.

Discussion

Pilgrim Diversity Analysis

A pilgrimage to the tomb of Mbah Priok, this religious practice serves to strengthen social solidarity between individuals and groups with different backgrounds. The diversity of pilgrims who come to this tomb, both in terms of gender, age, and place of residence, shows that the tomb of Mbah Priok is a place that is able to unite various individuals with a common goal. This is in line with the theory of functionalism mentioned by *Emile Durkheim*

which focuses on how each part of society has a function to maintain social stability and integration. *Emile Durkheim* also explained in functionalist theory that collective rituals such as pilgrimage have the function of social integration, in which individuals from different backgrounds are united in a common spiritual experience and purpose. Pilgrims from outside the city, such as from Sulawesi, not only bring spiritual motivation as their main destination but also consider this tradition as a form of respect for Islamic history and cultural heritage. *Max Weber* in his modernization theory states that although modernization tends to reduce traditional values (Wear, et al., 2023). Traditions such as pilgrimage remain relevant because they provide space for spiritual reflection amid the pressures of modern life. The existence of a community that facilitates pilgrims' travel through tourism buses also confirms how this tradition has evolved to accommodate the needs of modern society without losing its essence. This diversity also shows a wider range of social dynamics. In the context of social change, the diversity of pilgrims creates cross-cultural interactions that reinforce tolerance and understanding between individuals. Selo Soemardjan's theory of social change highlights that traditions that are able to present collective experiences among diverse groups can strengthen social stability in the midst of changing times. The existence of travel facilitation such as tourism buses also shows the economic and social impact of this tradition. In the perspective of cultural economic theory, pilgrimage traditions create economic opportunities that contribute to the well-being of local communities and have a positive impact on social interactions between local communities and pilgrims.

Analysis of Routine Activities at Mbah Priok's Tomb

The pilgrimage tradition at Mbah Priok's tomb which involves recitation, ratib reading, and joint prayer reflects the ability of local culture to adapt in the midst of modernization. *Max Weber* in *The Protestant Ethic and the Spirit of Capitalism* explains that modernization tends to emphasize rationalization and efficiency, but spiritual values remain important as a mechanism for answering the emotional and existential needs of individuals. At Mbah Priok's tomb, activities such as recitation before pilgrimage have become a relevant form of spiritual actualization in the midst of changing times. This tradition has survived and even attracted the participation of modern people from various backgrounds, including those who use facilities such as tourism buses. This shows that religious traditions can adapt to the needs of modern society without losing their essence. Then in addition, the flexibility born from this tradition is that pilgrims can make a choice to only make a pilgrimage without following the agenda of their routine activities. This flexibility then reflects the special

characteristics of modernization that prioritizes individualism but also provides access or space for collective expression. This supports *Weber'*s opinion that mosernization does not completely eliminate the value of tradition, but allows or approves tradition to adapt. (Hertiani, 2019) in his article about the pilgrimage to Mbah Priok's tomb, also mentioned that activities such as recitation and social action are a tangible form of the influence of this tradition on community solidarity. In *Emile Durkheim's view*, religious traditions such as recitation and joint prayer serve as a means of social integration. The existence of activities that arise from this tradition creates social interest between pilgrims and the community around the tomb of Mbah Priok. *Durkheim* in *The Elementary Forms of Religious Life* explains that collective rituals strengthen social networks and rules that exist in a particular community, resulting in the maintenance of social stability. Activities such as recitation, joint prayer and other ain that are routinely carried out in Mbah Priok in addition to pilgrimage not only provide space for spirituality but also strengthen the solidarity that arises between community members or worshippers at Mbah Priok's tomb. Social activities such as sharing food with others or people in need around the grave reflect functions that should not exist but this can actually strengthen social relationships through life values such as mutual cooperation and caring. So that the tomb of Mbah Priok is not only felt by the social aspect between members or pilgrims but also by the entire wider community. The continuation of this tradition in the midst of modernization also reflects social changes that still maintain the cultural roots and norms of the community. Durkheim emphasized that social change rooted in tradition has an important role to play in maintaining a balance between modernization and the preservation of local values.

Analysis of the Socio-Economic Impact of the Pilgrimage Tradition of Mbah Priok's Tomb

The tradition of pilgrimage to Mbah Priok's tomb is not only a religious ritual but also a social practice that has a great influence on the spirituality, culture, and economy of the community. The perceptions of Nilawati, Inah, and Eni illustrate how these traditions meet the spiritual needs of individuals while having a tangible impact on the social and economic structure of the community. In *Emile Durkheim's perspective*, religious rituals such as pilgrimage not only serve to strengthen the individual's relationship with religious values but also as a means of social integration (Kamirudin, 2017). Activities such as recitation, joint prayer, and social action create solidarity among pilgrims and the

surrounding community, reinforcing the collective norms that are at the core of social stability. The active role of the community in this tradition, such as that carried out by Inah as a consumption provider during the haul event, shows how religious traditions become a space to strengthen relationships between individuals. In *Durkheim*'s concept, this active participation reflects the latent function of religious rituals, which is to create social relationships that go beyond spiritual goals. In addition to active participation, the tradition of pilgrimage to Mbah Priok's tomb also provides a social space in which there are meetings of individuals from various backgrounds. The number of interactions born between individuals at the pilgrimage site, as mentioned by Nilawati and Inah in the results of this research reflects the main function of religious rituals or activities according to *Emile Durkheim* to strengthen social interest. In *The Elementary Forms of Religious Life*, *Durkheim* explains that religious rituals are a mechanism that not only strengthens the bond between individuals with spiritual values but also creates social solidarity in the community (Durkheim, 2016). The interaction produced by pilgrims through this tradition as mentioned by the respondents in the results of the study shows how this pilgrimage tradition can create new ties between individuals who have never known each other before.

This tradition builds a place for social relationships that transcend geographical and cultural backgrounds. In *Durkheim's theory of functionalism*, this kind of interaction is a clear example of the "manifest function" of religious rituals, that is, creating harmonious social relations among its members. The existence of these relationships can strengthen social solidarity, as individuals feel placed as part of a larger community. In addition, the high level of solidarity at the pilgrimage site expressed by Inah, such as the assistance of fellow pilgrims in meeting the shortage of tools or materials for consumption, shows the existence of a "latent function" of this tradition. The solidarity that arises from this interaction is not only limited to spiritual goals but also involves concrete actions to help each other in practical needs. *Durkheim* argues that solidarity created through collective activities like this serves to maintain social stability and strengthen collective norms in society. The social changes that occur as a result of this tradition also reflect the role of religious rituals as a mechanism for social adaptation. In the modern context, when society is increasingly fragmented by geographical, social, and cultural differences, pilgrimage traditions such as those at Mbah Priok's tomb act as a bridge that connects individuals from various groups.

This tradition not only maintains old values but also creates a new form of solidarity that is relevant to the needs of modern society. This supports *Durkheim*'s view that successful social change is one that is able to maintain a balance between adaptation to new needs and the preservation of traditional norms. Broadly speaking, the existence of Mbah Priok's tomb as the center of this tradition also provides space for people from various social backgrounds to interact. Nilawati, who regularly makes pilgrimages to seek blessings and inner peace, and Inah, who plays an active role as a provider of consumption, reflect the diversity of participation in this tradition. In this case, the pilgrimage tradition is not only an individual practice but also a collective experience that brings together different groups of society, creating a space for social dialogue and interaction that strengthens community cohesion. This grave pilgrimage forms a strengthening of social norms such as hospitality for pilgrims, respect for sacred places and the obligation to continue to maintain and maintain traditions in our culture. Then changes in behavior patterns can also be influenced by the existence of this grave pilgrimage, where this grave pilgrimage is a repetitive and consistent religious practice for some people who do it so that this can form a strong habit in carrying out certain religious rituals such as prayers or ceremonies at a certain time. Through this grave pilgrimage, pilgrims can also gather and actively participate in related activities and certainly strengthen social relationships, among others.

The perceptions or views that come from Nilawati, Inah and Eni after following this pilgrimage tradition show how this tradition can create various economic dynamics among the individuals involved. *Karl Polanyi* views that the economy does not stand alone as an independent entity, but is always embedded in social, cultural and traditional relations (Aryanindita & Pramono, 2023). In the context of the pilgrimage to Mbah Priok's tomb, economic activities such as trade in the area around the night cannot be separated from the social and cultural context. This tradition is able to create community-based economic opportunities, where the initial funds as capital, support and regulations provided by the food party are very supportive of small traders such as Inah and Eni to build and improve their living economy. For Nilawati, the pilgrimage to Mbah Priok's grave has no or no effect on his family's economy, but he feels that the existence of this tradition opens the way and the door to blessings with the arrival of abundant sustenance for himself and his family. The perspective that comes from Nilawati illustrates the opinion of *Max Weber* who stated that spiritual values such as sincerity, blessing and trust can create a work ethic that affects a

person's perspective on the economy. In the perspective of Nilawati who carries out her pilgrimage activities with a sense of sincerity, believing that sustenance can come if God is pleased with her describes the belief that hard work or activities based on spirituality will produce glory or prosperity. In this case, pilgrimage is defined as more than just a religious activity, but pilgrimage is also a method or a series of processes in strengthening one's confidence in carrying out economic life. On the other hand, for the perspective of Inah and Eni, the pilgrimage tradition in Mbah Priok offers a good opportunity for them to improve their economic life welfare. By being given the opportunity to trade in the area around the tomb, they not only complement the needs of pilgrims such as food, drink, and pocket needs but they can also create economic continuity for their families.

According to *Karl Marx's view*, economic activity describes the production relations that shape social dynamics (Rahmawati, 2023). This shows the relationship between economic activities and social structures, which illustrates how the economic opportunities that exist from this tradition provide tools for individuals to increase and prosper their productivity. Anak Inah, for example, can buy a motorbike and a mobile phone to meet the educational needs of this modern era for her family, while Eni can afford to buy a cart and pay the rent from the proceeds of her trade through the tradition of pilgrimage to this tomb. However, *Karl Marx* also revealed the existence of a hierarchy in this economic activity, where the tomb party such as habaib and ulama who acted as managers had control over the initial capital grant. Although it is helpful, this relationship illustrates that economic activities or activities are still controlled by the power relationship between the owner of capital, namely the cemetery management and business actors or traders. Indirectly, this tradition can create "economic accessibility" for small communities to get out of economic difficulties. Furthermore, in the context of cultural economy, as expressed by Pierre Bourdieu in this tradition, the economic value of local culture is realized. Cultural values that are inherited from generation to generation, such as respect for *waliyullah* and solidarity created from the community, are the basis for practices such as pilgrimage and trading in the tomb area. The habaib and ulama as the burial party play a role in creating a system that promotes economic and cultural integration. The tomb ensures that this tradition has operated in harmony with the spiritual and economic needs of its worshippers by providing initial business capital to small traders and regulating rules for these traders who want to continue pilgrimage.

Conclusion

The pilgrimage to Mbah Priok's tomb is a religious practice that has formed a rich dynamic in the local community. This phenomenon is not only about spiritual aspects or beliefs alone, but also has a significant impact on social and economic changes in the surrounding community. This means that the tradition of pilgrimage to the tomb of Mbah Priok has a very important function in strengthening social solidarity, spirituality and the economy of the community. This tradition is a significant space for social integration, shown by the diversity of pilgrims from various backgrounds, both in terms of age, gender and geography. This is in line with the functionalist theory of Emile Durkheim. Collective experiences are created due to religious rituals such as recitation, joint prayer and social action. This experience will strengthen good relationships between individuals, both pilgrims and local communities. In addition, this tradition shows its ability to adapt in the midst of modernization without losing its traditional values. The flexible and inclusive approach allows individuals to tailor their forms of participation, according to their individual spiritual and practical needs, supporting *Max Weber's view* of traditions that can remain relevant in the modern era. From an economic perspective, this pilgrimage tradition has a real impact on the economy of the local community. The trading activities that took place around the tombs showed that this tradition not only had a spiritual dimension but also became an economic opportunity that helped improve the welfare of the community. This is in line with *Karl Polanyi's view* that the economy is always embedded in social and cultural relations. The tradition of pilgrimage to the Tomb of Mbah Priok is not only a manifestation of the relationship between humans and their God, but also a proof of the strength of tradition in strengthening social solidarity, maintaining spirituality, and supporting the economic sustainability of the local community. This tradition is a reflection of harmony between religious values and balanced worldly needs, making it one of the most relevant and effective examples of cultural preservation in the modern context. Thus, the tradition of pilgrimage to Mbah Priok's tomb is not only a means of preserving cultural and spiritual values, but also builds a space for social dialogue, cross-cultural interaction, and community economic empowerment. This tradition proves that local values can coexist with modernization, creating a balance between the preservation of tradition and the needs of contemporary society.

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The Value of Religious Moderation in Compulsory Wills to Non-Muslims Through the Application of Maqasid Shari'ah

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Abstrak

Penelitian ini mengkaji putusan nomor 263/P.Dt.G/2007/Pta.Sby untuk mengidentifikasi nilai-nilai moderasi beragama yang diterapkan oleh hakim. Penelitian bertujuan untuk mengetahui dan menganalisis nilai-nilai moderasi beragama dalam pemberian wasiat wajib kepada non-muslim melalui penerapan maqasid al-syari'ah dalam putusan nomor 263/P.Dt.G/2007/Pta.Sby. Sumber informasi mengenai hal ini adalah putusan nomor 263/p.dt.g/2007/pta.sby. Keputusan tersebut dianalisis menggunakan analisis konten. Langkah-langkah yang diambil adalah mengumpulkan data, mengaturnya, menyajikannya secara tertulis, dan menarik kesimpulan. Hasil penelitian menunjukkan bahwa nilai moderasi beragama yang diterapkan oleh hakim pengadilan agama dalam putusan di atas berdampak positif, meliputi: menjaga kedamaian dan stabilitas lingkungan keluarga, memajukan kedamaian dan kemakmuran di masyarakat, menjamin perlindungan harta benda, memberikan perlindungan bagi kepentingan beragama, melindungi keberadaan keharmonisan keluarga, dan menjamin keadilan sosial di masyarakat, dan mencerminkan fleksibilitas ajaran Islam.

Kata Kunci: Maqasid al-syari'ah, Moderasi, Non- muslim, Wasiat wajib.

Abstract

This research examined decision number 263/P.Dt.G/2007/Pta.Sby to identify the values of religious moderation implemented by the judge. This research aims to find out and analyze the values of religious moderation in the granting of mandatory wills to non-Muslims through the application of maqasid al-syari'ah in decision number 263/P.Dt.G/2007/Pta.Sby. The source of information regarding this matter is decision number 263/p.dt.g/2007/pta.sby. The decision was analyzed using content analysis. The steps taken are collecting data, organizing it, presenting it in writing, and drawing conclusions. The research findings show that the value of religious moderation implemented by religious court judges in the decision above, have a positive impact includes: maintaining peace and stability in the family environment, promoting peace and prosperity in society, ensuring the protection of property, providing protection for religious interests, protecting the existence of family harmony, and ensuring social justice in the community, and reflecting the flexibility of Islamic teachings.

Keywords: Compulsory wilss, Non-muslims, Maqasid al-syari'ah, Moderation

Introduction

In Indonesia, religious courts have a very important role in resolving various legal issues faced by Muslims, especially those related to family law and inheritance. Social reality shows that the country has a high level of religious diversity, so that legal cases often arise involving families with members from various religions. In this context, the granting of obligatory wills to non-Muslims becomes one of the most relevant issues. Although traditional Islamic law restricts inheritance rights for non-Muslims, the social reality calls for a more inclusive and adaptive approach. (Hassan & Osman, 2019).

The phenomenon of blended families, where family members come from different religious backgrounds, is increasing in Indonesian society. These families often face complex legal challenges, particularly in terms of inheritance and other family rights. In some cases, religious courts have shown flexibility in applying Islamic law, taking into account the values of religious moderation in line with the principles of justice and social welfare. (Rahman & Mustafa, 2021).

Religious moderation is a concept that emphasizes balance, tolerance and inclusiveness in religious life. This concept is particularly relevant in the context of pluralistic Indonesia, where harmonious relations between followers of different religions are essential to maintaining social peace and stability. Religious courts, through their verdicts, often reflect the principles of religious moderation even though they do not explicitly use the terminology (Kamali, 2010). (Kamali, 2010).

The application of maqasid al-syari'ah or the objectives of shari'ah in religious court decisions is one way to realize the values of religious moderation. Maqasid al-syari'ah includes the protection of religion, soul, mind, offspring, and property. In the context of granting mandatory wills to non-Muslims, the application of maqasid al-syari'ah shows how Islamic law can function dynamically and flexibly to meet changing social needs. (Albayrak, 2022).

Decision No. 263/P.Dt.G/2007/Pta.Sby is a clear example of how religious courts apply maqasid al-syari'ah in inheritance cases involving non-Muslims. Analysis of this decision shows that the judge considered the values of religious moderation to achieve justice and benefit. This reflects the realization that the law must be able to respond to complex and diverse social realities. (Hassan & Osman, 2019).

In an increasingly pluralistic society, it is important for legal institutions, including religious courts, to adopt an inclusive and adaptive approach. The values of religious

moderation can be a guide in resolving cases involving religious differences, so as to create justice for all parties involved. The application of maqasid al-syari'ah in religious court decisions is an important step towards creating a more responsive and humane legal system. (Lamido, 2016).

The formulation of this research problem is how the application of religious moderation values in the granting of mandatory wills to non-Muslims through the maqasid al-syari'ah perspective in the context of the Religious Courts in Indonesia. This research aims to explore and analyze how the values of religious moderation are applied in the granting of mandatory bequests to non-Muslims through the maqasid al-syari'ah perspective. By using content analysis method, this research will examine verdict number 263/P.Dt.G/2007/Pta.Sby to identify the values of religious moderation implemented by the judge.

There are several previous studies related to this topic. Arifin (2019) in his research entitled "Religious Moderation in the Perspective of Islamic Law in Indonesia" discusses the concept of religious moderation in Islamic law in Indonesia, focusing on the application of the principles of justice and inclusiveness in religious courts. Dewi (2020) through the article "Implementation of Maqasid al-Syari'ah in Religious Court Decisions" explores how maqasid al-syari'ah is applied in various religious court decisions in Indonesia, including inheritance cases involving non-Muslims. Fahmi (2018) in "The Position of Non-Muslims in Islamic Inheritance Law in Indonesia" examines the position and rights of non-Muslims in Islamic inheritance law in Indonesia, as well as how religious courts address related issues.

Hidayat (2019) in "The Maqasid al-Syari'ah Approach to Family Dispute Resolution" discusses the application of maqasid al-syari'ah in resolving family disputes in religious courts, focusing on efforts to achieve justice and benefit. Mustofa (2021) in his research "Religious Moderation in Islamic Family Law" analyzes the concept of religious moderation in Islamic family law, as well as how these principles are implemented in religious court decisions. Rahmawati (2020) in "The Role of Religious Courts in Maintaining Religious Harmony" discusses the role of religious courts in maintaining religious harmony through decisions that reflect moderation and inclusiveness.

Saleh (2018) through his research "Maqasid al-Syari'ah and the Granting of Compulsory Wills to Non-Muslims" explores the application of maqasid al-syari'ah in granting compulsory wills to non-Muslims, as well as its impact on justice and social harmony. Syafii (2019) in his article "Justice Values in Religious Court Decisions" analyzes

the values of justice reflected in religious court decisions, focusing on inheritance cases involving non-Muslims. Wardani (2021) in "Tolerance and Moderation in Islamic Inheritance Law" discusses the concepts of tolerance and moderation in Islamic inheritance law, as well as how religious courts apply these principles in their decisions. Yulianto (2020) through the article "Maqasid al-Syari'ah Perspective on Inheritance Law in Indonesia" explores the maqasid al-syari'ah perspective on inheritance law in Indonesia, focusing on efforts to achieve justice and benefit in religious court decisions.

There are several gaps found between this research and previous research. Previous studies such as those conducted by Arifin (2019) and Rahmawati (2020) have discussed religious moderation in Islamic law and the role of religious courts in maintaining religious harmony. However, this study specifically focuses on the application of religious moderation values in court decisions related to mandatory wills to non-Muslims, which have not been discussed in depth in the previous literature. In addition, Dewi (2020) and Hidayat (2019) have explored the application of maqasid al-syari'ah in various religious court decisions. This research provides an in-depth analysis of a specific case, namely decision number 263/P.Dt.G/2007/Pta.Sby, which has not been discussed in detail in previous studies.

Previous studies tend to use a qualitative approach with interviews and literature studies. This research adds a content analysis method that focuses more on the text of court decision documents, providing a new and more detailed perspective on how the values of religious moderation and maqasid al-syari'ah are applied in a legal context (Krippendorff, 2018; Saldaña, 2021). In addition, the specific location of the research at the Surabaya Religious Court provides a clearer context and allows this study to explore how local and cultural factors influence the application of Islamic law. This is in contrast to previous studies that were more general or theory-focused without a specific context.

Although many studies have addressed inheritance law in Islam and the rights of non-Muslims, such as those conducted by Fahmi (2018) and Saleh (2018), this study provides a specific focus on the granting of mandatory wills to non-Muslims. It provides a new contribution to the understanding of how religious courts can apply maqasid al-syari'ah principles to achieve justice in cases involving religious differences. In addition, this study utilizes an interdisciplinary approach by combining the perspectives of law, sociology, and religious studies, in contrast to many previous studies that tend to focus on one discipline alone (Patton, 2020; Miles et al., 2019).

By identifying this gap, this research seeks to fill the void in the existing literature and make a significant contribution to the development of understanding of the application of religious moderation values and maqasid al-syari'ah in religious court decisions in Indonesia.

Research Method

This research was conducted at the Surabaya Religious Court, East Java. This court was chosen because it has a significant history of decisions, including decision number 263/P.Dt.G/2007/Pta.Sby, which is the main focus of this research. The object of the research is the decision of the Surabaya Religious Court number 263/P.Dt.G/2007/Pta.Sby, which contains aspects of religious moderation in the granting of mandatory wills to non-Muslims. This research will examine how the values of religious moderation are applied through the maqasid al-syari'ah perspective in the decision.

The data used in this research consists of two types: primary and secondary data. Primary data was obtained directly from the Surabaya Religious Court decision document number 263/P.Dt.G/2007/Pta.Sby. Secondary data is obtained from various related literatures, including journals, books, and articles that discuss religious moderation, maqasid al-syari'ah, and Islamic inheritance law. Data collection was done through documentation techniques: This technique was used to collect primary data from Surabaya Religious Court judgment documents. In addition, documentation techniques were also used to collect secondary data from related literature. The data analysis technique used in this research is content analysis. This technique was used to analyze text from decision documents.

Results Research and Discussion

1. Moderation

Basically, moderation has actually been taught by Islam which has been described in the Qur'an. (Abror, 2020). In the Qur'an, the term moderation is called *Al-Wasathiyyah*, but there is also a debate about the understanding of moderation in the current context. (Prayitno & Nursikin, 2023).. The word "*al-Wasathiyyah*" comes from the word al-wasth (with the letter sin which is sanctioned) and al-wasath (with the letter sin which is fathah-kan) both of which are isim mashdâr from the verb wasatha. Simply put, the definition of *Wasathiyyah* terminologically derives from its etymological meanings, which means a praiseworthy characteristic that keeps a person from the tendency to be extreme. (Ma'arif, n.d.).

From the basic definition of *Wasathiyyah* in these Arabic dictionaries, it can be concluded that the concept of *Wasathiyyah* etymologically has two major meanings, namely:

First, as a noun (ism) with a zharf pattern that is more concrete (hissî), namely as an intermediary or connector (interface / al-bainiyyah) between two things or two conditions or between two opposing sides. Secondly, it is more abstract (theoretical) meaning fair, choice, main and best (*superiority/al-khiyar*).

The great scholar Sheikh Yusuf Al-Qardhawi explained, *Wasathiyyah* which is also called *at-tawazun*, is an effort to maintain a balance between two opposite or contradictory sides / edges / edges, so as not to let one dominate and emphasize the other. For example, spiritualism and materialism, individualism and socialism, realism and idealism, and so on. Being balanced in responding to it is by giving a fair and proportional portion to each side/party without overdoing it, either because there is too much or too little. (Winata et al., 2020).

People who have a just nature will always maintain a balance and always be in the middle in handling or dealing with two problems or situations. (Darmayanti & Maudin, 2021). The word *wasath* in Arabic indicates the middle of the two ends of something. This word has a good meaning, as the Prophet Muhammad said in a hadith, "The best of affairs is awsathuha (the middle)" because those in the middle position will always be protected from defects or disgrace that usually hit the ends or edges. Basically, good traits are accommodations and also the middle of two bad traits, for example, the trait of being fond of sharing that mediates between wastefulness and miserliness, then the trait of courage that mediates recklessness and fear.

If seen from the above understanding, then in Islam there will be no such thing as *extremism* and *radicalism*, because Islam teaches justice and balance. In its relations and views on other religions, Islam applies the firm and polite principle that your religion is for you, my religion is for me in accordance with the words of Allah SWT: "For you is your religion and for me is my religion" (QS. Al-Kafirun verse 6).

Islam has taught that among humans there must be differences, both in terms of culture, ethnicity, tribe and differences in beliefs, all of which are fitrah and sunnatullah or have become God's decree, the main purpose and purpose is for them to know and interact with each other (QS.al-Hujurat verse 13). The existence of diversity is a social reality, something that is inevitable and cannot be denied, especially in the country of Indonesia which has the basis of Pancasila with the motto Bhinneka Tunggal Ika, although different but still one. Religious moderation is needed as our cultural strategy in maintaining Indonesianness and diversity. As a very heterogeneous nation, since the beginning the founding fathers have

succeeded in bequeathing a form of agreement in the nation and state, namely Pancasila in the Unitary State of the Republic of Indonesia, which has succeeded and succeeded in uniting all ethnic groups, languages, tribes, cultures and religions. Indonesia is not declared as a religious state, but it also does not separate religion from the daily lives of its citizens. Religious values are preserved, integrated and united with the values of local customs and wisdom, there are even some religious laws institutionalized by the state, so that the implementation of religious and cultural rituals runs peacefully and harmoniously. (A. K. Sari et al., 2021).

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2. Maqasid al-Syariah

One of the important and fundamental concepts that is the subject of discussion in Islam is the concept of *Maqasid Sharia* which emphasizes that Islam is present to realize and maintain the maslahat of mankind. (Paryadi, 2021). This concept has been recognized by scholars and has become a basic reference in Islam. The spirit of the *Maqasid Syariah* concept is to realize the good while avoiding the bad or attracting benefits and rejecting harm. The term that is commensurate with the core of *Maqasid Sharia is* maslahat, because Islam and maslahat are like twin brothers that cannot be separated. (Iqbal et al., 2023)..

Maqasid Syariah consists of two vocabularies, namely *al-maqasid* and al-shariah. (WILLY, 2023). *al-maqasid* is a plural form of the word *almaqsad* from the root word al-qasd. Etymologically, al-qasd has several meanings, including the following: First, the straight path (istiqamah al-tariq). this meaning refers to the word of Allah surah al-Nahl (16): 9 that Allah has the right to explain the straight path and invites the creatures to always be on the straight path. This invitation is based on irrefutable evidence and arguments. The opposite word al-qasd is al-jair (deviant path). The second is the ultimate goal (*ali'timad wa al-amm*). This meaning is often used and referred to by fiqh scholars and ushul fiqh scholars.

(Hula, 2020). Purpose (*almaqasid*) is a reference in every action of the mukallaf and the law changes with changes in purpose (*al-maqasid*). It is the deepest element that makes the basis for every action of a person.

The ushuliyin and fuqaha often do not limit the meaning of the word *al-maqasid*. This word can be understood in its etymological context after being coupled with other words, such as the rule that says, "all actions depend on the purpose or intention of the perpetrator" (al-umur bi maqasidiha). In this context, *al-maqasid* is interpreted as something that underlies a person's actions and is implemented in concrete form (al-fi'il), or such as al-Ghazali's (d. 505 AH) statement that the objectives (maqsud) of sharia are five; protecting religion, soul, mind, offspring and property. (Dongoran, 2022; LESTARI, 2022)..

Broadly speaking, the scholars provide an overview of the *Maqasid Sharia* theory, namely that *Maqasid Sharia* must be centered and based on five main benefits, namely: the benefit of religion (*hifz al-din*), the benefit of the soul (*hifzal-nafs), the benefit of* reason (hifz *al-aql)*, the benefit of offspring (hifz *al-nasl*) and the benefit of property (hifz al-mal). Each level has its own classification, namely the primary / primary rank (*dharuriyyat*), the need / secondary rank (*hajjiyat)* and the complementary / tertiary rank (*tahsiniyyat*). (Mu'alim, 2022).

In the determination of the law, this rank order will be seen in importance when it conflicts in its benefit. The dharuriyyat rank comes first, then the hajjiyat precedes the tahsiniyyat rank. It can be interpreted that the third rank complements the second rank and the first rank is complemented by the second rank. Dharuriyyat is interpreted as a need that can not be allowed or delayed its existence to maintain the integrity of the five basic benefits (*al-umur al-khamsah*), either by upholding the main joints, establishing the rules, rejecting misery (*al-mafasid*) that or will occur. Delaying or denying this first rank will cause the existence of the five essentials to be jeopardized. *Hajjiyat* is a condition that does not threaten the existence of the five principles but will only cause hardship. For example, the *rukhsah of being* allowed to make up the fasts or jamak for travelers. Meanwhile, *tahsiniyyat is* defined as a need that supports the improvement of human dignity in society and before God, of course paying attention and conformity with its appropriateness.

3. Compulsory Wills

Initially, the *mandatory will* know in Indonesia was only intended for adopted children and adoptive parents, as stated in Article 209 of the Compilation of Islamic Law which reads (Noviyanti & Mulati, 2019). The inheritance of adopted children is divided based on articles

176 to 193 mentioned above, while the adoptive parents who do not receive a will are given a *mandatory will* as much as one third of the inheritance of their adopted children. Against adopted children who do not receive wills *wajibah* as much as one-third of the inheritance of his adoptive parents.

Article 171 letter h of the Compilation of Islamic Law states that an adopted child is a child in whose maintenance for daily life, education costs, and so on switches its responsibility from its original parents to its adoptive parents based on a court decision. The Compilation of Islamic Law Article 171 letter f states that a will is a gift of an object from the testator to another person or institution that will take effect after the testator dies. The rules regarding this will are regulated in the Compilation of Islamic Law starting from Article 194 to Article 209. Articles 194 through 208, regulate wills in general which are common as in classical fiqh. However, Article 209 contains *mandatory wills* for adoptive parents and adopted children.

Article 209 of the Compilation of Islamic Law above, especially in paragraph (2), illustrates that adopted children can receive *mandatory wills* as much as 1/3 of the inheritance of their adoptive parents. The provision of *mandatory wills* in the Compilation of Islamic Law is a bridge that covers the imbalance that has occurred so far between adopted children and adoptive parents who do not inherit each other, because there is no provision for mutual inheritance between the two. Meanwhile, adopted children who have been very meritorious, caring for and maintaining adoptive parents do not get inheritance when their adoptive parents die, or vice versa, unless the adoptive parents or adopted children have first made a will. Otherwise, the adopted child or adoptive parent does not receive any property. This has been felt to be unfair in society. The adopted child who has served so long for the benefit of the adoptive parents or vice versa does not get a share of the property. (Bula et al., 2023).

It can be understood from the information above that adopted children have the right to inheritance, which is regulated based on certain articles, namely from Article 176 to Article 193 in the Compilation of Islamic Law. However, for adoptive parents who do not receive a will, they are entitled to a mandatory will as much as one-third of the inheritance of their adopted child. Conversely, for adopted children who do not receive a *will, they are* entitled to a maximum of one-third of the estate of their adoptive parents.

4. Decision Number 263/P.dt.G/2007/PTA.Sby

Obligatory wills are one of the cases that are not always brought to the Religious Courts even though they fall within their absolute jurisdiction. As of mid-2018, a number of cases had been resolved by religious judges and posted on the Supreme Court website. This is in contrast to other cases such as divorce, inheritance and marriage which continue to increase each year in all religious courts in Indonesia. On the one hand, the scarcity of compulsory testament cases can be understood because Muslims rarely bequeath their assets except for a handful of people. From these cases, two decisions of religious judges of the Supreme Court were selected. They have permanent legal force and will be briefly described in the following explanation.

The first case is Decision Number 263/P.dt.G/2007/. PTA.Sby concerning the granting of compulsory bequests to non-Muslims. In this case, a mother bequeathed five of her seven children her property. One of the contents of her will was to set aside some of her property to be given to one of her Christian children, who would be given to her after her death. When the mother died, one of her Muslim children challenged her will. He took the matter to the Religious Court in December. In the end, one of the seven siblings objected and did not accept the decision of the court judge who decided to grant the will to the non-Muslim sibling, even while in Jember. The Religious Court declared her mother's will invalid.

This case was decided by a religious court judge in December No. 204/Pdt.G/2007/PA.Jr. The judge decided that PSP, who is a Christian, is one of the seven biological children of S as an heir, while the other six children are Muslim. The judge decided that PSP could not receive inheritance because her objective condition as a non-Muslim prevented her from being entitled to receive inheritance from her Muslim mother. The judge specifically cited one of the hadith arguments which states that a Muslim cannot inherit from a non-Muslim and vice versa. However, the judge transferred his position as a recipient of the 1/7th statutory bequest on the basis of his closeness to his mother and the affirmation of Article 209 of the Islamic Collection Law that allows it. In accordance with the provisions of Islamic law, the judge decided that the issue of compulsory bequest through a grant to PSP should take precedence over the distribution of inheritance to the other six siblings.

The case then reached the level of appeal. In this case, the applicant was one of the siblings of the six applicants, including PSP, who is a non-Muslim. The decision of the judge of the Surabaya Supreme Religious Court then upheld the decision of the Jember Religious

Court. The verdict stated that the defendant PSP was prohibited from receiving the inheritance of her heirs because of her status as a non-Muslim. However, she is entitled to receive a *mandatory will* through a grant from the testator's estate as stated in dictum number five, which is 1/7 of the share.

The case concerned a religious judge's decision to award inheritance to one of seven non-Muslim siblings through a mandatory will. Initially, 5 of the 7 siblings received a will from their mother when she was still alive. However, the will was annulled by the religious judge. However, the judge decided to give Christian inheritance through a *compulsory will*. The judge applied the concept of hiyal proposed by the Hanafiah school of thought. The judge annulled the testamentary bequest because the legal action violated the provisions of sharia law regarding grants and wills, where grants are given during life and wills after death. But then the judge restored the rights of one of the non-Muslim siblings through a *mandatory will,* because non-Muslims are not entitled to inherit the property of their Muslim mother but can receive property through a mandatory will. Thus, the principle of receiving inheritance for non-Muslims changed from testamentary bequests to *mandatory wills*.

Basically, there is a close relationship between grants and wills. Among them, grants and wills can be given to both Muslims and disbelievers. This is in accordance with the fiqh concept that a Muslim can make a will to a zimmi (a non-Muslim who has a peace treaty with a Muslim) and vice versa because the grant to him is considered valid. It appears that this decision was taken by the judges based on their opinion of the above fiqh thinking. The judges believed that it is permissible for a Muslim to give a grant to a disbeliever and vice versa. In the case of *compulsory bequests in the* form of grants decided by the judge in the above case, this is correct according to the view of qiyas. According to qiyas aulawi (mafhum muwafaqah), it is permissible to give and receive grants to and from non-Muslim relatives. This is relevant to the case under discussion, so the act of a Muslim mother giving a grant to her non-Muslim son is certainly more acceptable. Therefore, the religious judge's ijtihad in granting *compulsory bequests in the* form of grants to non-Muslim relatives is correct.

5. Values of Religious Moderation in the Granting of Compulsory Wills to Non-Muslims Through the Application of Maqasid Al-Shari'ah in Decision Number 263/P.Dt.G/2007/Pta.Sby

5.1 Maintaining Peace and Stability in the Family Environment

The judge used various maslahah considerations in an effort to find a way for non-Muslims without violating the provisions of Sharia law. First, preserving the soul (hifz al-

nafs). This case involved seven children (including one non-Muslim) who were the heirs of a deceased testator. But before dying, the testator made a will stating that the non-Muslim child would receive part of his property in the form of a grant. This situation can lead to major conflicts if not resolved by the religious court after the testator dies. Many cases of inheritance disputes have led to fights, persecution, and even murder between heirs. Thus, property, which essentially must be protected for the sake of survival, becomes the cause of the fundamental collapse of humanity and kinship. (Khalisha & Zubaedah, 2021). The judge's decision to issue a mandatory will to non-Muslims in the form of a grant can be an effective solution to avoid conflict between relatives.

Ensuring the safety of life in Islamic law is second only to the obligation to protect religion in this ruling. Pamilangan in his study explains that the issue of inheritance can cause family members who do not receive inheritance to break the law, and can even kill each other just because of property. (Pamilangan, 2022). The same thing was also emphasized by Praatiwi & et al. that the granting of mandatory wills by judges for non-Muslim heirs is oriented towards providing guarantees for family integrity (Pratiwi et al., 2022). (Pratiwi et al., 2020).. This kind of practice is not in accordance with the objectives of sharia (maqasid al-syari'ah), namely the religion of justice, peace, and the benefit of the universe (QS. al-Anbiya` (21): 107). Therefore, maintaining the integrity of the family is the main objective of Islam (QS. at-Tahrim (66): 6).

The impact of losses due to the killing of heirs who are not given a share of the inheritance can result in household breakdowns (Ash-Shahbuni, 1995). Moreover, this problem will be complicated and will continue in future generations because of revenge. This does not rule out the possibility of civil war between members of a family. As a preventive effort to overcome these problems, the judge's policy in granting wills through grants is the right action in accordance with the objectives of Islamic law, because one of the functions of the judge's decision in Islamic law is as a mediator and intermediary who stops and resolves the dispute.

The decision of judges in religious courts to grant compulsory wills to non-Muslim heirs does have significant implications in safeguarding life and preventing quarrels and fights between heirs. The division of inheritance is often a trigger for conflict among family members, especially if there is dissatisfaction with the division. In cases where there are non-Muslim heirs, the judge's decision to grant them a wajibah will can prevent dissatisfaction

that could lead to conflict between family members. As such, it helps to maintain peace and stability within the family. (Muhammad Daud & Hj Azahari, 2018).

The argument presented by Qiana regarding the maqasid al-syari'ah principle applied in the settlement of inheritance disputes in religious courts, which includes the basic objectives of sharia such as preserving religion, soul, mind, offspring, and property, plays an important role in achieving a fairer and more harmonious dispute resolution. By using this approach, judges are able to consider a wider range of aspects than just positive legal provisions, including the social, economic and emotional conditions of the parties involved in the dispute. This allows judges to make decisions that are not only legal, but also ethical and humane, in accordance with the values of social justice desired by Islamic law.

In addition, he also added that the application of maqasid al-syari'ah in the settlement of inheritance disputes significantly contributes to preventing prolonged conflict and improving relations between heirs. Through the application of maqasid al-syari'ah principles, religious courts can accommodate the needs and interests of all parties more comprehensively, reducing the dissatisfaction that is often the main trigger of conflict in inheritance cases. Thus, decisions made based on maqasid al-syari'ah not only comply with the law but also support the creation of harmony and stability in families and society at large. This article emphasizes the importance of the maqasid al-syari'ah approach as a framework for formulating decisions that are more inclusive and just and relevant to the dynamic social context in Indonesia.

5.2 Peace and Prosperity in Society

The judge in his ijtihad refers to the concept of maslahah mursalah. Among the conditions for the validity of maslahah mursalah as Al-Ghazali's concept requires that the maslahat is a general maslahat. This is as explained by Khotib in his study of the concept of maslahah mursalah by Al-Ghazali. (Mohammad Hadi Sucipto & Khotib, 2020). This is very much in line with the purpose of sharia, which is to realize the public good without favoring personal tendencies.

The provision of mandatory wills to non-Muslim heirs can also be understood as an effort to fulfill the public good, including in maintaining inter-religious harmony and harmony in the community. (HARIDI, 2019). In a broader context, this decision can help strengthen tolerance and reduce the potential for interfaith conflict by demonstrating that Islamic law in Indonesia is able to adapt to the realities of existing multiculturality. Religious moderation also involves protecting the weak and vulnerable in society. In the context of

mandatory wills to non-Muslim heirs, the judge's decision can be understood as a move to protect the rights of non-Muslim heirs, who may be in a more vulnerable position in the context of Islamic inheritance law.

Thus, the decision of judges in religious courts to grant mandatory wills to non-Muslim heirs indirectly contributes to safeguarding lives and preventing quarrels and fights between heirs, by creating an environment of harmony, peace and respect for religious differences. The judge's decision ultimately aims to promote peace and prosperity in society. By avoiding potential conflicts and violence related to the division of inheritance, judges help create a safe and peaceful environment for all citizens, regardless of their religion or beliefs.

6. Property Protection Guarantee (Hifz Al-Mal)

Wealth is something that humans fight to obtain, so it has value in human life. Heirs absolutely need inherited property from their parents. To ensure the security of property so that it is not destroyed and controlled by only a few heirs, the religious judge prevents such damage by deciding to make a mandatory will in the form of a will to a non-Muslim child, because the child cannot obtain property through inheritance.

The judge in his action, used the concept of maslahah which is popular among scholars including Al-Ghazali. This basic concept of maslahah guarantees the security of property either personally or collectively. (Ratna Pura et al., 2022).. The judge decided that the division of property should be done while the heirs were still alive. In this way, the heir witnesses the transfer of his estate and is responsible for distributing it to his non-Muslim children. Indeed, according to Islamic law, a will must be made after the holder dies. The way the judge determined that the will was in the form of a grant meant that it could be given during the testator's lifetime, because the grant was made during his lifetime. The judge adhered to two strong foundations (maslahah), namely on the one hand the implementation of the will and on the other hand providing leeway to uphold the rights of non-Muslim children without neglecting the rights of their Muslim children as they should.

There is something else in this ruling that also relates to the safeguarding and maintenance of property. Each heir receives their own share of the inheritance. Non-Muslim family members who do not receive the inheritance will more or less feel jealous of other heirs who receive the inheritance. In the Judge's view, social jealousy can lead to prohibited acts such as robbery, theft and destruction of other heirs' property. If something like this were to happen, it could cause huge losses for all parties, given the important role of property in the life of the community.

The decision of a judge in a religious court to grant a mandatory will to a non-Muslim heir has important implications in safeguarding the safety of the heir's property. Avoidance of the Risk of Waste and Abuse of Property. In cases where there are non-Muslim heirs, the neglect of a clear and formal distribution may increase the risk of waste or abuse of the estate. By granting compulsory probate to non-Muslim heirs, the judge provides legal certainty and order in the distribution of the estate, reducing the potential for abuse or waste of the estate.

Unauthorized or unlawful distribution of inheritance can result in unauthorized claims from other parties, especially if there are non-Muslim heirs who are officially denied their share of the inheritance. By granting compulsory bequests to non-Muslim heirs, judges help protect the estate from unauthorized claims, maintaining the security and integrity of the estate.

Previous research supports these findings. For example, a study by Erna (2019) showed that the application of maqasid al-syari'ah in Islamic inheritance law can help maintain the security of property and avoid conflict. Research by Gita also found that the application of maqasid al-syari'ah in family law cases can prevent the misuse of inherited property. (Gita Sartika et al., 2024).. Hana (2021) added that the role of religious courts in maintaining social justice through Islamic inheritance law is very important to prevent waste and abuse of property.

On the other hand, Rinaldi argues that religious courts often use maqasid al-syari'ah principles to assess the social impact of their decisions and to ensure that they promote social welfare and reduce the potential for conflict. In the context of protecting the property of non-Muslim heirs, Rinaldi asserts that religious courts have a responsibility to ensure that the property rights of non-Muslim heirs are recognized and protected. With this approach, religious courts can play an important role in supporting the creation of social justice and harmony in diverse societies. This approach allows religious courts to be more responsive to complex social dynamics and ensure that Islamic inheritance law can be applied in a way that promotes justice and well-being for all parties involved, including non-Muslim heirs. (Rinaldi et al., 2017)..

7. Protection of the Existence of Family Harmony

Among the values contained in the originality of Islamic law is maintaining the integrity of the family lineage (hifz al-nasl). The judge's decision to give a mandatory testamentary inheritance in the form of a grant to a non-Muslim child can make a positive

contribution to the maintenance of kinship between heir children. The judge was of the opinion that the consequence would be the destruction of kinship if a non-Muslim child did not receive a share of his parents' property simply because he was of a different religion. In terms of lineage, he was born and had the same parents as his other siblings. This fact separates him from his other siblings for property reasons. With the judge's decision, he will remain bound to his siblings, so that the family ties that bind them remain intact. Therefore, property and the obligation to maintain it, which comes fifth in the maqasid al-syariah, cannot and should not be the reason for separating them, even though there is a way justified by sharia to give it to non-Muslims, namely through grants.

The judge's decision reinforces family values in the Islamic context, where maintaining the integrity of the family lineage (hifz al-nasl) is an important aspect. (Mingka, 2019). By granting obligatory wills to non-Muslim children, judges recognize that religious factors should not be an obstacle in maintaining harmonious family relations. This is in accordance with the principle that family ties should not be severed simply because of religious differences. Thus, the judge's decision not only fulfills the principle of justice in the distribution of inheritance but also respects the family values that are the foundation of the integrity of society in the Islamic view.

Furthermore, the decision reflects a deep understanding of maqasid al-syariah, the goals of Islamic law. Maqasid al-syariah is not only about fulfilling religious obligations, but also includes other aspects that contribute to the welfare and justice of society. Fikri et al. explain that although the preservation of property and inheritance is an important aspect of sharia, maintaining family ties and relationships between family members is also an equally important goal. (Fikri et al., 2023).. This is in line with Syarief's opinion that by prioritizing the continuity of family relationships, judges take steps that are in accordance with the main principles of sharia to achieve a balance between individual rights and the collective interests of society. (Syarief, 2021).

Furthermore, Kartika (2018) asserts that the application of maqasid al-syari'ah principles in inheritance cases in religious courts allows judges to make decisions that are not only legal but also ethical and humane. The maqasid al-syari'ah approach helps accommodate the needs and interests of all parties involved, including those in weak or vulnerable positions. By considering the social context and the impact of the decision on the welfare of the parties, religious courts can provide more inclusive justice and prevent prolonged conflict. Kartika argues that the application of maqasid al-syari'ah in Islamic

inheritance law is an important step towards achieving greater social harmony and justice in a multicultural society like Indonesia. This shows that maqasid al-syari'ah is not only a theoretical concept, but also practical in creating justice that is humane and relevant to social reality. (Herenawati et al., 2020).

8. Guarantee of Social Justice in Society

The judge's attempt to grant compulsory bequests by way of grants does not limit the understanding of the laws of inheritance, wills and grants to the scope of religion alone. The law of inheritance explains that a person who leaves Islam (apostate) has no right to inherit from his Muslim parents. Similarly, a Muslim cannot inherit from another non-Muslim. However, in this decision, the judge took another step by requiring wills and providing compensation to non-Muslim family members. The judge based his view by stating that Islam is not a discriminatory religion but one that embraces all humanity equally and is a mercy to the universe (QS. al-Anbiya` (21): 107).

The decision of judges in religious courts in Indonesia to grant mandatory wills to non-Muslim heirs shows the application of the value of religious moderation in the context of Islamic law in a country with a multicultural society. (Salma, n.d.). The decision to grant compulsory probate to non-Muslim heirs demonstrates the principles of justice and equality in Islamic law. Although Islamic law provides specific guidelines regarding the division of inheritance between Muslims and non-Muslims, this decision reflects respect for the rights of non-Muslim individuals in the context of state law that guarantees freedom of religion and equality before the law.

One of the principles of maqasid al-syari'ah is to maintain social welfare and justice. In the context of compulsory bequests, religious moderation demands that the distribution of inheritance is done fairly among heirs in accordance with the provisions of sharia. This means avoiding too large a gap between the shares received by heirs, as well as ensuring that the rights of all parties are respected and fulfilled. Encouraging the needs of the weak and vulnerable to be taken into account. This includes protecting the rights of widows, children, and economically disadvantaged groups. In the application of maqasid al-syari'ah, this can be realized by paying special attention to the distribution of inheritance that ensures that those in need receive sufficient support from the estate.

The decision also promotes the values of tolerance and justice in society. By recognizing the rights of non-Muslim individuals in the context of inheritance, the judges affirmed that all citizens have equal rights under the law, regardless of their religion or

beliefs. This creates the foundation for a more inclusive and just society for all individuals. The decision reflects respect for universal values of human rights and justice. Although in the context of Islamic law there are specific provisions related to inheritance, the recognition of the right of non-Muslim individuals to receive inheritance is a step consistent with the broader principles of humanity and equality.

Hariyanti (2021) revealed that religious courts have a very important role in achieving social justice through the application of Islamic inheritance law. Hariyanti explained that religious courts in Indonesia not only act as judicial institutions that apply positive law rigidly, but also as agents of social change that seek to apply the principles of maqasid al-syari'ah to achieve substantive justice. According to Hariyanti, in many decisions, religious court judges seek to consider the social, economic and cultural context of the parties involved, as well as the impact of the decision on social welfare and stability. This approach allows religious courts to deliver judgments that are more inclusive and just, reflecting the values of social justice that are the primary goal of Islamic law. (B.S. & Hariyati, 2020).

Meanwhile, according to Kamarudin, religious courts have a very important role in achieving social justice through the application of Islamic inheritance law. He explained that religious courts in Indonesia not only act as judicial institutions that apply positive law rigidly, but also as agents of social change that seek to apply the principles of maqasid al-syari'ah to achieve substantive justice. According to him, in many decisions, religious court judges seek to consider the social, economic and cultural context of the parties involved, as well as the impact of the decision on social welfare and stability. This approach allows religious courts to deliver judgments that are more inclusive and just, reflecting the values of social justice that are the primary goal of Islamic shari'ah. (Kamarudin, 2015).

In line with that, Ratna highlighted the importance of religious moderation in achieving fair and harmonious resolution of family disputes in religious courts. She explained that religious courts in Indonesia face great challenges in handling cases that involve differences in religious beliefs between the parties to the dispute. In this context, religious moderation becomes an important key to bridging differences and creating solutions that are acceptable to all parties. He revealed that the religious moderation approach allows judges to consider the values of justice, balance, and inclusiveness, which are crucial in achieving sustainable and harmonious settlements. (Ratna Pura et al., 2022).

9. Reflection on the Flexibility of Islamic Teachings

The judge also provided an understanding that Islamic law is not rigid. According to the judge, Islamic law can provide protection and a sense of justice even to non-Muslims. This is explained at length in the Quran, including in QS. an-Nisa` (4): 92) and the Sunnah of the Prophet SAW. The judge is not only guided by the specific rules of inheritance that aim to prevent joint inheritance between Muslims and non-Muslims but also guided by the general rules of justice contained in the verses of the Qur'an and the legacy of the Prophet SAW. Therefore, the decision was taken based on the principle of mashalih al-mursalah. In other words, the judge can find the virtue of maslahah even though it is not clearly proven by the arguments of the Qur'an and Sunnah. Nevertheless, the judge still emphasized that one of the non-Muslim brothers in this case was not an heir who was entitled to receive inheritance, but he could and did have the right to receive a compulsory bequest through a bequest of inheritance of property that he could not inherit from his heirs. This is motivated by the judge's view that it is not permissible to include his non-Muslim character in the group of infidels who are hostile and fighting against Muslims. In response to this, it can be understood that the religious judge's decision is a form of ijtihad within the framework of Islamic law reform that prioritizes the values of religious tolerance.

The decision of judges in religious courts to grant compulsory wills to non-Muslim heirs shows the flexibility of Islamic teachings in several aspects. Among them is Adjustment to Social Context. The decision reflects Islam's ability to adapt to diverse social contexts. In a multicultural society such as Indonesia, where there are various religions and beliefs, Islamic teachings can accommodate this diversity by providing flexibility in the application of its principles, including in terms of inheritance.

Previous research supports this view. For example, a study by Qiana (2020) shows that the application of maqasid al-shari'ah in the settlement of inheritance disputes can achieve more inclusive and harmonious justice. (Qiana, 2020). Research by Rina (2018) also found that religious moderation is important to maintain balance and justice in society. (Rina, 2018). Sari (2021) added that the application of maqasid al-syari'ah principles in religious court decisions can help achieve more inclusive and humane justice. (N. Sari, 2021).

Conclusion

The conclusion of this discussion shows that the application of religious moderation values in the granting of mandatory wills to non-Muslims through maqasid al-syari'ah in

religious courts is realized in the form of first, maintaining peace and stability in the family environment. Second, promoting peace and prosperity in society. Third, ensuring the protection of property. Fourth, providing protection for religious interests. Fifth, protecting the existence of family harmony. Sixth, it ensures social justice in society. Finally, it reflects the flexibility of Islamic teachings.

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Islamic Work Ethic: A Comparative Study on Generation Y and Generation Z Employees

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Abstrak

Industri Fesyen Muslim Indonesia berkembang pesat dan mengembangkan sistem organisasinya yang dilandasi nilai-nilai dan etika Islam telah banyak menjadi pedoman dasar kegiatan organisasi. Namun, makna etos kerja Islami yang menjadi dasar karyawan dalam menjalankan setiap aktivitas dan mempengaruhi keterlibatan karyawan dalam pekerjaan, partisipasi serta kinerja dapat berbeda bagi karyawan yang termasuk generasi Z atau karyawan generasi Y. Karyawan pada Generasi Z dikenal sebagai generasi instan dan *digital native*. Sedangkan karyawan generasi Y dikenal karena kepeduliannya terhadap nilai-nilai personal dan individualistis. Hal ini tentunya dapat menampilkan perilaku dengan makna Etos Kerja Islami yang berbeda. Penelitian ini dilakukan terhadap 278 karyawan yang berasal dari perusahaan yang menerapkan budaya kerja Islami dengan menggunakan metode deskriptif kuantitatif dan *convenience sampling*. Data responden dikumpulkan secara *online* melalui *google form* dan dilakukan analisis deskriptif untuk melihat perbedaan etos kerja Islam pada generasi Y dan generasi Z. Hasil penelitian menunjukkan tidak ada perbedaan etos kerja Islami yang ditunjukkan oleh karyawan meskipun berasal dari generasi yang berbeda. Namun, terdapat perbedaan perilaku dan pemahaman etika kerja itu sendiri yang dapat dijadikan dasar bagi perusahaan dalam meningkatkan etika kerja karyawannya.

Kata kunci : Etos Kerja Islam, Generasi Y, Generasi Z, Studi Komparasi

Abstract

Indonesia's Muslim fashion industry is growing rapidly, and the development of its organizational system based on Islamic values and ethics has been a basic guideline for organizational activities. However, the meaning of Islamic work ethics, which is the basis for employees to carry out every activity and influence employees' commitment, participation, and performance, may be different for employees belonging to Generation Z or employees belonging to Generation Y. Employees belonging to Generation Z are known as the instant generation and digital natives. Generation Y employees are known for their focus on personal and individualistic values. This can certainly show behavior with different meanings of Islamic work ethic. This research was conducted on 278 employees from companies that apply Islamic work culture using a quantitative descriptive method and convenience

sampling. The data was collected online through Google Form and descriptive analysis was carried out to see the differences in Islamic Work Ethic between Generation Y and Generation Z. The results showed that there is no difference in the Islamic Work Ethic displayed by the employees despite being from different generations. However, there are differences in behavior and understanding of work ethics that can be used as a basis for companies to improve the work ethics of their employees.

Keywords: Comparative Studies, Islamic Work Ethic; Generation Y; Generation Z.

Introduction

     Indonesia is one of the most populous Muslim countries in the world. Based on the results of the 2020 population census conducted by the Central Statistics Agency, the Muslim population in Indonesia reaches 87% of the total population of Indonesia (Indonesia, 2022). This has led to the emergence of the Muslim fashion industry. These Muslim fashion companies offer products to provide Islamic living services from the clothing worn, accessories, clothing and tools for worship and emphasize their employees also provide performance in accordance with Islamic rules in the form of work ethic.

     Work ethics in the company play an important role in carrying out employee performance in the office. This work ethic is intended so that employees carry out their work properly and ethically to support the success of the business in the long term, because the community's assessment of the company is from the good name of the company, namely from internal and external companies. Since the beginning of Islam, Muslims have offered a unique perspective on work and have formulated a specific conceptualization of work ethic. On all sides, the work ethic and behavior in accordance with religious rules have strengthened their faith and accelerated social and economic changes that Saudi Arabia, the birthplace of Islam, has rarely experienced (IbnKhaldun dan Abd al-Rahman (1989), at (A. J. Ali & Al-Owaihan, 2008)), a medieval Arab sociologist, argued that engaging in business can have four outcomes viz: facilitating co-operation and mutual understanding among people, satisfying people's needs, increasing wealth, and influencing the economic growth of the city.

     Islamic work ethic is an orientation that shapes and influences people's engagement and participation at work (A. Ali, 1988). This implies that work is a virtue that one needs, and is a necessity for establishing balance in one's individual and social life (A. J. Ali & Al-Owaihan, 2008). It is not for the denial of life, but for the fulfilment of life and has business motives of the highest esteem (Ahmad, 1976 in (A. J. Ali & Al-Owaihan, 2008). The Islamic work ethic views work as a means to advance economic, social and psychological self-

interest, to maintain social prestige, to advance the welfare of society and a reaffirmation of faith. The concept has its origins in the Qur'an and the sayings and practices of Prophet Muhammad.

The Islamic work ethic is built on four basic concepts: effort, competition, transparency, and moral responsibility (A. J. Ali & Al-Owaihan, 2008). In general, it implies that doing business with minimum or no restrictions and in a vibrant environment will essentially result in higher performance and wider prosperity.

The four main pillars in the concept of Islamic work ethic are: 1) Effort. Effort is an attitude that is seen as a necessary element of serving oneself and society where work is not only seen as an end but as a means of developing oneself and social relationships. 2) Competition. Competition is an attitude at work that sees competition as an effort to improve the quality of work where it does not cause disputes. 3) Transparency. Transparency is defined as a moral responsibility. Transparency is based on the mutual understanding that wrongful behavior and actions, fraud, will hinder justice and limit freedom of action in the market. It can be concluded that transparency is a behavior that emphasizes trust and openness in the work environment. 4) *Morally responsible conduct*. Morally responsible conduct is a morally responsible attitude that can be described as delivering innovation, dedication, and focus on the job.

The simultaneous presence of the above four concepts ensures balanced benefits for individuals and social communities. People who conduct their business in a morally acceptable manner should be held in high esteem. This concept of morally responsible work behavior was represented at that time and became a major breakthrough in the world of commerce or can be likened to the economy of today.

According to Hendryadi (Hendryadi, 2018) explained that in general, research on Islamic Work Ethic (IWE) is fragmented into two impacts, namely at the individual and organizational levels. IWE in research from 2010-2017 is mostly associated with individual attitudinal and behavioral factors such as job satisfaction (Nasution & Rafiki, 2020), *Organizational Citizenship Behavior* (Suryani et al., 2023), commitment (AFLAH et al., 2021), (Udin et al., 2022), work b (Caniago et al., 2023), innovative behavior (Hasan et al., 2022), or work motivation (AFLAH et al., 2021).

At the organizational level, IWE is shown to be related to organizational culture (Chupradit et al., 2022), firm's competitive advantage (Kiswara Rahmantya et al., 2019),

and financial governance (Kamaruddin et al., 2021) where employees with high levels of Islamic work ethic do the best they can to achieve organizational goals that contribute to performance. The summarized research strengthens previous studies such as (A. J. Ali & Al-Owaihan, 2008) and (A. J. Ali et al., 2013) which view Islamic values, beliefs, and perceptions as influencing employee work attitudes and behaviors.

This research was conducted to examine Islamic Work Ethics in employees of companies that produce Islamic-based goods and services. Employees grow up and grow up based on the situation that occurs at that time (Andrea et al., 2016). A generation is a group of individuals who identify the group based on the year of birth, age, location, and events in the life of a group of individuals who have a significant influence in the growth phase. Generation theory (Goldstone, 2001) suggests that human generations can be divided into 5 based on their year of birth, namely: baby boomer generation born 1946-1964, generation X born 1965-1980, generation Y born 1981-1994, often called the millennial generation, generation Z born 1995-2010 also called iGeneration, iNet generation, internet generation and the alpha generation born 2011-2025. Generational differences can be seen in Table 1 below.

Table 1. Generational Differences

Year of Birth	Generation Name
1925-1946	Traditional Generation
1946-1960	Baby boomers Generation
1960-1980	X Generation
1980-1995	Y Generation
1995-2010	Z Generation
>2010	Alpha Generation

Source: (Grabinski, 1998)

Although it has employees belonging to baby boomers and Generation X, this research provides more comparison on employees consisting of Generation Y and Generation Z. Generational differences in the work environment are one of the subjects that always appear in the development of human resource management, and the concept of generational differences continues to evolve over time (Stewart et al., 2017). Currently, the productive workforce is dominated by the Y and Z generations. Generation Y uses a lot of instant

communication technology such as e-mail, SMS, instant messaging, and social media such as Facebook and Twitter, in other words, Generation Y is a generation that grew up during the internet boom era (Andreassen et al., 2017). The characteristics of Generation Y are different for each individual, depending on the upbringing, economic strata, and social family, communication patterns are very open compared to previous generations, fanatical social media users and their lives are very influenced by technological developments, more open to political and economic views, so they appear to be very reactive to environmental changes that occur around them (Kinash & Crane, 2015).

Generation Z is known for its mastery of information and technology (Kowske et al., 2010). For generation Z, information and technology are things that have become part of life, because generation Z was born when access to information, especially the internet, has become a global culture, so that it affects values, views and life goals (Hodges, 2019). This provides a challenge in realizing Islamic Work Ethic in employees who come from younger generations, namely generation Y and generation Z. The lack of research in this area also adds to the lack of research in this area. The absence of research in this field also adds to the urgency of this research. Therefore, this research will conduct a comparative study on Islamic Work Ethic in generation Y and generation Z

Research Methods

This research uses a non-experimental research design with quantitative descriptive research methods. Non-experimental research, is a systematic empirical study in which scientists cannot directly control the independent variable because its manifestations have already appeared or because the nature of the variable's nature prevents the possibility of manipulation (Kerlinger & Lee, 2011). The variables in this study can be measured using measuring instruments so that quantitative data can be analyzed using statistical procedures (Creswell, 2020).

Data from the research sample was taken at one specific time-period so that the data collection method used in this study is referred to as a cross-sectional design. The data collection process taken is obtained from data that is found in the field. Through the survey method, variables are measured using research instruments, so that the data obtained in the form of numbers will be analyzed using statistical calculation procedures to determine the relationship of the two variables. Through the survey method, variables are measured using

research instruments, so that the data obtained is in the form of numbers which will eventually be analyzed using statistical calculation procedures to determine the causal relationship between variables.

Research Respondents

The research population is employees of Muslim fashion companies in Indonesia whose number is unknown. The sampling technique uses convenience sampling, namely sampling based on aspects of convenience, namely respondents who are willing to fill out the questionnaire. The convenience in this case is that the respondent is chosen because he happens to be in the right place and at the right time and the respondent's willingness to fill out the questionnaire (Sugiono, 2014). The sample criteria are company employees belonging to the Muslim fashion industry in Indonesia who have been doing their jobs for at least 6 months, so they already know the values and procedures for carrying out tasks in the company.

Questionnaire

This study uses a self-administered questionnaire, which is a questionnaire that is filled out by the research respondents themselves. Furthermore, the researcher will conduct an analysis based on the subject's answers to the questionnaire. The questionnaire given is a direct questionnaire, because the subjects answer related to themselves in the form of a rating scale, which is a statement followed by columns that indicate levels. The questionnaire used in this study was used to measure the Islamic work ethic variable which consists of four basic concepts, namely, effort, competition, transparency, and moral responsibility (Ali, 2008). The measuring instrument consists of 4 dimensions and 17 items with examples as shown in Table 2.

Table 2. Islamic Work Ethic Scale

Aspects	Items	Example
Effort	5	Work is a means to promote personal growth and the development of social relationships
		The value of a job is seen in the intentions that accompany it rather than the outcome of the work
Competition	5	One should do the work to the best of one's ability
		Everyone who works tends to get ahead in life
Transparency	4	Work is a means to promote personal growth and the development of social relationships
		Work allows one to control one's environment

| Morally responsible conduct | 3 | Fairness and generosity in the workplace are necessary conditions for being able to achieve societal well-being |
| | | The production of more than enough goods to meet the needs of others contributes to the overall well-being of society |

Sources of validity evidence can be obtained from 5 ways, namely Evidence Based on Test Content, Evidence Based on Response Processed, Evidence Based on Internal Structure, Evidence Based on Relations to Other Variables, and Evidence, Based on Consequences of Testin (Sireci, 2020), (Peng et al., 2013). In this study, researchers conducted expert judgement as one way to get validity based on test content. Meanwhile, the reliability of the measuring instrument obtained Cronbach's Alpha of 0.87, which means it is reliable based on the criteria put forward (Kaplan & Saccuzzo, 2017).

Research Procedure

The research was conducted with attention to the welfare of respondents by providing informed consent containing information about the research conducted and a statement of willingness to participate in the study. The measuring instrument uses an assessment consisting of 5 answer options using a Likert scale. The assessment criteria can be seen in table 3.

Table 3. IWE Measuring Instrument Assessment Criteria

Answer choices	Item Score
Strongly Disagree	1 (R=5)
Disagree	2 (R=4)
Neutral	3 (R=3)
Agree	4 (R=2)
Strongly Agree	5 (R=1)

Based on the measurement results later, score categories are then made which aim to provide an overview of the variables measured. This is intended to facilitate discussion of the research data. Therefore, the score categories using class interval data are grouped into 3 categories, namely high, medium, and low. To be able to categorize the measurement results into three categories, the classification found in table 4 is used.

Table 4. Category Measurement

Category	Score Range
Low	X < 2.33
Average	$2.33 \leq X < 3.67$
High	3.67 < X

Result Research and Discussion

Based on respondents' demographic data, it is known that the data on the respondent's age, gender, length of work, and last education can be seen in table 5 below.

Table 5. Demographic Data

No	Aspect	Category	Frequency	Percentage
1	Age	19-23	116	41.73%
		24-28	110	39.57%
		29-33	32	11.51%
		>33	20	7.19%
2	Gender	Man	106	38.13%
		Woman	172	61.87%
3	Education Level	Senior High School	203	73.02%
		S1/ Bachelor degree	72	25.90%
		S2/ Master degree	3	1.08%
4	Duration of Employment	1-3 years	207	74.46%
		3-10 years	69	24.82%
		ars	2	0.72%

Meanwhile, when viewed from the categorization of Islamic work ethic owned by Muslim fashion employees which is shared in 3 categories, namely low, medium, and high. Based on the research data, the average value of Islamic work ethic is 3.37 on a scale of 5. Based on the criteria that have been made, this figure shows that the Islamic work ethic of Muslim fashion employees is in the medium category. The distribution of scores from the Islamic work ethic of Muslim fashion employees can be seen in Figure 1.
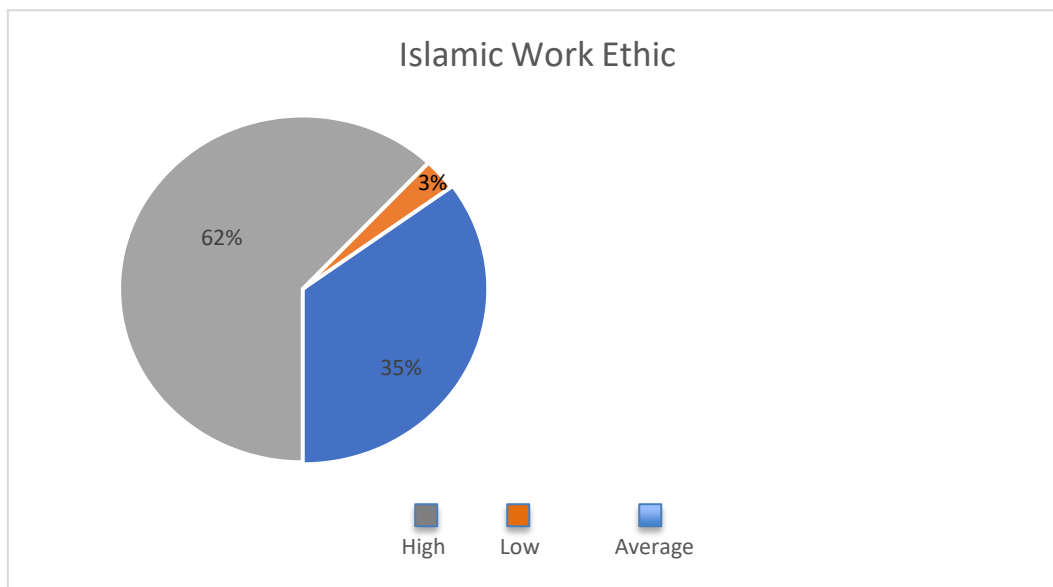

Figure 1. Categorization of Islamic Work Ethic

Meanwhile, when viewed from the comparison of the dimensions forming Islamic Work Ethic, it can be seen in Figure 2.

Figure 2. Mean Islamic Work Ethic

Based on the above calculations, the dimensions of forming an Islamic Work Ethic are in the moderate category, which means that they still need strengthening. Although overall in the moderate category, it can still be seen that there is a dimension that is at the bottom of the order, namely morally responsible conduct with a lift of 3.1 while the others are at the same number, namely 3.4. In this case, it can be seen that the morally responsible attitude of employees to provide benefits to the work environment by providing innovation and maximizing performance so that it is useful for society at large is the lowest dimension when compared to other dimensions, although in general the difference is not too significant.

When viewed the comparison between Generation Y and Generation Z, we get an overview of Islamic Work Ethics from both generations with an overview that can be seen in figure 3.
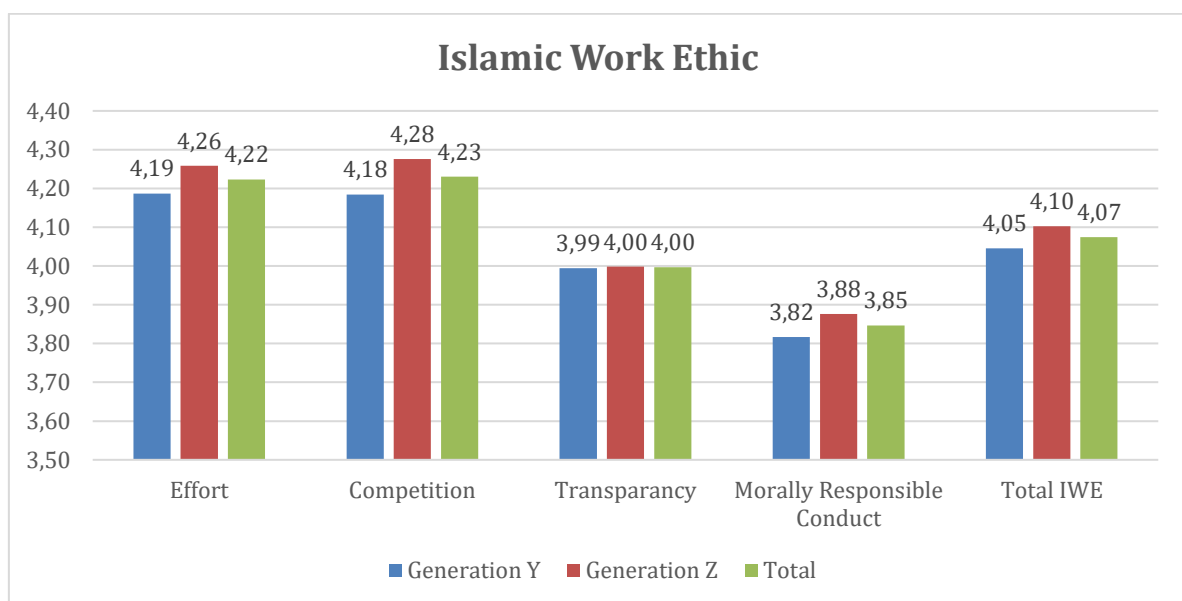

Figure 3. Overview of Islamic Work Ethic of Generation Y and Generation Z

In general, it can be seen that Generation Z has a higher score than Generation Y on each of the dimensions that form Islamic Work Ethic as well as from the total Islamic Work Ethic data as a whole. Of the four dimensions forming Islamic Work Ethic, the Morally Responsible Conduct dimension has a smaller score. This shows that the morally responsible attitude of employees to provide benefits to the work environment by providing innovation and maximizing performance so that it is useful for society at large has a heavier burden carried out by employees so that they have a smaller score even though it is still in the moderate category.

Furthermore, a different test was carried out to see the difference in demographic data on *Islamic work ethics*. Based on the results of the difference test, data can be seen as table 6 regarding data normality.

Table 6. Test of Normality

Tests of Normality

	Kolmogorov–Smirnov[a]			Shapiro-Wilk		
	Statistic	df	Sig.	Statistic	df	Sig.
IWEY	.517	138	.000	.066	138	.000
IWEZ	.517	138	.000	.065	138	.000

a. Lilliefors Significance Correction

Based on the test results, it was concluded that the significance of < 0.05 which means that the data is not normally distributed, so it uses non-parametric statistics. Then different tests of Islamic Work Ethic conditions were carried out in different generations, the results of which can be seen in table 7.

Table 7. IWE Difference Test in Generation Y and Generation Z

Ranks

	GENERASI	N	Mean Rank	Sum of Ranks
IWE	Generasi Y	138	136.53	18841.50
	Generasi Z	140	142.43	19939.50
	Total	278		

Test Statistics[a]

	IWE
Mann–Whitney U	9250.500
Wilcoxon W	18841.500
Z	-.611
Asymp. Sig. (2–tailed)	.541

a. Grouping Variable: GENERASI

With Asymp.Sig > 0.05, the hypothesis is rejected, which means that there is no difference in IWE in different generations. Then a different test was carried out again on the demographic aspects contained in the respondents and obtained the results as seen in table 8.

Table 8. Test Results of Demographic Differences with *Islamic Work Ethics*

Comparison Data	*F*	*Sig*	Information
Age	0.801	0.494	There is no difference between Generation Y and Generation Z
Education	0.280	0.756	There is no difference between Generation Y and Generation Z
Duration of Employment	0.740	0.478	There is no difference between Generation Y and Generation Z
Tribe	2.034	0.109	There is no difference between Generation Y and Generation Z
Work Level	0.149	0.930	There is no difference between Generation Y and Generation Z

With Sig > 0.05, the hypothesis is rejected, which means that there are no differences in IWE (Islamic Work Ethic) demographics consisting of age, education, length of service, ethnicity, and job level in different generations.

Discussion

Based on the age grouping of respondents into the age range designating generation Y and generation Z, it is known that there is no difference in Islamic work ethic between these different generations. Based on further analysis, it is also known that demographic factors such as educational background, length of work, ethnicity, and gender do not make a difference to each individual from different generations. This is in line with the findings (A. J. Ali & Al-Owaihan, 2008) related to his research which found that the demographic factors of the research subjects related to the Islamic work ethic did not make a difference in his findings due to the existence of Islamic values that have been internalized by respondents widely and for a long time so that the influence of demographic variables is not significantly different. Another possibility is that Islamic teachings have emphasized the aspects of the Islamic work ethic. The reflection of these values has become an attitude that is internalized by the community at large so that there is a commitment to carry out these values. In some contexts, adherence to Islamic values, which are the general ethics of work, will lead to sanctions if not implemented by followers of Islamic teachings.

Islamic work ethic is an orientation that shapes and influences a person's engagement and participation at work. Islamic work ethics is built on four basic concepts, namely, effort, competition, transparency, and moral responsibility (A. J. Ali & Al-Owaihan, 2008). Based on research that has been conducted on 278 employee respondents in the Islamic fashion industry, it is obtained regarding the description of the Islamic work ethic that the average score of the Islamic work ethic variable is at a score of 3.37 on a scale of 5. Based on the predetermined categories, this figure shows that the Islamic work ethic is in the sufficient category, and it can be concluded that the Islamic work ethic of employees even though they are in companies that produce goods in the field is not optimal.

Based on interviews with several employee informants, it was found that they feel that workers work with good intentions to be able to develop their abilities and gain relationships, in the work process see competition with colleagues as a good thing because it is in accordance with religious orders to compete in goodness, emphasize mutual trust and openness with each other and take responsibility for their work by working to the maximum. However, not all employees show the same Islamic work ethic. There are still employees who think that Islamic values in the company have not fully shaped and influenced their involvement and participation in the workplace.

Based on the calculation of the distribution of Islamic work ethic scores of Muslim fashion employees, it is found that a small proportion of the distribution of Islamic work ethic is in the low category with a total of 4%. Based on this figure, it means that only 4% of respondents are not optimal in their Islamic work ethics. Then 61% of respondents are in the medium category. Based on this figure, it can be interpreted that most employees have not fully optimized their Islamic work ethics. Islamic work ethics should be manifested in employees' work attitudes when they know company values, feel that these values are by personal values and work according to the Islamic work ethics that exist and are instilled in the company. Based on the results of interviews that have been conducted, not all employees can be responsible for their performance or compete healthily with their colleagues because they feel it is pressure when they lose in competition.

After that, there are 35% of respondents whose Islamic work ethics are in the high category. This shows that some employees have optimal Islamic work ethics. Here it can be seen that some of these employees have knowledge about the values of Islamic work ethics instilled in the company, feel that these work ethics are per personal values and make Islamic work ethics the basis for carrying out work tasks in the company. This result is supported by

interview data that some employees feel that they work with good intentions to be able to develop themselves and establish relationships with others, can compete with colleagues as a form of competing in goodness, can trust and be open to colleagues and can be morally responsible for the work they do.

Based on the calculation of the mean comparison on each dimension in the Islamic work ethic, the results show that overall, 4 dimensions are in the moderate category. The dimension that is at the top is competition with a total of 3.45 and the morally responsible conduct dimension which is at the bottom with a total of 3.10. In this case, when compared to the other 3 aspects, it can be seen that there is a lack of maximum moral responsibility from employees to provide benefits to the work environment by providing innovation and maximizing performance so that it can be useful for society at large. Based on the other three variables that are in the sufficient category, employees are not fully optimal in serving themselves and the community where work is seen as a means to develop themselves and social relationships, less optimal in seeing competition as a positive thing to improve work quality, and emphasis on trust and openness at work.

Based on the data collected, Muslim fashion employees who have organizational values that are closely related to Islamic values eventually shape employee attitudes and the work ethic becomes a basic guideline in organizational activities. When linked to the demographic data of the research respondents, there does not appear to be any difference in the Islamic work ethic of different generations. This shows that the Islamic values that shape work attitudes and become basic guidelines in organizational activities can be internalized by the majority of employees even though the general demographic picture of employees has a different background, and this is also similar to research conducted at the managerial level (Javed et al., 2020).

Based on descriptive analysis, the competition dimension has the highest magnitude owned by employees. Basically, individuals must be able to compete fairly and honestly at work based on good intentions to do the job itself (Udin et al., 2022). The dimension that has the second magnitude is effort. Effort is considered necessary as a means to be able to develop themselves and be useful to the wider community in the end (Romi et al., 2020). That is, individuals who are willing to try and be productive reduce social and economic problems and enable a person to obtain a decent life (AFLAH et al., 2021). In general, this implies that endeavor will essentially result in good performance and widespread prosperity.

The next dimension is transparency. Work, trade, transactions of any kind, must be carried out in an environment full of trust and openness (Chupradit et al., 2022). Transparency is based on a mutual understanding that wrong and even fraudulent behavior and actions will hinder the emergence of justice and limit the freedom to act in the work environment (Hasan et al., 2022). The dimension that has the smallest influence is morally responsible conduct. Morally, Islam provides a work climate where ethics cannot be separated from business or work activities (Hasan et al., 2022). Islam provides an ethical dimension to all types of work and expands the benefits of what is done (Kamaruddin et al., 2021). The morally responsible attitude of employees to provide benefits to the work environment and society at large (Caniago et al., 2023).

Although generation Y and generation Z do not differ in general when looking at their Islamic Work Ethic, in general generation Z has an Islamic Work Ethic that is slightly higher than generation Y. Generational differences in the work environment are one of the subjects that always appear in the development of human resource management, and the concept of generational differences continues to evolve over time. There are significant differences in characteristics between generation Z and other generations. One of the main distinguishing factors is the mastery of information and technology. Information about Islamic work ethic values appears to be better mastered by generation Z, which is more familiar with the values of Islamic work ethic (Andrea et al., 2016).

Generation Y is characterized by "multitasking", multi-sided attention and sharing (Kar, 2018). For them, the concepts of success, career and money are top priorities, as they have learnt that it is the only thing that can advance them in a consumer society (Ercömert & Güneş, 2021). Using modern technological devices, their communication mainly takes place in virtual spaces and their online presence never ends. They are motivated by pushing, progressing and achieving success, work is always highlighted for them and family remains in the background. Having free time and relaxation is inevitable for them. They have wide and varied desires and usually make decisions or act accordingly to achieve these goals. Money and success are basic motivational tools for them in their work. From the view of success in the quality of life is important their work and it shows up in their relaxation sharply as well. Desires and ambitions grow out of acquired abilities and opportunities. Their experiences determine their decisions and actions (Kar, 2018).

Generation Z features the "net generation" due to the highly advanced digital age they were born into. They are also characterized as the "Facebook generation", "digital natives"

or sometimes the "iGeneration" (Barhate & Dirani, 2022). Generation Z norms are different from those of previous generations (Chillakuri, 2020). The words, slang and expressions used by generation Z are quite strange to their parents and the two sides sometimes part ways (Dewi et al., 2021). Since generation Z was born into the world of technology and they feel comfortable in that world, it is very important for them to be surrounded by that environment (Kogan, 2001). They are always online on any technical device virtually non-stop. This can be seen through their actions, also in relation to their technical environment and which can appear as tools or as environments in their lives (Benítez-Márquez et al., 2022). Other forms of socialization are very difficult for them (Djafarova & Foots, 2022). Compared to generation Y, generation Z is unaware of the concept of striving (Benítez-Márquez et al., 2022). They are practical, rather intelligent than wise and they like to lead because they are brave. They are more impatient and more agile than their predecessors and they seek new challenges and impulses continuously. They are not afraid of constant change and because of the internet world they have a lot of information, but only to a certain extent. To solve a problem, they try to find the solution on the internet (Djafarova & Foots, 2022).

This trait shows that in work ethic, while both are in the medium category, generation Z values financial security and is more realistic about the world of work (Bergler, 2020). At the same time, they still want to make a difference in the lives of others (Barhate & Dirani, 2022). Growing up in the era of the Great Recession of 2008, they are very worried about how they will pay for college and how they can get a good-paying job (Bergler, 2020). They are more willing to choose a college major or take a job that promises financial rewards and are less concerned with the intrinsic rewards of work. They are more willing to work overtime and have more modest expectations for work-life balance and career advancement than their Millennial predecessors (Kogan, 2001). Sometimes their concern for financial security turns into a vague emphasis on material rewards (Djafarova & Foots, 2022). Among participants in the "Generation Z Goes to College" study, 75% were motivated by knowing that what they do makes a positive difference in the lives of others, and two-thirds wanted their careers to have a positive impact on the world (Bergler, 2020) They are more likely than Millennials to agree that it is important to "help others in distress" and "make a contribution to society," but are some-what less likely than Millennials to score high on "empathy with others" and "willingness to donate to charity". So they may struggle to put

their good intentions and high ideals of "making a difference" into everyday life (Benítez-Márquez et al., 2022).

Conclutions

Broadly speaking, the Islamic work ethic in Generation Y and Generation Z is not optimal. The dimension of the Islamic work ethic that gives the lowest contribution is morally responsible conduct. Strengthening Islamic work ethic is needed by the younger generation because increasing Islamic work ethic also has an impact on increasing their job satisfaction or productivity at work. The results showed no difference in the Islamic work ethic shown by employees despite coming from different generations. However, there are differences in behavior and understanding of the work ethic itself that can be used as a basis for younger-generation employees at work.

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Circulation of the Book *of Al-Tuhfah Al-Mursalah Ila Ruh Al-Nabi*: Translocality Study and Its Impact on Aceh's Muslim Community

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Abstrak

Artikel ini mengkaji peredaran, transnasionalitas, dan kontribusi Tuhfah al-Mursalah di Aceh yang memainkan peran penting dalam perkembangan tasawuf dan Islamisasi Indonesia pada abad ke-17. Penelitian ini menggunakan metode penelitian kepustakaan yang bersifat deskriptif analitis dengan pendekatan kualitatif. Pendekatan ini dipilih untuk mengeksplorasi penyebaran dan kontribusi Tuhfah al-Mursalah terhadap perkembangan intelektual dan spiritual di Indonesia khususnya Aceh. Secara tidak langsung, penelitian ini juga menggunakan pendekatan studi historis. Temuan dalam penelitian ini menunjukkan bahwa ajaran martabat tujuh telah dikenal oleh Syamsuddin al-Sumtrani dan masyarakat Aceh sejak tahun 1601. Indikasi historis menunjukkan bahwa karya tersebut telah memainkan peran penting dalam membentuk tradisi tasawuf di Nusantara. Proses adaptasi dan kontekstualisasi Tuhfah al-Mursalah di Aceh menunjukkan dinamika translokal yang kompleks. Eksistensi ajaran tasawuf secara simultan berkontribusi membentuk munculnya tradisi-tradisi lokal, seperti "*adat bak po teumeureuhom, hukom bak syiah kuala*" menunjukkan hubungan antara adat dan hukum syariat. Frase ini menunjukkan bagaimana orang Aceh dapat menggabungkan tradisi lokal dengan iman Islam, sehingga adat dan hukum Islam dianggap sebagai dua sisi yang sama, bukan dua hal yang berbeda. Proses ini melibatkan penerjemahan bahasa dan budaya, di mana ide-ide kitab tersebut diadaptasi ke dalam pemahaman dan konteks lokal. Para ulama Aceh juga menafsirkan ulang isinya dengan menggunakan istilah-istilah dan analogi yang relevan dengan tradisi dan budaya lokal. Kehadiran dan ajaran kitab ini juga menuai komentar dan kritik dari beberapa ulama. Nuruddin ar-Raniri adalah pengkritik yang paling vokal terhadap ajaran kitab ini. Ia menganggap ajaran Martabat Tujuh al-Sumatra'i sebagai ajaran yang sesat dan heterodoks.

Keywords: Komunitas Muslim Aceh, Translokalitas, Tuhfah al-Mursalah, Tasawuf

Abstract

This article examines the circulation, transnationality, and contribution of Tuhfah al-Mursalah in Aceh, which played a significant role in the development of Sufism and the Islamization of Indonesia in the 17th century. This research adopts a descriptive-analytical library research method with a qualitative approach. This approach was chosen to explore the dissemination and contribution of Tuhfah al-Mursalah to the advancement of Muslims and intellectual and spiritual development in Indonesia. Indirectly, this research also uses a historical study approach. The findings in this study indicate that the teachings of the seven grades of being (martabat tujuh) have been known by Syamsuddin al-Sumtrani and the Acehnese since the year 1601. Historical indications show that the work has played a significant role in shaping the tradition of Sufism in the archipelago. The process of adaptation and contextualization of Tuhfah al-Mursalah in Aceh shows complex translocal dynamics. The existence of Sufism teachings simultaneously contributed to the emergence of local traditions, such as "*adat bak po teumeureuhom, hukom bak syiah kuala*" showing the relationship between adat and sharia law. This phrase shows how the Acehnese were able to combine local traditions with the Islamic faith, so that adat and Islamic law were considered as two sides of the same coin, rather than two different things. This process involved linguistic and cultural translation, in which the ideas of the book were adapted to local understandings and contexts. Acehnese scholars also reinterpreted its contents using terms and analogies relevant to local traditions and culture. The presence and teachings of the book also drew comments and criticism from several scholars. Nuruddin ar-Raniri was the most vocal critic of the book's teachings. He considered the teachings of Martabat Tujuh al-Sumatrani as heretical and heterodox.

Keywords: *Acehnese Muslim Community, Translocality*, *Tuhfah al-Mursalah, Sufism.*

Introduction

The spread of Islamic texts in the archipelago raises several complex questions that need to be studied in depth. This phenomenon is not only related to how the patterns and dynamics of the dissemination of these texts affect the development of local Islamic thought and the formation of Muslim identity in the archipelago, but also related to the role of the characteristics of the people of the archipelago who are gentle, tolerant, and open-minded in the process of adaptation and contextualization of Islamic teachings in local culture (Qomar, 2016). The distinctive cultural pattern of the archipelago is different from other Muslim regions, raising questions about the impact of the process of accepting and filtering Islamic teachings that are adapted to the character of the community. The phenomenon of the spread of Islamic texts also affects intellectual discourse that reflects the complexity of the relationship between Islam, local culture, and the formation of Muslim identity in the archipelago (Miharja, 2014).

Over the centuries, Islamic knowledge has spread in the archipelago through various means, such as trade, diplomacy, and the network of scholars. Since the beginning of the entry of Islam into the archipelago, traders and diplomats have brought religious teachings and Islamic values to various regions. Scholars play an important role in spreading knowledge through da'wah, teaching, and book creation. The spread of religious books that brought Islamic teachings and thought to the archipelago from various scientific centers in the Middle East, India, and other regions was one of the important manifestations of this process (Anwar, 2016). The books that are disseminated serve as the main reference in fostering understanding of Islam among the local community.

Although it is mentioned that the ulama network plays an important role, a more detailed analysis of how the Islamic intellectual network contributes to the spread of Islamic books is still needed (Iswanto, 2013). Book *al-Tuhfah al-Mursalah ila Ruh al-Naby*, more commonly referred to as Tuhfah al-Mursalah, is one example of an important work that contributed to the development of Islamic thought in the archipelago. The book, believed to have been written by Muhammad bin Fadhlullah al-Burhanpuri in the 16th century, has greatly influenced the discourse on Islam, especially in terms of Sufism and Islamic metaphysics. The seventh teaching of dignity, which is one of the main concepts in Sufism, is widely studied and taught through this book. To facilitate the understanding of the complex teachings in Tuhfah al-Mursalah, an Arab scholar named Ibrahim al-Kurani wrote an additional explanation titled *Ithaf al-Zaki bi Sharh at-Tuhfah al-Mursalah*. This work of al-Kurani aims to help the Muslim community in the archipelago, especially in Aceh, in understanding more deeply the teachings of Burhanpuri (Nasution 2017)**.** The explanation given by al-Kurani makes Burhanpuri's work more accessible and applied in the local context of the archipelago.

This book is widely spread throughout the archipelago, including Aceh, showing an interesting process of translocality to study. In this process, religious concepts are transferred and adapted from one place to another, which results in a vast and dynamic intellectual network and then adapted and developed according to local circumstances. For example, the book Tuhfah al-Mursalah is well received and taught in the local context of Aceh. This resulted in a growing intellectual network where Sufism teachings from Islamic scientific centers in the Middle East could be enriched with the views of the people of the archipelago.

Before Islam influenced Indonesia, the region was already involved in trade contacts with the Arabs, Persians, Indians, and Chinese. Islam entered Indonesia accommodatingly,

through the process of acculturation and syncretism, which means that this religion adapts to the local culture and blends with existing traditions. Through trade routes, Islam began to spread in Indonesia. Merchants from Arabia, Persia, India, and China not only brought merchandise, but also introduced the teachings of Islam. This interaction played a big role in accelerating the spread of Islam in the archipelago (Astuti, 2017). Scholars from these three regions often interact, share knowledge, and influence each other in Islamic thought. This connectivity is supported by the spread of various treatises and books that are widely used in the archipelago. Thus, these nations have a significant contribution to the development and spread of Islam in the territory of Indonesia.

The spread of Islamic books is not only happening in Muslim-majority countries, but also covering various Western countries with very minimal Muslim populations. This incident shows how Islamic texts have a universal appeal that transcends geographical and demographic boundaries. Even in Western countries, where Muslim populations are relatively small, interest in Islamic teachings and texts remains significant. This can be traced back to the early days when Islamic texts first reached Europe and influenced the intellectual development of the continent.

One of the European figures who significantly translated Islamic texts into Latin was Gerard of Cremona. He was a Latin scholar who lived in the 12th century in Sicily, which at the time was part of the Norman Empire in Southern Italy. Gerard of Cremona is best known for his dedication to translating great works from Arabic to Latin, an effort that played an important role in the transfer of science from the Islamic world to Western Europe. Gerard traveled to Toledo, which at the time was the intellectual center of Spain (Andalusia) and was famous for its rich library of Arabic texts. In Toledo, Gerard spent much of his time translating various scientific and philosophical works from the period of Islamic intellectual heyday. One of the most important works translated by him were the writings of philosophers such as Avicenna (Ibn Sina) and Averroes (Ibn Rushd), who made great contributions in the fields of philosophy, medicine, and other sciences (Makhmudov, 2022).

In addition to philosophy, Gerard from Cremona has translated approximately 71 Arabic-language book titles in various scientific fields, such as mathematics, astronomy, medicine, and chemistry. Gerard's contribution in introducing Islamic texts to the West and Europe had a huge impact on intellectual and scientific development. It played a key role in the medieval Renaissance, a period in which Europe experienced a resurgence in various

fields of science and culture (Asy'ari, 2018). Thus, Gerard of Cremona is remembered not only as a brilliant translator, but also as an important intermediary in the cultural and scientific exchange between the Islamic world and the Western world. His work continues to be appreciated today as an example of how science and thought can cross cultural and linguistic boundaries enriching human civilization.

The contribution of Indonesian scholars in the dissemination of Islamic books can also be seen from their role in the international Islamic education network. Many Nusantara scholars studied at Islamic scientific centers in the Middle East, such as Mecca, Medina, and Cairo. After returning to the homeland, they not only brought new knowledge, but also wrote books that were later translated and further disseminated among international Muslims (Supriati, 2022). For example, the works of scholars such as Sheikh Nawawi al-Bantani and Sheikh Mahfudz al-Tarmasi and other scholars are widely recognized in the Islamic world. Shaykh Nawawi's scientific works are widely spread and used, especially in countries that adhere to the Shafi'i School.

According to Yussuf Alian Sarkis research in his book *Dictionary of Arabic Printed Books From Beginning of 1339 AH-1919 AD*, works by Shaykh Nawawi are recorded as many as 38 titles. However, according to one source, Shaykh Nawawi has succeeded in producing as many as 99 written works, while another source states that Shaykh Nawawi's works have reached 115 works covering various disciplines. According to Van Bruinessen, Shaykh Nawawi's work is still the main teaching material in several peasantren scattered throughout Indonesia (Bruinessen, 1995), not only studied and studied in Islamic boarding schools in Java but also throughout Southeast Asia. For example, his work was also studied in religious schools in Mindanao (Southern Philippines) and Southern Thailand. According to Ray Salam, a researcher at the Institute of Islamic Studies at the University of the Philippines, Nawawi's work is still being studied in about 40 religious schools in the Southern Philippines that still use the traditional curriculum (Arwansyah and Shah, 2015).

Oman Fathurahman explained that several countries are certain to keep collections of archipelago texts. Countries specifically mentioned include Malaysia, the United Kingdom, the Netherlands, Germany, France, Russia, Sri Lanka, and South Africa. In addition to these countries, there are also several other countries that are not mentioned in detail but are known to have similar collections. Furthermore, Fathurahman explained that there are other institutions that may have collections of archipelago manuscripts. These institutions are suspected of having these collections because of their historical and scientific relationship

with the archipelago. Two examples of so-called institutions are Dar al-Kutub and the library of al-Azhar University in Cairo. From the research conducted, it is known that of the two institutions, only the book Ithaf al-Dzaki by Ibrahim Al-Kurani can be connected to the context of the archipelago (Fathurrahman, n.d.).

From the various studies above, it is clearly illustrated how the role of the spread of Islamic texts in various regions and their contribution to the advancement of Islamic thought. In this context, one of the books that is very important and has a great influence in the world of Islamic studies, especially in Indonesia, is *al-Tuhfah al-Mursalah Ila Ruh al-Naby*. This book is not only the main reference for Islamic scholars and scholars but also plays a crucial role in the formation of religious thought and practice in various regions in Indonesia, especially Aceh. The significant influence in the development of Sufism in Aceh, forming a distinctive pattern of local Sufi thought, and contributing to the formation of Acehnese Islamic identity, makes this book one of the monumental works that continues to be studied and developed by generation after generation.

This paper aims to examine the process of translocality of the spread of the Book of Tuhfah al-Mursalah and analyze its role and impact on the Muslim community of Aceh. This study will explain how the book of al-Burhanpuri was able to reach the archipelago, including Aceh, and make it one of the important references in local Islamic discourse. The main focus of this study is that the dissemination of the book Tuhfah al-Mursalah has a great influence on the religious thought and practice of the Aceh Muslim community. This influence is reflected in changes in Islamic debates, sufistic practices, and socio-cultural dynamics. The spread of this book had a significant impact on the perspective and religious understanding of the Acehnese people, enriching their intellectual and spiritual wealth.

Research Methods

The research method used in this study is literature study research (*library research*) descriptive analysis with a qualitative approach. This approach was chosen to explore the existence and contribution of the book al-Tuhfah al-Mursalah in the intellectual and spiritual development of Muslims in Aceh by examining academic studies on the influence of this book in the Acehnese scientific tradition. Through descriptive analysis, this study aims to comprehensively describe how this book has played a role in shaping religious thoughts, practices, and intellectual traditions among Muslims in Aceh. The qualitative approach allows researchers to explore various aspects and nuances related to the use and influence of

the book of Tuhfah al-Mursalah, including how it is received, studied, and applied in the context of education and daily life. The source of the data was collected through a study of relevant literature, not directly referring to the main source, namely the book Tuhfah al-Mursalah. So as to gain a comprehensive understanding of the role of the book of Tuhfah al-Mursalah in spiritual and intellectual development in Aceh.

Result Research and Discussion

a. The Spread of the Book of Tuhfah al-Mursaslah to Aceh

Among the various theories about the spread of Islam in Indonesia, Anthony H. Johns gives the view that Sufi nomads, not traders, have been the main spreaders of Islam in Indonesia since the 13th century (Anthony H. Johns, 1993). Johns argued that Sufis have a unique ability to compromise or blend Islam with local religious practices and beliefs, rather than force drastic changes in those beliefs. These Sufis used terms and elements of pre-Islamic culture to explain the teachings of Islam, making them more acceptable to the local community who already had strong spiritual traditions (Johns, 1993).

Peter G. Ridel, as quoted by Abdul Munip, argues that Hamzah Fansuri was the first Sufi author and the greatest scholar of his time. He was born in Fansur (Barus) on the west coast of Sumatra. Hamzah pours out sophisticated Sufi ideas in the form of sha'ir that is full of worship. Furthermore, Munip thinks that perhaps he is the one who uses sya'ir in the form of Malay. The Sufi ideas he expressed were Sufism which was a form of wahdatul that easily encouraged pantheistic interpretation (Munip,2010). Hamzah and his student Syamsuddin al-Sumatrani had a big role in transmitting the teachings of tasaawuf wahdatul wujud to Indonesia. They are the ones who teach the Sufism of Ibn al-'Arobi and al-Jilli who are full of wahdatul.

Sufis' ability to integrate Islam with local culture can be seen from various aspects. They often adopt local symbols, customs, and languages in teaching Islam (Hendra, Nur Adzani, and Muslim, 2023). A more flexible and tolerant Sufi approach to local practices allowed Islam to spread peacefully and was better accepted by heterogeneous societies. During the same period, Sufis such as Ibn 'Arabi and others were active in various fields including government, military organizations, and other professions, showing that Sufis not only played a role in the spread of religion but also in the formation and stabilization of Muslim society as a whole (Afrianti, 2016).

Dignity seven is one of the teachings of Sufism adopted by Muslim scholars during the Islamization of the archipelago. If Hamzah was indoctrinated by the five stages of

emanation of Ibn al-'Arobi, while al-Sumatrani was influenced by the seven stages of emanation (the seven dignity) of Tuhfah al-Mursalah (Munip, 2010). The Seven Dignity System in the Malay-Indonesian Archipelago originated from the work of an Indian Sufi named Muhammad bin Fadhlullah al-Burhanpuri, entitled *al-Tuhfah al-Mursalah ila Ruh al-Nabiy* (P. G. Riddell, 2001; Azra, 2004; Bruinessen, 1995). Furthermore, Bruinessen added that Syamsuddin al-Sumatrani was the first person in the archipelago to elaborate on the teachings of the seven dignityes. It was an adaptation of Ibn al-'Arabi's theory of emanation and became very popular in the archipelago in a short time (Bruinessen, 1995).

In this case, Syamsuddin al-Sumatrani may have followed in the footsteps of the Gujarati author Muhammad bin Fadhlullah al-Burhanpuri, who wrote about the same teachings in his book *al-Tuhfah al-Mursalah ila Ruh al-Nabi*. It is not known if he himself ever traveled to India and Arabian lands, but this may be because many other Sufi authors made similar trips. However, because Aceh at that time was an important center for the spread of Sufism knowledge and practice in the archipelago, it is very possible that he was familiar with al-Burhanpuri's work in Aceh. The work of Tuhfah al-Mursalah may also have arrived in Aceh through an active trade and education network, which brought important texts from various Islamic regions to the archipelago (Bruinessen, 1995).

Faudzinaim Badaruddin quoted Anthony H. Johns' book titled *The Gift Addressed to the Spirit of the Prophet*, where Johns says that Tuhfah al-Mursalah has been written since 1590. Given that Aceh is only one or two seasons away from Gujarat and other ports such as Surat, this book may begin to be known by the people of the archipelago in the next Hajj season. Aceh was the first region to be influenced by Tuhfah al-Mursalah. Some argue that the writer (al-Burhanpuri) may have gone to Aceh, where he gained many disciples who helped spread his work there. Although it is possible that al-Burhanpuri once visited Aceh, his name is never mentioned in Bustan al-Salatin by Nuruddin al-Raniri or in other classical works. This suggests that it is very unlikely that he ever visited Aceh (Badaruddin, 2021).

Johns' further states that Syamsuddin al-Sumatrani began his work as a religious writer in the Aceh court in 1601, which indicates that he began writing when he was serving in the court of Sultan Alauddin Riayat Shah. Therefore, since Syamsuddin died in 1630, Tuhfah al-Mursalah must have been known in that year, although it is unclear how long before (Anthony H. Johns, 1957).

In addition, Drewes also stated that Shaykh Ibrahim al-Kurani (d. 1689) compiled a commentary on Tuhfah al-Mursalah specifically on the orders of Shaykh Ahmad al-Qushashi (d. 1661), his teacher in Medina, for Jawi students to provide an understanding of this work. Given that Ahmad al-Qushashi died in 1661, this commentary must have been written before that year, although it is uncertain exactly when (Drewes, 1959). The tafsir al-Kurani is *'ITAF al-Dazaqi b Siyad al-Tuhafah al-Mursalah illa ruh al-Nabi* (Riddell, 2001). However, the use of this interpretation requires a deep understanding of the original text. Therefore, stating that Tuhfah al-Mursalah may have been known in Indonesian territory during the author's lifetime, which is around 1619 or even earlier, is not impossible and may have happened (Anthony H. Johns, 1957).

According to Peter Riddell, Syamsuddin wrote *Mir'at al-Mu'minin* in 1601 during the reign of Alauddin Riayat Shah. This work contains the basis of his monistic teachings and expounds the system of seven levels of existence (seven dignity). It can be taken that the teaching of the seven dignity has been known by Syamsuddin and the Acehnese since that year, and then became very popular in Sumatra and Java. According to Riddel's statement, the relatively close year between the writing of Tuhfah al-Mursalah and the introduction of the work in Aceh shows that the work was quickly recognized in the archipelago, especially in Aceh (Riddell, 1990). Important works such as Tuhfah al-Mursalah can be quickly accessed and appreciated by the local community thanks to the region's active intellectual and cultural networks.

b. The Concept of Translocality in the Spread of Islamic Knowledge

The concept of translocality is one of the keys to understanding how Islamic knowledge spreads, especially in relation to the spread of the book Tuhfah al-Mursalah to Aceh. Clemens and Patrick define translocality as the result of the concretization and territorialization of socio-cultural processes and practices that go beyond established boundaries (Greiner and Sakdapolrak, 2013). This definition helps provide an understanding of how Islamic knowledge can move and change across different regions and time periods. In more detail, translocality refers to the ways in which social and cultural processes, as well as certain practices, become real and manifest in places different from where they originate. It discusses how cultural components or knowledge systems can be adapted, changed, and integrated into new contexts. In this case, the concept of translocality explains how the book of Tuhfah al-Mursalah, one of the important texts in the Islamic tradition, can spread from

one region to another, such as from its place of origin to Aceh, and how it undergoes changes and adapts to the new local context.

The role of ulama as translocal agents is very significant in the dissemination of the book al-Tuhfah al-Mursalah. Ulama play an important role in bridging the exchange of knowledge between various Islamic scientific centers and local communities. They not only act as carriers and disseminators of religious texts, but also as cultural translators who adapt and contextualize Islamic teachings to suit the conditions and needs of the local community. Azra explained that the ulama network not only functions as a transmitter of knowledge, but also as an agent of socio-intellectual change in the archipelago (Azra, 2004). This means that ulama do not only convey the teachings of Islam from one generation to the next, but they are also actively involved in the process of social and intellectual transformation of the people in the archipelago. Through their role as educators, writers, and spiritual leaders, scholars are able to influence various aspects of people's lives, from religious thought to daily social practices.

In the context of Aceh, the role of scholars is to visit Islamic scientific centers such as Mecca, Medina, and Cairo, and then return with new knowledge, including the book Tuhfah al-Mursalah. These Acehnese scholars persistently left their homes to study in the holy cities and centers of Islamic civilization. In these places, they not only learn from prominent scholars, but also participate in dynamic intellectual conversations, which allows them to learn a variety of methods and perspectives within the academic field. These scholars began to spread their knowledge after arriving in Aceh. They became teachers and spiritual leaders who were respected by the community after establishing Islamic boarding schools and madrasas (Sahlan et al., 2019). As one of the texts they studied, the book al-Tuhfah al-Mursalah was included in the teaching curriculum. Ulama translated and adapted the text of this book to be applied in Acehnese society.

The process of adaptation and contextualization of the book of Tuhfah al-Mursalah in Aceh shows complex translocal dynamics. According to Fathurahman quoted by Zainuddin Abdullah, this process includes not only linguistic translation but also cultural translation, where the ideas from the book are adapted to the understanding of people in the area. This is shown by the emergence of syarah (commentary) and book adaptations in Malay and Acehnese languages. This adaptation process involves more than just translating texts from Arabic to Malay or Acehnese. Aceh scholars must ensure that the teachings of the book are

understandable and relevant to the local community who have a different traditional and cultural context from the place where the book was written (Abdullah, 2019). As a result, they reinterpreted the ideas contained in Tuhfah al-Mursalah by using terms and analogies that were more relevant to the daily life of the Acehnese people. Many lectures and book adaptations in Malay and Aceh show contextualization efforts. These works not only provide an explanation of the contents of the book of Tuhfah al-Mursalah, but also make commentary relevant to the local context.

Dayah or Islamic boarding schools in Aceh play an important role in the process of spreading the book al-Tuhfah al-Mursalah from one place to another. Dayah functions not only as a teaching center, but also as a center for the reproduction and adaptation of Islamic knowledge. The system of teaching the yellow book in Dayah, including al-Tuhfah al-Mursalah, reflects the process of localization of translocal knowledge. Knowledge derived from Islamic scientific centers in the Middle East is adapted to Acehnese culture and traditions. This process involves linguistic and cultural translation, where the concepts in the book of Tuhfah al-Mursalah are adapted to local understanding and practice. Dayah becomes a space where global and local Islamic knowledge meets and interacts, creating a unique and dynamic synthesis.

c. The existence and influence of the Book

As far as general knowledge is about the early history of the spread of Islam in the archipelago, *al-Tuhfah al-Mursalah ila Ruh al-Nabi*, considered to be one of the first texts known and shared by Muslims in Aceh. The book, written by Muhammad Ibn Shaykh Fadhlullah al-Burhanfuri Al-Hindi in 1590 and died in 1620, has greatly helped spread the basic teachings of philosophical Sufism in Indonesia (Fathurrahman, 2011). Azra stated in his book that Tuhfah al-Mursalah is one of the most influential books in the development of Sufism in the archipelago, as indicated by the subtheme called "Neo-Sufism and Sharia", in which Tuhfah al-Mursalah is raised and discussed thoroughly. Azra also said that many prominent scholars, both from the archipelago and the Middle East, have criticized and updated the book (Azra, 2004).

In general, the Seven Dignity which is a teaching of Sufism formed to explain the concept of wahdatul wujud (unity of form) has been openly studied in Aceh during the Samudera Pasai Sultanate, producing philosophical Sufi figures such as Hamzah Fansuri and Syamsuddin al-Sumatrani (Ramadhan et al., 2022). These two figures have long served as the highest religious leaders (qadhi, malik al-'adl) in the Sultanate of Aceh Darussalam.

Philosophical Sufis, followers, and wahdatul teachers became the supreme religious leaders in the Sultanate of Aceh Darussalam until the reign of Sultan Iskandar Muda. The Sultanate of Aceh Darussalam achieved its glory during the time of Iskandar Muda, and the teachings of wahdatul wujud made a great contribution to the civilization of the Acehnese people (Nasution 2017). Until now, Aceh Darussalam remains the pride of the community, especially in the religious field.

The spiritual understanding of the Acehnese people is greatly influenced by the important teachings found in the book Tuhfah al-Mursalah, especially those related to the concept of wahdatul wujud (Daroini, 2022). The cosmological view that has long existed in Acehnese culture is in accordance with the concept of wahdatul wujud, which emphasizes the unity between God, humans, and the universe. In addition, in the content of the book Tuhfah al-Mursalah it is explained that God is a form whose image can emerge through the seven dignity of emanation: Ahadiyyah (absolute unity), Wahdah (unity), Wahidiyyah (oneness), Alam al-Arwah (spirit world), Alam al-Mithal (image world), Alam al-Ajsam (physical world), and al-Insan al-Kamil (perfect man). These concepts are included in the teachings of the unity of being, or wahdatul of being, which emphasizes that everything is essentially a manifestation of God (Martyrdom, 2015).

This view not only strengthens the harmonious relationship between humans and the Creator, but also emphasizes how important balance and harmony are in daily life and in relationships with the environment. This concept exists in the Acehnese spiritual tradition showing that Sufistic teachings are accepted and integrated with local religious and cultural practices, which creates a strong connection between the spiritual beliefs and cultural identity of the Acehnese people (Budi Handoyo, 2022).

In addition, the book Tuhfah al-Mursalah plays a major role in building the Islamic identity of Aceh. The religious practices of the Acehnese are colored by a blend of sharia and essence, which is the main theme in Tuhfah al-Mursalah. This theme shows how formal Islamic law and deep spiritual aspects integrate well, creating a unique synthesis in religious understanding and practice. Local phrases "*adat bak po teumeureuhom, hukom bak syiah kuala*" shows the relationship between customary (which is often influenced by Sufistic beliefs) and sharia law. This phrase shows how Acehnese can combine local traditions with the Islamic faith, so that Islamic customs and laws are considered two sides of the same coin, not two different things. Sharia law provides a clear normative and ethical framework, and

customs influenced by Sufistic understanding help maintain spiritual and social balance (Ismail, 2022).

d. Challenges and Criticisms

Syamsuddin al-Sumatrani is considered to be the first person to spread the teachings of the seven dignity and the concept of wahdat al-wujud (Miswar, 2016). The spread of the Book of Tuhfah al-Mursalah in Aceh faced many challenges and criticisms even though this teaching was widely accepted. Some people believe that the interpretation of the teachings of wahdatul wujud can lead to pantheism, or the equation of God with creatures, which is the subject of major controversy. Scholars especially express this criticism, which tends to follow stricter orthodoxy and emphasizes the importance of maintaining the purity of monotheism.

According to some conservative scholars, the teachings of wahdatul manifestations found in Kitab al-Tuhfah al-Mursalah can lead to a deviated understanding of the basic principles of Islam. They are concerned that the concept of existential unity between God and creatures can be misinterpreted as the unity of matter between the Creator and His creation (Budi Handoyo, 2022). This is contrary to the teachings of monotheism which emphasizes the oneness and singleness of Allah.

The book 'Itaf al-Dzaki written by al-Kurani at the request of his teacher al-Qusyasyi for his students from Indonesia contains comments on wahdatul wujud which is very famous in Indonesia, especially Aceh which he learned from Tuhfah al-Mursalah. Comments containing corrections and more orthodox explanations about wahdatul are presented because this book is considered to cause deviations towards pantheism (Munip, 2010).

Of the many criticisms and comments on the teachings of dignity seven, the harshest criticism came from Nuruddin ar-Raniri (d. 1666), an Indo-Arab scholar from Randir (Gujarat) who was fluent in Malay, living in the 17th century, he considered al-Sumatrani's teachings to be heretical and heterodox. Ar-Raniri grouped al-Sumatra'i along with his predecessor Hamzah Fansuri in the same category (Ramadhan et al., 2022). According to ar-Raniri, these teachings deviate from the orthodox truth of Islam, so he calls for his thoughts, works, and even adherents to be fought and eradicated. Ar-Raniri's hardline views reflect the tensions between orthodoxy and heterodoxism in Aceh at the time, as well as the efforts of orthodox circles to maintain the purity of their religious teachings (Fathurrahman, 2011).

In addition, sociopolitical problems arise, because differences of opinion about Sufistic teaching can lead to conflicts in a plural and heterogeneous society. For example, the rulers and authority groups in Aceh sometimes face difficulties in accepting various Islamic traditions, including those influenced by Sufism. This can lead to people arguing about religious legitimacy and authority. History records that Sultan Iskandar Tsani (1637–1641), politically supported ar-Raniri's hostile attitude towards the teachings and adherents of the manifestiyyah (Jalil and Alias, 2020). Hamzah Fansuri's followers who supported him experienced acts of violence from the royal side as a result of this support. They were chased and forced to abandon their belief in the doctrine of wujudiyyah. If they refused, they would be killed. In addition, Hamzah Fansuri's mystical works were collected and burned in front of the Baiturrahman Grand Mosque in Banda Aceh because they were considered to damage the faith of Muslims (Fathurrahman, 2011).

Therefore, in the history of socio-religious development in the Sultanate of Aceh, the year 1637 is often considered a dark period for the followers of the teachings of Hamzah Fansuri and al-Sumatrani. The change of power from Sultan Iskandar Muda to Sultan Iskandar Tsani marked a significant change, where religious authority was given to ar-Raniri who then decreed the teachings of the two as heretical and needed to be fought (Rusdiyanto and Musafar, 2018). Ar-Raniri immediately used his authority to combat teachings that were considered deviant from orthodox Islam.

Although the teachings of wahdatul wujud received harsh and sharp criticism from Nuruddin ar-Raniri, this teaching did not stop in his hands. Wahdatul wujud is still an important part of religious studies in Aceh after the time of Nuruddin ar-Raniri. This teaching is still maintained and developed by several prominent scholars. One of the famous figures in Aceh is Syaiful Rijal from Minangkabau. He played an important role in defending the teachings of wahdatul form. Syaifur Rijal became the highest religious leader in Aceh and continued to teach his students about wahdatul wujud (Azra, 2004).

Syaifur Rijal interprets the concepts in this book more carefully and contextually, emphasizing that the teachings must be understood within a strict monotheistic framework and should not be misinterpreted as a denial of God's transcendence. He argues that the revelation of existence is not a teaching that equates God with His creatures, but rather a way to understand the Divine presence in every aspect of life without negating the oneness and exaltation of God. Rijal also proposes a deeper hermeneutical approach, highlighting

that the Sufistic concepts in Tuhfah al-Mursalah should be seen as an attempt to enrich the spiritual and esoteric dimensions of Islam without contradicting the basic principles of monotheism.

Thus, this more careful interpretation helps to reduce tensions between the Sufistic tradition and Islamic orthodoxy in Aceh. These scholars play a role in explaining that the appreciation of Sufism can coexist harmoniously with sharia practices, as long as the understanding of wahdatul manifestations is maintained within the correct theological boundaries. They also emphasized the importance of a deep spiritual approach in order to strengthen faith and piety, as well as encouraging people to get closer to God through Sufistic practices that are in line with sharia teachings.

Conclusion

The book al-Tuhfah al-Mursalah Ila Ruh al-Naby written by Muhammad bin Fadhlullah al-Burhanpuri is one of the books of Sufism that contains the teachings of the seven dignityes. This book is also one of the references of Muslim scholars during the Islamization of the archipelago. Syamsuddin al-Sumatrani was the first person in the archipelago to elaborate on the teachings of the seven dignityes. The beginning of the entry of Tuhfah al-Mursalah in Indonesia through Sumatra, more precisely Aceh, so that the process of translocality occurred. This process is not only linguistic translation but also cultural translation, where the ideas of the book are adapted to the understanding of the people of the area. This is shown by the emergence of syarah (commentary) and book adaptations in Malay and Acehnese so that they can be understood and relevant to the local community. The existence of Sufism simultaneously contributes to the emergence of local traditions, such as "*adat bak po teumeureuhom, hukom bak shia kuala*" showing the relationship between adat (which is often influenced by Sufistic beliefs) and sharia law. This phrase shows how Acehnese can combine local traditions with the Islamic faith, so that Islamic customs and laws are considered two sides of the same coin, not two different things. In addition to the popularity of Tuhfah al-Mursalah in Aceh, the spread of the teachings of wahdatul in the form of this book faces many challenges and criticisms from some scholars. The harshest criticism came from Nuruddin ar-Raniri, who considered the teachings of wahdatul wujud brought by al-Sumatrani as heretical and heterodoxious teachings.

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The Contribution of Arabic to the Process of Scientific Advancement in the XIII-XVIII Century AD

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Abstrak

Penelitian ini mengkaji kontribusi bahasa Arab terhadap kemajuan ilmu pengetahuan pada abad XIII-XVIII Masehi. Era ini ditandai oleh penyebaran Islam yang memberikan pengaruh pada peradaban, termasuk penguasaan dan pengembangan ilmu pengetahuan. Namun, penelitian mengenai peran khusus bahasa Arab dalam transfer dan inovasi pengetahuan masih terbatas. Dengan pendekatan deskriptif kualitatif berbasis filologi, penelitian ini menganalisis sumber primer seperti Al-Qur'an dan Hadis, serta karya ilmiah dalam bahasa Arab, seperti A New Dictionary of Scientific and Technical Terms karya Ahmad Syafiq Al-Khatib. Hasil menunjukkan bahwa bahasa Arab berfungsi sebagai medium penting dalam penerjemahan, pengembangan, dan penyebaran ilmu di berbagai bidang, termasuk kedokteran, filsafat, matematika, dan geografi. Bahasa Arab mendukung interaksi antarperadaban dan mendorong transformasi intelektual Eropa selama Renaisans. Oleh karena itu, bahasa Arab tidak hanya memfasilitasi transfer ilmu tetapi juga memperkaya peradaban global dengan kontribusi intelektualnya.

Kata Kunci: Bahasa Arab, Abad XIII-XVIII Masehi, Perkembangan Ilmu Pengetahuan, Renaissance Eropa, Peradaban Islam

Abstract

This research examines the contribution of Arabic to the advancement of science in the XIII-XVIII centuries AD. This era was marked by the spread of Islam, which influenced civilization, including the mastery and development of science. However, research on the specific role of Arabic in knowledge transfer and innovation is still limited. Using a descriptive qualitative approach based on philology, this study analyzes primary sources such as The Holy Quran and hadith and scientific works in Arabic, such as Ahmad Syafiq Al-Khatib's A new Dictionary of Scientific and Technical Terms. Results show that Arabic served as an important medium in translating, developing and disseminating knowledge in various fields, including medicine, philosophy, mathematics and geography. Arabic supported the interaction between civilizations and drove Europe's intellectual transformation during the Renaissance. Therefore, Arabic facilitated the transfer of knowledge and enriched global civilization with its intellectual contributions.

Keywords: Arabic Language, XIII-XVIII Century, Development of Science, European Renaissance, Islamic Civilization

Introduction

Islam's relatively rapid development and spread have caused several significant movements and changes throughout the world (Suaedi, 2016). This occurred between the eighth and eighteenth centuries AD. This was proven both before and after the arrival of Islam. Several European countries discussed the progress of science before Islam came. Most Europeans were not allowed to learn to read and write by state authorities. Therefore, almost all ulama, scientists and academics are castrated so that there is no transfer of knowledge.

The Dark Ages in Europe were comparable to today's predicament. Things became more difficult as suffering intensified and misery engulfed European society. Asian and African societies have both experienced significant social developments. In contrast to India and Saudi Arabia, where rape, gambling, murder, and drinking are commonplace, majority rulers employ discrimination and oppression to siphon off the nation's wealth (Krasteva-McCauley, 2014). Christian and Jewish leaders were equally involved in this.

However, this has slowly changed since the arrival of Islam. Since Islam entered, there is no longer any Judaism or Christianity (Center, 2015). The reason is, that Allah has decreed, "All heavenly religions are declared null and void, and Islam is the only valid religion of Allah until the end of time." (Husin et al., 2020). Religion is a source of truth with two important goals: equality of all human rights and monotheism (Firestone, 2020). The progress of science has also been impacted.

Islam in European countries also contributed to modern civilization. Three things encourage its growth: making The Holy Quran the only source of moral guidance and benchmark for thinking, behaving and acting; requiring Muslims to seek the truth and obey His teachings; and staying away from a culture of ignorance (Safdie, 2023). In this way, significant changes occur, such as improvements and renewal in the development sector (Cabello, 2023). Apart from that, since the religious split into Catholicism and Protestantism and the Crusades, society has experienced a crisis of faith. In this time of crisis, Islam has become a loyal friend against secularism and communism (Haqparast & Salangi, 2024).

As in Africa and Asia, many conflicts and colonialism occurred. Because religion and science used to be opposites, one of the key players in the colonization process brought important information about life, especially the understanding that colonization depended on faith. Religion will also become outdated if there is ignorance. As a result, the community

began to balance science and religion (Tarusarira, 2020). These changes were experienced in Asia, Africa and the United States.

Based on the background that has been explained, Islam brought the development of science to various parts of the century. Of course, the environment and cultural norms use various approaches and techniques. This research will examine these trends to determine what changes occurred when Islam entered. This can be seen by looking at the contribution of Arabic to the advancement of science, which will then be further studied based on supporting materials.

This research was conducted to understand the strategic role of Arabic as a vehicle for developing and disseminating knowledge. Arabic is a means of communication and a medium that allows the transfer of knowledge across time and culture. By examining the history and influence of Arabic as a knowledge system, this study offers important insights into how this language supports global civilization. In the current era of globalization, a deep understanding of the Arabic language is highly relevant to strengthening cross-cultural dialogue, encouraging innovation, and preserving the world's intellectual heritage.

Research Method

The method used in this research is descriptive qualitative with a philological approach. This approach involves analyzing old texts or manuscripts to critique and interpret their content. Philological research focuses on understanding and interpreting historical facts to uncover insights into the development of science. Through this method, the mapping of scientific progress becomes clearer and contributes to contemporary discourse on knowledge and culture.

The data sources in this research are The Holy Quran and hadith, which are sources of reference for a problem and how the guidance of the Shari'a solves the problem. Then, secondary data in the form of literature on the development of Arabic knowledge, such as a book written by Ahmad Syafiq al-Khatib entitled *A New Dictionary of Scientific and Technical Terms* (معجم الإصطلحات العلمية والفنية والهندسية) in 1982. The data obtained was then analyzed descriptively for review and exploration. Next, an in-depth periodization of the development of science in Islam was formulated and compiled.

Manuscript Description

This manuscript is from an individual's private collection, so the storage of this manuscript is different from the storage of manuscripts in museums or other large libraries.

The title of the manuscript is "A New Dictionary of Scientific and Technical Terms ″ by Ahmed Syafiq al-Khatib. The manuscript storage is placed at Librairie Du Liban, Riad Soth Square – Beirut with book location in Juz 3, floor 35. This manuscript was published on January 1, 1982, weighs 3.31 pounds and has 751 pages. This manuscript consists of 9 chapters, including: 1) A preface (مقدمة), 2) A table of contents (محتويات المعجم), 3) For clarification (الايضاحات), 4) Abbreviations used in this dictionary اختصارات استعملت في هذا (المعجم), 5) A dictionary of terms, technical and engineering (معجم المصطلحات العلمية والفنية), 6) Right-hand contents of the dictionary (ملا حق المعجم), 7) Summary of the most (والهندسية) important council decisions related to the development of scientific terminology (موجز بأهمالقرارات المجمعية المتعلقة بوضع المصطلحات العلمية), 8) On the development of scientific terminology and language development (حول وضع المصطلحات العلمية وتطور اللغة), and 9) Arabic and French references (المراجع العربية والافرنجية)

Result Research and Discussion

In Arabic, the word *lughoh* according to language, comes from the word *loga,* which means to speak (Umam, 1980) . Meanwhile, according to terms, many definitions are given to language, but they only explain part of the nature of language and its function. Language is "a system of symbols in the form of sounds used by certain groups of people to communicate and interact" (RI, 19880). Arabic is popular because it was defined by an Arabic linguistic expert named Ibn Jinny (died in 392 H) as follows:

اللغة هي أصوات يعبربها كل قوم عم

" *Language is the sounds used by every people to express their desires .*"

According to Dr Mahmud Hijazy, this definition is very precise and, in essence, based on the elements of the definition of language according to recent experts because, from one aspect, this definition explains the sound form of language symbols whose function is to express desires (Hijazi, 1968).

The information provided in the form of sounds in this definition differentiates language from other symbols or signals, such as those expressed through flags, lights, or similar means, including language in written form. Language, at its core, consists of spoken and heard sounds. In its most developed form, writing is simply an effort to embody and transfer language into a visual form that can be seen or read. Thus, writing functions as a representative or extension of language.

Language can be defined as a structured system of communication that relies on a set of phonetic symbols and grammatical rules to convey meaning between individuals. This

definition acknowledges both its spoken and written dimensions while emphasizing the primacy of sound in its origin and function. Language's auditory and symbolic nature underscores its unique position as a tool for human connection and expression, bridging individuals and communities across diverse contexts.

The sounds that form the foundation of language are varied and distinct. How these sounds are pronounced differs based on speakers' cultural, geographic, and physiological characteristics. These differences, influenced by the distinct traits of nations and variations in voice, have resulted in thousands of unique languages worldwide (Zaidan, 1904) . The diversity of languages reflects the diversity of languages reflects the richness of human expression and highlights the adaptability of language as a fundamental element of human civilization.

العرب هو جميل منالناس سامي الاصل كان منشئوه شبه جزيرة العرب والنسبة إليه عربي ولغة عربية

" *Arabs are a group of people descended from Sam bin Nuh who were born on the Arabian Peninsula called Arabi, while their language is called Lughat Arabiyah* ."

From these explanations, one can understand that Arabic is the sounds or sentences Arabs speak to express or convey their wishes.

Apart from being a language of daily conversation and revelation or rules, Arabic can also be a language of modern science using special terms. Recently, many scholars have written in various branches of science using Arabic, such as Ahmad Syafiq al Khatib, he was born in Palestine in 1926, studied at the American University of Beirut, and became director of a language institute in Lebanon as a linguist. He has succeeded in compiling a dictionary of science and technology terms in English and Arabic, with the title *A New Dictionary of Scientific and Technical Terms* (معجم الإصطلا حات العلمية والفنية والهندسية) (Al-Khatib, 198 2) .

This book contains terms for 49 science, art, and engineering branches and is equipped with various kinds of images. Ahmad Syafiq al-Khatib's efforts have been appreciated by various circles in the field of science because they can be used as evidence that Arabic can keep up with the times.

1. History of the Arabs in Mastering Science in the VIII-XIII Centuries AD

In the Middle Ages, the European world was often nicknamed the Dark Ages because the lives of the nations in Europe were greatly influenced by the coldness of the church, which was not open to Greek science and philosophy and was considered dangerous for the

Christian religion (Hamid, 2006). The closure of Greek scientific and philosophical institutions in Athens proved this. Greek philosophers were considered infidels and apostates from the Christian religion, and many of them even experienced quite severe torture and punishment because the power of the church at that time was also the power of government. This situation caused some of them to flee to Asia and settle in Syria, Iraq and other places where they could teach Greek science and philosophy (Florio, 2023) .

In countries where there was freedom to study Greek science and philosophy, after entering the territory of the Islamic caliphate, Greek science and philosophy was inherited by Muslims (Sufriansyah & Afriansyah, 2024). This was motivated by the teachings of the Islamic religion, which states that according to Islamic law, seeking knowledge is obligatory, so Muslims studied Greek science and philosophy with seriousness and perseverance, mainly when this opportunity was obtained during the Abbasid caliphate. As a result of the church's non-open attitude and harsh actions towards Greek civilization, the Western world became devoid of Greek philosophical knowledge, except for the knowledge of AD religion. Fortunately, when the Western world was in such a state, Muslims in the east could maintain and develop Greek science and philosophy. In the era of the revival or renaissance of the Western world, Greek science and philosophy were taken over again from Muslims in Asia and parts of Europe (Mifta et al., 2024) .

The first Abbasid period, 132-232 H/750/847 AD, was a time of sowing seeds to grow knowledge. Books translated into Arabic are seeds sown to grow and develop (Hamid, 2006). Next came the second period of 232-332 H/844-946 AD, namely the period of growth, development and fruition until the time of reaping the fruit or, in other words, the period of composing and creating. After the translation century was over, the Muslims actively studied the science and philosophy that had been translated, so that in the third century A.D, the first Islamic philosopher was born, namely Abu Yusuf Ya'qub bin Ishaq al-Kindi in 796-873 AD (Halil et al. , 2024) .

The translation of books on science and philosophy during the Abbasid period was encouraged by several factors, including: (1) the state of defense and security of the government gradually became better during the time of the Abbasid caliphate, so the government became increasingly intense, stable and provided opportunities to start moving in the field of science, especially during the era of Caliph Harun al-Rashid and Caliph al-Ma'mun (2) the demands and challenges of the times at that time required the development of ways of thinking in such a way, so that they could produce religious thought that could

be accepted by the level of advanced thinking (Al -Khatib, 1982) . Therefore, philosophy and the science *of mantiq* (logic) are vital to logically explaining problems related to aqidah and religious teachings. In addition, the need to carry out religious obligations at certain times, such as prayer, fasting, Hajj and so on, is a driving factor for studying falaq or astronomy and (3) the Abbasid caliphs such as al-Ma'mun, Harun al-Rashid and al- Mansur paid great attention to philosophy and science. The Caliph as the highest leader in government always provided facilities, assistance and appreciation to translators who had succeeded in translating scientific books into Arabic (Umam, 1980).

In the Muslim environment, The Holy Quran encourages Muslims to study various branches of science. Islam has given rise to thought in various branches of science, and The Holy Quran has laid down the basic foundations or rules, such as philosophy, economics, medicine and etc (Wahab, 2014) . The basic principles or basic rules in The Holy Quran still have to be developed and detailed through various research, the results of these developments then need to be disseminated widely so that they can be understood and utilized by all people. This effort will be successful if it uses a communication tool that binds all Muslims, namely Arabic. With this reality, the Arabic language plays a vital role in the disseminating knowledge from outside the Islamic world and which is the result of Muslims' thoughts (Fadillah et al., 2024).

The historical trajectory of Greek science and philosophy, from suppression in medieval Europe to preservation and innovation in the Islamic world, underscores the pivotal role of Islamic civilization in the global intellectual tradition. The Abbasid era exemplifies how political stability, religious motivation, and the patronage of leaders can create an environment conducive to scientific and philosophical advancement. The Arabic language was central to this intellectual flourishing, which served as the medium for preserving external knowledge and fostering internal scholarly discourse

Arabic's role extends beyond mere communication; it symbolizes the unity and intellectual vibrancy of the Islamic world. As the lingua franca of science and scholarship during this era, Arabic preserved the knowledge of the past and paved the way for future intellectual endeavors. This historical narrative underscores the enduring relevance of language as a tool for cultural and intellectual exchange, providing valuable lessons for fostering global collaboration in contemporary times.

2. **Phases of Translation of Books in Arabic**

At the beginning of the Abbasid rule in Baghdad, the movement to translate books from other countries always received special attention from the caliphs, among them from Persia, in the form of books on astronomy, history, literature and music (Florio, 2023). From Greek in the form of books on philosophy, medicine, astronomy, music, technique and logic. From Hindi in the form of Hindi medical books, mathematics, astronomy and music. From rules in the form of books on astronomy, agriculture and plants. While from Egypt in the form of chemistry and physics books (Zaidan, 1904).

a. **The Caliphate of al-Manshur Year 136 H**

Caliph al-Manshur has devoted his energy and wealth to the interests of the translation, so much so that he gave a gift of 10,000 dinars to a man named Jirjis bin Bukhtisyu', for having translated books on medicine, music and technique, as well as on logic or logic. At this time appeared Abdullah Ibn al-Muqaffa' in 757 AD who was a Persian who was a Magian then converted to Islam, they also translated the literary book Kalilah wa Dimnah, written by a Hindi philosopher named Baidaba, from Sanskrit into Arabic. The book has now been translated into Indonesian into the story of Kalila and Damina (Hamid, 2006).

During this period, Abdullah Ibn al-Muqaffa' emerged as a prominent figure in 757 AD. Originally a Persian Magian who later converted to Islam, Ibn al-Muqaffa' made significant contributions to the cultural and intellectual life of the Islamic world through his translations. Among his most famous works is translating the literary classic Kalilah wa Dimnah, initially written in Sanskrit by the Indian philosopher Baidaba, into Arabic. This work not only introduced Arabic readers to the risch literary traditions of India but also became a cornerstone of Islamic literary heritage.

In addition to Kalilah wa Dimnah, Ibn al-Muqaffa' translated several other important texts, further enriching the intellectual landscape of his time. These included Khoday Nāmā (The History of Kings of Persia), a significant work detailing Persian, Indian, and Arabic traditions. His translations were instrumental in preserving and disseminating the knowledge of pre-Islamic civilizations, blending them with Islamic thought and making them accessible to a broader audience (Hamid, 2006).

b. **The Caliphate of Harun al-Rashid in 193 H**

At this time, the translation is directed to new books and prioritizing proofreading or correction and repeating the translation done at the time of al-Mansur, because the translation results had errors. Among the translators at this time is Yahya bin Maswih in the field of

medicine, and also his students named Hunain bin Ishaq and Abu Yahya bin Natriq (Sufriansyah & Afriansyah, 2024). In Baghdad, Harun al-Rasyid also opened the Baitu Hikmah University, complete with a library and a translation agency. The officers were spread everywhere to find scientific books in any field to fill the library. If foreign language scientific books (non-Arabic) were found, the book was immediately submitted to the translation agency to be translated into Arabic. The Arabic-language book was used as literature in the university. So, those who studied foreign languages at that time were only fans, while students as a whole used reference books in Arabic, for example, the book Republic written by Plato in Greek translated into the book al-Jumhuriyah in Arabic (Mifta et al. , 2024).

Some of the significant works translated during this time include Categories (Kitab al-Maqulat), On Interpretation (Kitab al-Jadal) by Aristotle. Ptolemy's The Almagest (Kitab al-Majisti), an influential astronomical text, was another major translation. Plato's The Republic, translated as al-Jumhuriyah, also contributed to the corpus of Arabic literature. In medicine, Galen translated various texxts, laying the foundation for Islamic advancements in the field. Euclid's Elements, a cornerstone of geometry, was translated and commented upon by scholars like al-Hajjaj and later refined by Hunain bin Ishaq. Additionally, portions of Plotinus's The Enneads were adapted into Arabic under The Theology of Aristotle.

Bayt al-Hikmah in Baghdad was a hub of intellectual activity, combining a library, translation bureau, and research institute. It facilitated the discovery and preservation of ancient knowledge, particularly from Greek, Persian, Indian, and other traditions. The translation agency actively sought scientific and philosophical texts, which were then translated into Arabic and made available to students and scholars. This ensured that Arabic became the dominant scholarly language of the Islamic world, even as it absorbed knowledge from diverse cultures.

In 193 H (809 CE), during the caliphate of Harun al-Rashid, the Islamic Golden Age reached a remarkable zenith of cultural and intellectual development. Harun al-Rashid, the fifth Abbasid caliph, established Baghdad as a global hub of knowledge, arts, and sciences. Central to his legacy was establishing and enhancing the Bayt al-Hikmah (House of Wisdom), which served as a library, translation centre, and research institute. Scholars such as Yahya bin Maswih, Hunain bin Ishaq, and Abu Yahya bin Natriq played a pivotal role in translating and refining essential works from Greek, Presian, and Indian traditions into Arabic. Key texts, including Aristotle's Categories and On Interpretation, Ptolemy's

Almagest, and Galen's medical treatises, were translated and studied, laying the groundwork for advancements in medicine, astronomy, and philosophy. Harun al-Rashid's reign was marked by intellectual flourishing and effective governance, economic prosperity, and military strength, which provided a stable environment for scholarship to thrive. Despite facing internal divisions and external threats, his leadership fostered an enduring legacy of learning and innovation that influenced the Islamic world and Europe for centuries.

3. The Caliphate of Ma'mun Year 198-300 H

The translation movement during the Abbasid era receive significant attention from the caliphs, as evidenced by various efforts to acquire and translate knowledge. Translators were often sent to regions like Rome to obtain scientific and philosophical books, which were then translated into Arabic (Hamid, 2006). To ensure the quality of these translations, caliphs such as al-Ma'mun would convene weekly gatherings of scholars and Arabic linguists to refine and improve both new and existing translations. In one notable instance, al-Ma'mun demonstrated his commitment by rewarding Hunain bin Ishaq with an amount of gold equivalent to the weight of the book he translated into Arabic (Florio, 2023).

A crucial and unique factor in the progress of the translation movement during al-Ma'mun's reign was his personal inclination towards philosophy. Unlike other Abbasid caliphs who were merely patrons of philosophical works, al-Ma'mun was a philosopher in the truest sense and an ardent supporter of the Mu'tazila school of thought. The Mu'tazila, with its emphasis on rationalism, played a pivotal role in introducing Greek philosophy to the Islamic world. This alignment between al-Ma'mun's intellectual pursuits and the principles of the Mu'tazila significantly influenced the translation movement. Al-Ma'mun's philosophical inclinations not only ensured the acquisition of texts but also created a receptive environment for the integration of Greek philosophical ideas into Islamic intellectual traditions, making this defining feature of his reign and the era's scholarly achievements.

Arabic is a language that has contributed more or less to science development worldwide. It is proven that in the 13th century AD, many scientists, writers and philosophers studied this book. They not only translate but also interpret the contents of the book. This event is one of the relationships between Arabic and science. Arabic has a function as a tool used to generate thoughts and ideas. Apart from that, it is also a communication tool to convey everything. There is some knowledge that comes from The

Holy Quran. The following is an example of science whose development is supported by the contents of The Holy Quran.

4. Medical science

Since the beginning of the Abbasid reign, medical science developed rapidly, so many doctors emerged. In 923 AD, al-Razi wrote the al-Hawi book, a collection of various health problems written by the Greeks, Persians and Indians, and the results of al-Razi's thoughts. (Sidra et al., 2021) . His other book is al-Mansury which discusses various medicines, poisons and surgery, then in 1073 AD, Ibn Sina also wrote about medicine with the titles al-Qanun Fit-Tibbi, al-Dutur Fit-Tibbi, and Asrarul Hikmah. Also, Ali bin Abbas al-Majusi (died in 384 H.) wrote a medical book entitled Kami/us-Sina'at.

Furthermore, al-Kindi (185-252 H/801-865 AD) was also known as a medical expert (Busari, 2014). His full name is Abu Yusuf Ya'qub Ibnu Ishaq al-Subbah, Ibnu Umran Ibnu al-Asa'at, Ibnu Qais, al-Kindi. He was born in Kufa in 185 H, his father was an Amir or ruler in that city. Al-Kindi had expertise in various branches of science, including philosophy, medicine, logic, mathematics, geometry and astronomy, he was even chosen by the caliph al-Ma'mun as a translator at the palace.

The progress achieved by Muslim scholars in medical science is also not small. Attention to this area arose when Caliph al-Mansur asked for help from Jirjis bin Bukhtisyu', a famous doctor in Yundisabur. Because of the success of his treatment, he moved the center of medical books. He had them translated into Arabic, initially by Ibnul Muqaffa', then by Hunain bin Ishaq and other translators under his leadership.

The first famous doctor was Ali bin Saha's son, Raban al-Tabari, who, in 850 AD, wrote the book Firdaus al-Hikmah. Arabic books are the oldest books in medical science. According to Seyyed Hossein Nasr in his book *Science and Civilization in Islam*, this book contains 360 chapters summarizing various branches of medical science, especially regarding pathology, pharmacology, and dietary problems.

The most outstanding physician of the Islamic world was Abu Bakr Muhammad bin Zakaria—Al-Razi (865-925 AD), known to Europeans as Rhazes (Sattar, 2021) . Baghdad already had a hospital, and he was the head. His works number are more than one hundred, and one of them is entitled Book-Tibbi al-Mansuri, which consists of ten volumes and was translated into Latin in the 15th century with the title Liber al-Mansoris. His most famous essay is the Book al-Hawi, a twenty-five-volume encyclopedia of medical science. The book was translated into Latin as Continens by Faraj and Salim, a Jewish doctor. This

encyclopedia was printed many times, and in 1452, the fifth edition appeared in Venice (Lazzeri & Rossi, 2019). This book was widely used in Europe along with Ibn Sina's encyclopedia entitled al-Qanun Fit-Tibbi between the 12th and 17th centuries, when Rhazes and Avicenna were valued more than Hippocrates and Galinos, al-Razi also wrote a book about measles with the title al-Judri wal -Hisbah.

5. Astronomy

During al-Ma'mun's time, the science of astronomy received significant attention from the caliph. Al-Ma'mun ordered scholars to focus on advancing this field, and one such scholar, Ibrahim bin Habib al-Ghazawi, was tasked with compiling a book that discussed the exact calculations related to astrology. Al-Ghazawi completed the work, which came to be known as Zij. However, contrary to what the author previously mentioned, the most important astronomers of this period were actually from the Iranian family known as the Banu al-Munajim. This family contributed substantially to the development of astronomical science during the Abbasid period. Therefore, the previous information provided on the subject can be reconsidered. It is more accurate to highlight the key role of the Banu al-Munajim, whose scholarly contributions were pivotal in shaping the progress of astronomy during al-Ma'mun's reign. A more comprehensive understanding of this period would focus on the achievements of the Banu al-Munajim, who were instrumental in advancing astronomical knowledge, and the Zij compilations that arose during their time.

6. Philosophy

The Arabs became familiar with philosophy after engaging with the intellectual traditions of the Greeks, Persians, and Indians during the caliphs harun al-rashid and al-ma'mun. Initially, Muslims studies philoshophy, particularly from Greek sources, to defend Islamic law (Sharia) from critiques posed by other religious traditions. Among the prominent philosophers of this period was Al-Kindi, known as the "Philosopher of the Arabs," who wrote works such as On First Philosophy and Theology, exploring the compatibility of Greek philosophy with Islamic thought. Al-Farabi, another key figure, contributed significantly to political philosophy with his works, such as Al-Madina al-Fadila (The Virtuous City), where he discussed the ideal society. Avicenna (Ibn Sina), one of the most influential Islamic philosophers, wrote The Book of Healing (Kitab al-Shifa) and The Canon of Medicine (Al-Qanun fi al-Tibb), which merged Greek philosophical thought with Islamic teachings, especially in the fields of metaphysics and medicine. Additionally, al-Razi (Rhazes), a Persian philosopher and physician, made important contributions to medicine and

philosophical reasoning into medical practice. These philosophers and others played a central role in preserving and advancing Greek philosophical ideas, adapting them to the Islamic worldview, and using them to support Islamic law and theology during the caliphates of Harun al-rashid and al-Ma'mun.

7. **Count**

Muslim scholars who are experts in this field of science are:

a. Thabit bin Qurra al-Harrani (221-288 H / 836-901 AD)

Thabit bin Qurra was a renowned mathematician, astronomer, and translator during the Abbasid period. He made significant contributions to geometry, astronomy, and mechanics. Among his notable works are Kitab fi Hisab al-Ahilla (Book on the Calculation of the Moon Phases) and Istikhraj al-Masa'il al-Handasiyyah (Derivation of Geometrical Problems). He also translated and preserved several Greek works into Arabic, ensuring the survival of classical knowledge. His innovations in geometry and his studies on the movement of celestial bodies influenced later Islamic and European scholars.

b. Sinan bin Thabit (d. 331 H / 943 AD)

Sinan bin Thabit, the son of Thabit bin Qurra, was an accomplished mathematician and engineer. He played a pivotal role in applying mahtematical principles to engineering and architecture. Although fewer records of his ndependent works exist compared to his father, Sinan's expertise was widely respected, and he is remembered for his practical contributions to Islamic science and engineering projects of the time.

c. Abu al-Wafa' Muhammad bin Muhammad al-Buzjani (328-388 H / 940-998 AD)

Abu al-Wafa' was a leading mathematician and astronomer whose innovations in trigonometry and geometry were groundbreaking. His work, Kitab fi Ma Yahtaj Ilayh al-Kuttab wa al-Ummal min 'Ilm al-Hisab (The Book on What is Necessary from Arithmetic for Writers and Scribes), provided practical mathematical solutions for scribes and administrators. He introduced new trigonometric concepts, including the tangent function, and made significant advancmenets in solving spherical triangles, which were essential for astronomy.

d. Muhammad ibn Musa al-Khwarizmi (780-850 AD)

Known as the "Father of Algebra," Muhammad ibn Musa al-Khwarizmi revolutionized mathematics with his seminal work Kitab al-Mukhtasar fi Hisab al-Jabr wa al-Muqabala (The Compendious Book on Calculation by Completion and Balancing). This book

introduced the systemetic approach to solving linear and quadratic equations, giving rise to the term "algebra." Al-Khwarizmi's contributions also extended to astronomy and geography, as seen in his accurate calculations of the Earth's circumference and mapmaking efforts.

e. Abu Ali al-Hasan ibn al-Haytham (Alhazen, 965-1040 AD)

Alhazen was a brilliant polymath known for his groundbreaking work in optics, physics, and mathematics. His most famous book, Kitan al-Manazir (The Book of Optics), laid the foundation for modern optics by explaining theories of light, vision, and reflection. He also contributed to geometry and engineering, with works like Tashil al-Majishti (The Simplification of the Almagest), a commentary on Ptolemy's work. His methods of experimentation and systematic inquiry influenced the scientific method.

f. Al-Biruni (973-1048 AD)

Al-Biruni was a versatile scholar whose contributions spanned astronomy, geography, and mathematics. His work Kitab Tahdid Nihayat al-Makin (The Determination of the Coordinates of Palces) was a remarkable achievement in geodesy, combining mathematical calculations with astronomical observations. Al-Biruni also advanced trigonometry by refining sine and cosine functions and applying them to practical problems. His curiosity and thorough approach earned him a lasting reputation as one of the greatest minds of the Islamic Golden Age.

g. Al-Qarni

Although little is definitively known about Al-Qarni, he is recognized for his contributions to Islamic inheritance law (Faraid) and arithmetic, particularly in developing tools for dividing estates (al-Qismah). His works focused on practical applications of mathematics in legal and administrative contexts. While specific titles of his books remain uncertain, his influence in advancing the understanding of inheritance distribution remain significant.

From al-Khwarizmi, Europeans learned Arabic numerals, algebra, and the most defensible astronomical tables, which the Englishman Adelard of Bath then translated into Spanish.

Other famous names in mathematics are al-Mahani, who developed algebra, and Abu Saha 'al-Quhi, who wrote additional books besides Archimedes' book (Florio, 2023). Umar al-Khayyam and Nasir al-Din al-Tusi are famous in Astronomy (Cimak, 2021). At that time, astronomy and mathematics were branches of science. The separation between the two

occurred later. Some Islamic philosophers have names in mathematics, such as al-Kindi, who wrote several treatises in this field, and Ibn Sina, who created a mathematical theory about music.

8. Chemistry

The father of chemistry in Islam was Jabir bin Hayyan (721-815 AD), known in Europe as Geber (Barral, 2021). Among his essays in the field of chemistry are the book al-Tajmi', which discusses concentration, and the book al-Zi' baq al-Syarqi, which discusses mercury. Chemistry at that time was based on Greek theory, which stated that all metals were essentially one, and ernas was the purest metal. This theory is based on the emergence of experiments to find pure metals. Although not achieving the goal, Jabir's experiments improved the methods of evaporation, filtering, sublimation (evaporation and then condensation), liquids, distillation, and crystallization. He discovered how to make various chemicals, such as Cinnabar and arsenic oxide. Next, he learned about how to obtain alum, alkali, saltpeter, ammonia, etc., in pure form. Apart from Jabir, al-Razi was also a famous chemist. Before becoming a doctor, he discussed a lot in the field of chemistry. Other names known in the field of chemistry are al-Tugra'i, who lived in the XII century AD, and Abu al-Qasim al-Traqi, in the XIII century AD.

9. Geography

Geography in the hands of Islamic scholars experienced significant development, combining knowledge of mathematics, geography, and astronomy. According to risler, Muslims applied mathematical principles to measure geographical distances, such as determining the earth's circumference by taking the sun's position at Palmyra and Sinjar on the north side of the Euphrates River. Their calculations yielded fifty-six and two-thirds Arabian miles, an impressive result, as the difference from the actual distance was only eight hundred and seventy meters.

In the 9th century AD, Ptolemy's Geography was translated into Arabic, serving as a foundational text for many Muslim scholars who advanced the earth sciences during the Islamic Golden Age. For instance, al-Khwarizmi, renowned for his contributions to mathematics, wrote Suratu al-Ardi, a book that included a map of the Islamic world. Another notable geographer, Ibn Khurdazbih, authored al-Masalik wal-Mamalik in the 9th century AD, a work praised for its topographical and historical content. Ibn Wadih al-Ya'qubi contributed to geography and economics with his book Kitabul Buldan, which explained topography and the economics systems of various regions.

Abu al-Hasan al-Mas'udi, a 10th-century scholar, authored Muruj al-Zahab wa Ma'adin al-Jawhar (The Meadows of Gold and Mines of Gems), a comprehensive work covering history, geology, and geography. Additionally, Yaqut Ibn Abdillah al-Hamawi, who lived in the 13th century AD, emerged as the greatest Islamic geographer of his time, known for his monumental geographical dictionary Mu'jam al-Buldan.

Among the notable contributions to Islamic geography, Ibn Faqih al-Hamadani holds a significant place with his work Kitab al-Buldan (also referred to as al-Akhbar al-Buldan). This text provides a comprehensive account of cities and regions, ncluding detailed descriptions of their geography, history, and cultural significance. Incorporating the work of Ibn Faqih al-Hamadani into the discussion highlights the depth and diversity of Islamic geographical scholarship. His contributions, alongside those of other prominent figures, illustrate the systematic approach Muslim scholars took in advancing the study of geography, integrating it with disciplines such as mathematics, astronomy, and history to create a robust framework for understanding the physical and cultural dimension of the world.

10. History

Abdullah Muhammad, bin Sa'ad Mani'uz-Zahri, also wrote the book al-Tabaqatul-Kubra and Ibn Nadim, Abu Faraj Muhammad bin Ishaq bin Ya'qub al-Nadim compiled a book called al-Fihrisah-likewise Maskawaih with his book Tajarubul Umam (Editorial, 2023). The famous historian before al-Mas'udi was Ibnu Wadih al-Ya'qubi who left his book entitled Tarikh, then Ibnu Ja'far Muhammad Ibnu Jarir al-Tabari (838-923 AD) with his book Tarikhur-Rusuli wal – muluki.

Its history begins from the creation of nature until the year 302 H or 915 AD. He obtained the materials for making his book from history books written by earlier Islamic historians, from the information he obtained while travelling to various countries, from his teachers and so on.

Al-Mas'udi was different from previous historians, he wrote history not chronologically but according to the classification of dynasties and nations. From Baghdad, he travelled around the Arab world, visiting Asia and Zanzibar. The history he wrote included Indian, Persian, Roman and Jewish history. The greatest historian in Islam was 'Abdurrahman Tun Khalun (1332-1406 AD), who wrote history by linking its development to local geographic and weather conditions and the moral and spiritual strength of the nation concerned.

11. Animal and Plant Sciences

In the natural sciences, scholars also wrote about zoology, plant science, anthropology and geology. Regarding zoology, al-Jahiz, al-Mu'tazi figure who lived in the ninth century AD, wrote a book entitled Kitabul. Animals that greatly influenced the subsequent development of animal science. Ikhwan al-Safa' also talked about animals by writing an essay entitled "The Difference Between Humans and Animals". Another famous writer in zoology is Abu Yahya al-Quzwini, who wrote a book about "The Miracle of Creation".

Al-Tamani, al- Biruni and Ibn Sina wrote about the nature of plants. Then, in Spain, new writers named Abu Ubaid al-Bakri and Ibn Hajjaj appeared, who paid much attention to the science of plants. Ibn al' Awwam, also in Spain, wrote a book on agriculture, and Ibn Wahshiah also wrote a book on agriculture. This description shows that Muslim scholars controlled many branches of general knowledge before the thirteenth century AD, and then science developed along with modern technology.

12. Religious Science

Religious knowledge includes interpretation, hadith, jurisprudence, and the science of penmanship. During the reign of the Umayyads, the first attempt to interpret The Holy Quran was made by Abdullah bin Abbas. During the time of the Abbasids' time, interpreters continued it, including al-Zamakhsyari with his work Kitab al-Kasysyaf and al-Niqas al-Mausuki with his work on the book Syifaus-Sudur-Ibrahim al-Sa'labi with his work on al-Kasyfu wal-Bayanu, and others. The collection and bookkeeping of the Prophet's hadith began during the reign of Umar bin Abdul Aziz (the Umayyad Caliph), and among the famous hadith scholars at that time were Imam Malik bin Anas (died in 197 I-1), Ibnu Dawud al-Tayalisi (died 203 H) and Imam ibn Hanbal (died 241 H) (Safrudin Halimy Kamaluddin, 2021). The haclit books produced are Jami'us-Shagir by Imam Bukhari, Sahih Muslim, Musnad Ibnu Majah, Sunan Abi Dawud, Kitab Jami'us Sahih by Abi Isa al-Turmuzi. Book Sunan by Abu Abdur Rahman al-Nasa'I and book Sunnah Masabihus by Bagawi and Jami'ul Usu' by Bahzari. However, in the early days of Islam, disagreements about fiqh problems, both regarding worship and mu'amalah, always returned to The Holy Quran and hadith, especially when the Prophet Muhammad SAW was still alive. All matters related to religion were handled directly by the Prophet himself. Then, it was continued by the companions and caliphs of the Bani Umayyah, but after stepping on the Abbasid Dynasty, some ijtihad experts specializing in Fiqh appeared. Among them are Abu Hanifah in Iraq (died 150 AH), Malik bin Anas in Hijaz (died 197 AH), Muhammad bin Idris al-Syafi'I in Egypt (died 240

AH), and Ahmad Ibnu Hanbal in Najed, Bahrain. And Syria (d. 241 H). They are famous for their madhhab which is called Madhhab Empat (Modongal, 2023) .

13. Arts and Literature

During the Abbasid era, apart from movements in general science and religion, there were also artistic or writing activities in the field of literature. What is meant by literature or al-Adab is the arrangement of beautiful sentences that arise from the soul of the reader and can be felt by the listener, whether the sentence arrangement is in the form of poetry or prose (Munjin & Kusumawanti, 2021) .

The influence of Arabic is felt in southern Europe, especially in Sicily and Spain, because this place was once the center of Islamic culture and civilization, with the founding of universities in Cordova, Seville, Malaga, and Granada between the VII-XIII centuries. These students who studied in Spain eventually developed science throughout Europe after they succeeded in transferring Muslim ideas to the Western world, which ultimately became modern science.

To prove the contribution of Muslims through Arabic works in the process of scientific advancement in the West, the following statements or opinions from Western scientists are presented:

1) Dr Max Meyershof argued that "Islamic medicine and science in general, shone the light of Hellenism until its light faded. Then Islamic science became the moon in Europe's pitch-black night, bringing Europe into the Renaissance. For this reason, Islam is the cause of the great movement that is now taking place in Europe" (Hoesin, 1975) .He argued that Europeans had taken eye remedies from the Arabs and used them throughout the medieval period, retaining the names of eye remedies composed by Europeans, except in the early 18th century.

2) Diorant argued that "Christian patients preferred Muslim doctors to Christian doctors"during the Crusades (Thaha, 1983).

3) Part of science. Several doctors living in northern Italy have transcribed the contents of their books while still using Arabic terms. This is due to the high prestige of these books. Such terms include: Syrup (syarab), arter (thorthiir), Tared (thorohahu), Alambic (from ambiiq), Alcohol (from alkuhuul), Alkali (al-qaali), Borax (buuraq) and Elixir (al- iksiir) (Thaha, 1983) .

4) Hull argued: As soon as we think of Arab culture, we immediately think of the activities and efforts of the Arab people in the field of science, in which they have

played a universal and international role. They have succeeded in learning what is worth learning, and the results of their hard work are enjoyed by future generations (Thaha, 1983).

5) Brivo stated, "The Arabs deserve our respect, because they have taught all these things to the Europeans. In other words European science is indebted to the Arabs (Thaha, 1983) ".

6) G. Lebon wrote, "It is the Arabs who gave us (European) civilization. They have been our teachers for six centuries".

7) Henry Treece argues that "While Muslims learned little from the West, Europe sucked almost all the arts and sciences from Syria, which were necessary to elevate the peasantry to modernity in the Middle Ages (Nasution, 1980) ".

8) JC Risler, after explaining that Islam as a religion had no influence in the West, wrote on the contrary that "Islamic science and technique greatly influenced Western culture (Nasution, 1980) ".

9) Rom Landau stated that "It was from the Arabs that Europe thought objectively and straightforwardly, learned tolerance and had a broad outlook. This is the foundation that guided the renaissance and brought progress to Western civilization (Nasution, 1980) ." He also said that "The progress of Western science would not have been possible if Western scientists continued to use Roman numerals".

These statements show that the efforts of Muslims to master and develop knowledge through writings in Arabic have received recognition from Western society. Likewise, the process of cultural progress and thought in Western civilization initially received many contributions from Islamic scholars, especially in the eighth to eighteenth centuries AD.

The success of Muslims' efforts at that time was partly due to the high position of reason in The Holy Quran and hadith and the strong urge to seek knowledge, as found in the two primary sources of Islamic teachings, then in the eighth and second sources. Science developed in Islam and all its branches in the ninth century AD. Likewise, the theories that emerged preceded similar theories in the West. Because they often forget about the existence of Islamic civilization in the past, Muslims living in the 21st century do not know that theories in Islam preceded several Western theories, so Muslims consider Western theories to be very modern.

This description provides an overview of the Arabic language's contribution to the development of science. This process can be fully realized if the agility and activeness of

Arabic speakers in the world of science receive the best possible attention, both through translation and research results.

Today's Arabic has borrowed many modern technological and scientific terms from the West into its vocabulary. With these borrowings, Arabic can still survive as the language of science, at least in Arabic-speaking countries. Today's Arabic may be too difficult to influence Jains in advancing modern science and technology.

Conclusion

This research confirms that the Arabic language had a major contribution to the development of science in the XIII-XVIII centuries AD. As the primary medium of translation and scholarship, Arabic enabled the transfer of knowledge from Greek, Persian and Indian civilizations to the Islamic world and subsequently to Europe. It played an important role in the intellectual progress of the world, especially during the Renaissance. However, this research is limited to analyzing specific literature and philological approaches, so further exploration of other manuscripts and eras is needed.

These findings suggest the importance of preserving Arabic as a scientific language to support the development of science. Further research using multidisciplinary approaches and modern technology is recommended to explore a wider range of historical documents. In addition, Arabic language education needs to be improved to strengthen its role in connecting the scientific heritage of the past with the needs of today's science.

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Islamic Efforts in Realizing the Sakinah Family: "Solutions to Overcome Domestic Violence (DV)"

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Abstract:

Tulisan ini mengkaji peran Islam dalam mewujudkan keluarga *sakinah* sebagai solusi untuk mengatasi kekerasan dalam rumah tangga (KDRT). Tujuan dari penelitian ini adalah untuk mengidentifikasi penerapan nilai-nilai Islam dalam menciptakan keluarga yang harmonis dan mencegah kekerasan dalam rumah tangga. Metode yang digunakan adalah tinjauan pustaka yang mendalam, menganalisis berbagai sumber seperti Al-Qur'an, hadis, dan pandangan para ulama tentang hak dan kewajiban dalam kehidupan keluarga di Indonesia. Temuan penelitian ini mengungkapkan bahwa Islam sangat menekankan pentingnya keharmonisan dalam rumah tangga, memberikan panduan yang jelas tentang peran dan tanggung jawab masing-masing pihak, serta metode penyelesaian konflik secara damai, dan mendorong pemecahan masalah melalui dialog, mediasi, dan pendekatan berdasarkan kasih sayang. Oleh karena itu, penerapan ajaran Islam yang mengutamakan rasa hormat dan kerukunan dapat menjadi solusi yang efektif untuk mengatasi kekerasan dalam rumah tangga di masyarakat.

Kata kunci: Islam, keluarga sakinah, kekerasan dalam rumah tangga.

Abstract

This paper examines the role of Islam in realizing *the sakinah* family as a solution to overcome domestic violence (KDRT). This study aims to identify the application of Islamic values in creating a harmonious family and preventing domestic violence. The method used is an in-depth literature study by examining various sources, both the Qur'an, hadith, and the views of scholars related to rights and obligations in family life in Indonesia. The findings of this study reveal that Islam strongly emphasizes the importance of harmony in the household, by providing clear guidance on the roles and responsibilities of each party, as well as ways to resolve conflicts peacefully and encourage problem solving through dialogue, mediation, and a compassionate approach. Therefore, the application of Islamic teachings that prioritize respect and harmony can be an effective solution in overcoming domestic violence in society.

Keywords: Domestic violence, Islam, Sakinah family.

Introduction

A family is formed from a marriage. Marriage is one of the very important Islamic teachings, a requirement for values and aims to create a happy household, sakinah, mawaddah and warahmah. According to Islamic law in one of the religious commandments for those who are able to carry it out immediately, as Allah commands in the Qur'an surah ar-Rum verse 21 which means, "And among the signs of His power is that He has created for you wives of your own kind, so that you may be inclined and feel at peace with him, and He will make among you a sense of affection. Indeed, there are indeed signs for those who think."

The family has a central role in shaping a peaceful and civilized society. In Islamic teachings, the sakinah family, which means a family that is surrounded by tranquility, love, and affection, is an ideal goal that is highly recommended to be achieved. The foundation of the sakinah family is based on Islamic values such as compassion, responsibility, respect, and justice. These values not only create a harmonious atmosphere but also serve as a basis for shaping individuals with noble morals. (Aslam, S., & Rahman, F., 2022)

Marriage is a religious means that regulates the pattern of relationships between men and women to pour out affection between them. The purpose of marriage according to the Qur'an is for the happiness and peace of both parties, so to realize this, a solid agreement between the two is needed. In this case, marriage is a process of uniting two parties into one container called the family. This forum not only has a social function but also aims to give birth to awareness and responsibility that is bound by social contracts ('aqad al-tamlik) and religious contracts that are valued as worship ('aqad al-'worship). (Hasan, A. & Rahmawati, M., 2021).

Challenges from the dynamics of modern life, such as individualism, economic difficulties, and changes in cultural values, make it important for Muslims to keep the foundation of the sakinah family strong and intact (Hasanah, 2020). Often for families that are built with strong religious teachings about the family, not a few modern lives threaten the integrity of the family, one of which is domestic violence (KDRT). Domestic violence can appear in various forms, including physical, emotional, and economic violence, which can negatively affect the psychological, social, and spiritual conditions of family members. In the Islamic view, domestic violence is an act that goes against the principles of justice, compassion, and human dignity that are highly valued (Rohman, A., 2020)

Islam provides a comprehensive guide to building and maintaining a sakinah family. These religious principles emphasize the importance of good communication, mutual respect between couples, fair division of roles, and peaceful and prudent conflict resolution. Therefore, the discussion of the importance of maintaining the family and overcoming domestic violence from an Islamic perspective is essential to provide solutions and enlightenment for Muslims in facing the challenges that exist in today's era of globalization (Amir, S. & Husni, A., 2022)

One of the phenomena of domestic violence that occurs in Bandung in a case study conducted by Sarah Azkia and Dian Andriasari stated that, based on interviews conducted with Investigators of the Women and Children Protection Unit (PPA) of the Bandung Police, from 2020 to 2022, the factors that cause domestic violence in the city of Bandung are internal factors such as economic problems and external factors such as Infidelity. When examined through the perspective of criminal etiology, a person commits domestic violence because of low self-control in the pursuit of personal interests (Sarah Azkiaet, 2023).

Based on the background description above, this study is different from the previous research, so the researcher titled Islamic Efforts in Realizing the Sakinah Family: Solutions to Overcome Domestic Violence (KDRT)**".** The findings of this study reveal that Islam strongly emphasizes the importance of harmony in the household, by providing clear guidance on the roles and responsibilities of each party, as well as ways to resolve conflicts peacefully and encourage problem solving through dialogue, mediation, and a compassionate approach. Therefore, the application of Islamic teachings that prioritize respect and harmony can be an effective solution in overcoming domestic violence in society.

Research Methods

The method used in this discussion is Library Research, which involves collecting and analyzing various data sources. After the data is collected, the next step is to process it to be compiled in the form of a research report. According to Zed, literature research aims to collect information from relevant literary sources, such as books, scientific journals, articles, and other documents to form a structured study (Zed, 2004). In this study, the authors reviewed a variety of sources, including books, journals, articles, and documents that have been accredited to ensure the accuracy of the information. The collected data is carefully analyzed to obtain conclusions that are in line with the topic of discussion. Sugiyono stated

that in literature research, the data analysis process includes the stages of sorting, organizing, and drawing conclusions according to the theme studied (Sugiyono, 2016).

Results Research and Discussion

The Concept of Marriage in an Islamic Perspective

The term nikah comes from the Arabic *nakaha-yankihu* which means the same as the word *tazawwaja* (Basri, 2015). As for in jurisprudence, nikah is known as *zawāj* , which is a clear contract pronounced by the prospective groom on the principles and conditions, while according to madzhab 4 (Shafiʻʻi, Hambali, Hanafi and Maliki) defines marriage as a contract that allows a man to have sexual intercourse with a woman. Some Shafi'iyah scholars view that a marriage contract is a contract of worship, that is, allowing a husband to have sex with his wife. So it is not a *tamlik bi al-intifaʻʻ* contract like buying and selling something when the payment to the seller has been completed (Ahmad et al., 2022),

One of the views of contemporary scholars is Prof. Dr. Wahbah Az-Zuhayli, a prominent Islamic fiqh expert who is widely known for his works in this field. In his book *Al-Fiqh al-Islami wa Adillatuhu* (2015), Prof. Az-Zuhayli explained that marriage in Islam is a legal contract that legalizes sexual relations between husband and wife. Similarly, in the Qur'an and the hadiths of the Prophet, the word "marriage" is generally interpreted as "covenant of engagement" (Az-Zuhayli, Wahbah., 2015)

Furthermore, in Indonesia there is a positive law that regulates marriage, namely Law No.1 of 1974 which states that: Marriage is an innate bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on the One Godhead.

The above definitions when detailed will be found:

a. Marriage is an innate bond between a man and a woman as husband and wife.

b. The inner birth bond is aimed at forming a happy and prosperous family (household).

c. The basis of the inner bond and the eternal purpose of happiness is based on the One Godhead.

The essence of marriage described in Law No. 1 of 1974 is in line with the essence of marriage in Islam, because both of them not only see from the perspective of marriage and the wisdom of Islamic law in terms of the bond of birth contract, but at the same time the bond of spiritual connection between husband and wife which is aimed at fostering an eternal and happy family, in accordance with the will of God Almighty. The two forms of law (Indonesian positive law and Islamic law) are different from Western-American law, which

views marriage as only a form of consent and marriage contract. But they have something in common in terms of (Zahra, A., & Fitriana, I., 2021)

The Concept of the Sakinah Family in Islam

The concept of a sakinah family refers to family life that is surrounded by a peaceful, calm, and balanced atmosphere. in Islam, this concept is strengthened through the words of Allah SWT in Surah Ar-Rum verse 21, where Allah states that life partners are created to provide tranquility (*sakinah*), accompanied by love (*mawaddah*), and affection (*rahmah*). The concept of a sakinah family in Islam, including:

a. *Sakinah* symbolizes calm and comfort in family relationships, especially between husband and wife.

b. *Mawaddah* is a deep love, transcending the physical aspect, and encompassing spiritual as well as emotional dimensions.

c. *Rahmah* means affection that emphasizes compassion, empathy, and respect in relationships between family members (Al-Mawardi, 2016).

Dr. Yusuf al-Qaradawi in his book *Fiqh al-Zakat* (latest edition 2020) states that the concept of sakinah is the main basis in the relationship between husband and wife in Islam. According to him, sakinah provides calm and stability in the household, which is a prerequisite for the formation of a healthy family physically, emotionally, and spiritually. Living these values in daily life makes Muslim families role models in society. (Baiq Latifah Hasanah, 2024).

Definition of the Sakinah Family According to the Quran and Hadith

The sakinah family is a concept that reflects a domestic life that is colored by peace, love, and welfare, as taught in Islam. In the Qur'an, the sakinah family is emphasized in Surah Ar-Rum verse 21: "And among His signs (greatness) is that He created spouses for you of your own kind so that you may feel at peace with him, and He makes among you a sense of love (mawaddah) and affection (mercy)." This verse affirms that marriage aims to create inner peace, which is emphasized by the bond of love and affection. The Prophet Muhammad PBUH also emphasized the importance of building a harmonious family through a hadith: "The best among you is the best for his family" (HR. Tirmidhi). This shows that good treatment in the family is a measure of a person's piety, according to Nur Ihdatul Musyarrafa (2020).

Dr. Yusuf al-Qaradawi's opinion explains that in his view, the concept of the sakinah family based on the Qur'an and Hadith includes aspects of inner peace, love, and affection which are the foundation for a harmonious family life (Al-Qaradawi, 2020).

Characteristics of the Sakinah Family: Compassion, Responsibility, and Good Communication. The sakinah family has several key characteristics that need to be applied in daily life, including:

a. Affection (rahmah): Relationships in the sakinah family are built on the basis of affection, which is manifested through an attitude of care, empathy, and protection of the rights of family members. This affection includes emotional, spiritual, and physical aspects (Putri Ayu Kirana Bhakti, et al., 2020).

b. Responsibility (amanah): In a sakinah family, each family member has certain roles and responsibilities, both as a couple and parents. Responsibilities include the obligation to meet economic needs, education, and maintain harmony and peace in the family. In Islam, the husband is entrusted as the head of the family who is in charge of protecting and guiding his family, while the wife plays a role in supporting the husband and creating a harmonious home atmosphere (Sha'ban & Ridwan, 2020).

c. Good communication: Islam encourages honest, respectful, and open communication between family members. Healthy communication creates a sense of mutual understanding and helps resolve conflicts in a peaceful way. In Surah Al-Hujurat verse 10, Muslims are reminded to maintain brotherhood and avoid divisions that can damage family relationships.

Challenges in Realizing the Sakinah Family

Domestic violence (abbreviated as domestic violence) is violence committed in the household both by the husband and by the wife. According to Article 1 of Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT Law), what is meant by Domestic Violence is as follows: "Any act against a person, especially a woman, which results in physical, sexual, psychological, and/or domestic neglect misery or suffering, including threats to commit acts, coercion, or unlawful deprivation of independence within the scope of the household" (Naufal Hibrizi Setiawan, et al., 2024)

Factors for Realizing a Sakinah family:

a. Economic, Communication, and Environmental Influence Issues

Various aspects of life provide its own challenges in building a sakinah family, one of which is economic problems. The inability to meet basic needs can lead to stress in the

household, potentially triggering conflicts between couples. Difficult economic conditions can also reduce quality time spent with family and create stress that, if not properly addressed, can disrupt household harmony (Iskandar, 2018).

b. Ineffective Communication Is Also One of the Significant Challenges

Many families face difficulties in establishing healthy communication, such as an inability to listen to each other, differences of opinion that are not resolved wisely, or communication styles that do not support emotional intimacy. In the sakinah family, open and respectful communication is an important foundation for resolving conflicts peacefully (Yusuf, 2019).

c. Influence of the Social Environment

Factors such as the work environment, associations, social media, and communities outside the family, can also affect family values and behavior. Negative influences from the environment that are not in line with Islamic values can weaken the commitment of family members to maintain harmony. Therefore, an internal filter is needed in the family to face this challenge (Al-Ghazali, 2017).

d. Third-Party Involvement or Conflict with the Extended Family

The presence of a third party, either in the form of the intervention of the extended family or the presence of other people who cause conflicts, is a challenge that must be faced to maintain the sakinah family. Often extended families provide input or pressure that can complicate the internal dynamics of the nuclear family and create tension between couples. In Islam, although relationships with extended families are important, there are still restrictions so that they do not interfere excessively in household matters. The ability to manage relationships with extended families and maintain household privacy is very important (Nasution, 2020).

e. A Modern Lifestyle That Goes Contrary to Islamic Values

Modern lifestyles that tend to be individualistic, materialistic, and consumptive can be a threat to efforts to build a sakinah family. Islamic values that prioritize simplicity, piety, and togetherness are often at odds with modern culture that prioritizes material achievement and individual freedom. Digital technology also brings its own challenges, such as excessive use of social media, which can reduce family interaction, create dependence, and trigger conflicts (Hakim, 2018). To overcome this challenge, Muslim families must re-strengthen

Islamic values, improve the quality of communication within the family, and limit outside influences that are not in line with Islamic teachings (Rahman, 2020).

Efforts to Maintain the Sakinah Family According to Shari'ah

Sharia Foundations to Maintain the Sakinah Family, one of the main things expected from a marriage is the integrity of the marriage bond until the end of the life of the bride and groom. The breakup of a marriage is something that is very disliked in Islam. This is as the Messenger of Allah (*peace and blessings of Allaah be upon him) said*:

<div dir="rtl">

أبغضُ الحلالِ إلى الله الطلاقُ

</div>

It means: "The halal act that Allah hates the most is talaq (divorce)" (Abu Daud (3/505).

Some scholars say that originally, divorce was haram to do. However, the law changed to be permissible due to urgent needs. *Shaykh Islam* Ibn Taymiyah said:

<div dir="rtl">

أن " الأصل في الطلاق الحظر " وإنما أبيح منه قدر الحاجة

</div>

Meaning: "... That in fact "the original law of divorce is forbidden", and it is only permissible based on the level of existing needs (Ibn Taymiyah, 1995: 33/81)

To avoid divorce and achieve household integrity, the right steps are needed, including by building a harmonious relationship between husband and wife in living a married life. When harmony in the household has been well established, then with Allah's permission, disputes and quarrels that cause many divorces can be avoided (PA Jember, 2019).

Given the importance of this, Islamic sharia has hinted at things that affect domestic harmony, both explicitly and implicitly. In the Qur'an, there are several things that can build household harmony. Likewise in the hadiths which are a reflection of the life of the Prophet (*peace and blessings of* Allaah be upon him). In addition, there are also many things that cause the collapse of harmony, both in the Qur'an and in the hadiths of the Prophet (peace and blessings of Allaah be upon him).

Factors That Build Household Harmony Before Marriage

Building domestic harmony is not only done after the establishment of a marriage bond. However, some things that have a significant influence on the establishment of harmony are actually done before marriage. Among the efforts that have been explained in Islamic law are as follows:

a. Choosing a commensurate/equal partner (*kufu'*)

Although most scholars say that the equality of husband and wife (*kafaa'ah*) is not a valid condition for a marriage, this is very important to consider (Fahmi, 2020). Because with the existence of kafaa'ah, husband and wife can realize a family that is sakinah, mawaddah, and rahmah. With the presence of kafaa'ah in marriage, each husband and wife are expected to get harmony and harmony and be able to avoid crises in domestic relationships (Asrizal, 2015). Therefore, in a hadith it is stated:

لَا تَنْكِحُوا النِّسَاءَ إِلَّا الْأَكْفَاءَ، وَلَا يُزَوِّجُهُنَّ إِلَّا الْأَوْلِيَاءُ

"Do not marry your women except with those who are equal. And they shall not be married except by guardians." (Al-Daruquthniy: 4/358)

b. Choosing a pious partner

In general, a man chooses a future wife for several reasons: because of her wealth, position, beauty, and also religious qualities. This is something natural and commonplace. Because everyone has different judgment leanings and needs. It is possible for a person to think that he will get happiness in his marriage if he marries a rich woman or has a good position. While others feel the need for a beautiful wife in order to achieve that happiness.

However, among all these reasons, there is no guarantee of happiness, marriage blessings and domestic harmony for a person, unless he chooses a partner based on religious factors. This is as stated by the Messenger of Allah (peace and blessings of Allaah be upon him):

تُنْكَحُ الْمَرْأَةُ لِأَرْبَعٍ : لِمَالِهَا ، وَلِحَسَبِهَا ، وَلِجَمَالِهَا ، وَلِدِينِهَا ، فَاظْفَرْ بِذَاتِ الدِّينِ تَرِبَتْ يَدَاكَ

"The woman was married for 4 (four) reasons: because of her wealth, position, beauty, and religion. So, take a woman who is good in religion, and you will be lucky." (Bukhari, 1422 AH: 7/7; Muslim: 2/1086)

Based on this hadith, when a person chooses a pious or righteous partner, it is hoped that he will achieve happiness and harmony in his household.

To get this, a person is not satisfied by only looking at the individual piety that his prospective partner has. However, each of the husband and wife must also have good

social piety. This is because social piety has a very close relationship with harmony and divorce (Arifin, 2016).

It is possible that married couples who have had good individual piety do not get harmony in the household or even reach the stage of divorce. This is the same as what happened in the household of the Messenger of Allah (peace and blessings of Allaah be upon him), where he once divorced Hafshah and then referred to him again. In fact, as is known, both have a very high level of individual piety.

c. Get to know your partner well

The most important thing to do before getting married is to find important information related to the prospective partner properly. Because this is how a person can ensure that his prospective partner meets the two criteria mentioned above, namely: kafaa'ah and piety. In addition, the information that has been collected can be an additional consideration in making a decision, whether to continue with the wedding plan with him or not (Zainal et al., 2021),

One of the most important things in the process of getting to know a prospective partner is to do nadzhar (looking at the physical appearance of the prospective partner). For many people, physical considerations play a huge part in determining their partner. Because, with that a person will know directly and what the physical condition of his prospective partner is. Therefore, for this purpose, the Shari'ah allows looking at the opposite sex (who is not a mahram) which is originally something forbidden. This aims to make the person concerned more motivated to hold a wedding and become one of the factors that will bring happiness and harmony to the household. Hasan & Siti (2021)

The Messenger of Allah (peace and blessings of Allaah be upon him) said to Al-Mughirah bin Shu'bah when he proposed to a woman:

أَنْظُرْ إِلَيْهَا فَإِنَّهُ أَحْرَى أَنْ يُؤْدَمَ بَيْنَكُمَا

"Look at him, because it can help build harmony between the two of you." (Al-Tirmidhi, 1998: 2/388)

He also said:

إِذَا خَطَبَ أَحَدُكُمْ الْمَرْأَةَ فَإِن استطاع أَن يَنْظُرَ إِلى ما يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ

"If one of you proposes to a woman, while he is able to see the part of her that can motivate him to marry her, then he should do so." (Abu Daud, 2009: 3/424)

If after the process of gathering information and nadzhar a match is found between the two, then that is what is expected. However, if after some or all of that is done, it turns

out that there is something that you don't like, then each of the two can withdraw from an early age. Because, if the wedding plan continues, it is feared that it will cause friction in their home life.

Efforts to Maintain Household Harmony

The efforts to build household harmony that can be done after marriage include:

a. Treating spouses as God's decree

After getting married, sometimes some people find that their partner is not what he expected. So, they think their life will not be happy because there is something lacking in their partner. If marriage continues, it can trigger conflicts and destroy harmony. However, the opposite can be achieved if each of the husband and wife is willing and happy with their partner. Because in fact, a husband is a gift that Allah has set for his wife, and vice versa. So, if a person feels pleased and sincere in what Allah has given him, then he will get satisfaction in his heart. And this can result in the establishment of harmony in his household. (Nabila & Ismail, 2021) The Prophet said:

وَارْضَ بِمَا قَسَمَ اللَّهُ لَكَ تَكُنْ أَغْنَى النَّاسِ

"And be pleased with what Allah has shared for you, and you will surely become the richest human being." (Al-Tirmidhi (4/127)

b. Chest-free with flaws and mistakes of the couple

It has become sunnatullah that every human being must have flaws and mistakes. Nothing is perfect and error-free. This is as affirmed by the Messenger of Allah (peace and blessings of Allaah be upon him):

كل ابن آدم خطاء وخير الخطائين التوابون

"Every son of Adam (man) always makes mistakes, and the best of those who are wrong are those who repent." (Al-Tirmidhi : 4/240)

The more often you interact with others, the more your flaws and mistakes will be visible. Especially interactions that occur in the household. The shortcomings and mistakes of a husband will be very easy to see by the wife, and vice versa. Often the seeds of friction in the household begin to emerge because each of them does not accept the shortcomings and faults of their partner. However, this can be handled well if each of the two is open to the shortcomings and forgives the mistakes of their partner. Because, in addition to these shortcomings and mistakes, there are advantages and positive things to be proud of. This is as hinted at in the words of the Prophet:

لَ يفركَ مؤمن مؤمنة إن كره منها خلقا رضي منها آخر

"It is not appropriate for a believer to hate a believer (his wife). If he hates a moral from him, then he can still like it because of his other morals." (Muslim: 2/1091)

In this hadith there is a guidance for husband and wife, when they find a deficiency or mistake from their partner, they should be open-minded and forgive the mistake, and not make it a reason to hate him in totality. If this can be applied properly, then with the permission of Allah harmony in the household will be realized (Nadia & Rasyid, 2020)

c. Realizing the role of the husband as the imam and the wife as the makmum

One of the important efforts to build harmony is to be aware of the role of husband and wife and realize it in family life. A husband is appointed by Allah as a leader or imam, while a wife is appointed as her mother. Allah said:

ٱلرِّجَالُ قَوَّٰمُونَ عَلَى ٱلنِّسَآءِ بِمَا فَضَّلَ ٱللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَآ أَنفَقُوا۟ مِنْ أَمْوَٰلِهِمْ

"Men (husbands) are leaders over women (wives) because Allah has given some of them (men) an advantage over others (women) and because they (husbands) have provided for themselves with their possessions." (Q.S. An-Nisa': 34)

As a household leader, a husband is required to optimize his function as a leader who is fully responsible for the benefits of the household, both in the form of alimony, housing, education, and others. Therefore, he is the one who has to work to earn a living, provide a place to live, and provide and facilitate education for his wife and children. As a leader, he also needs to direct and instruct his wife in matters that bring benefits to the household. A husband also needs to give good reprimands and guidance to his wife when he makes a mistake (Rizki & Hadi, 2022)

Meanwhile, as a makmum, the wife's biggest role lies in her obedience to her husband's direction, not acting outside of what she allows, and taking care of herself when her husband is not by her side. Wives also have a role in helping their husbands to achieve the common good and give them input and advice in good ways. All of this has been hinted at in the continuation of the above verse:

فَٱلصَّٰلِحَٰتُ قَٰنِتَٰتٌ حَٰفِظَٰتٌ لِّلْغَيْبِ بِمَا حَفِظَ ٱللَّهُ ۚ وَٱلَّٰتِي تَخَافُونَ نُشُوزَهُنَّ فَعِظُوهُنَّ وَٱهْجُرُوهُنَّ فِي ٱلْمَضَاجِعِ وَٱضْرِبُوهُنَّ ۖ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا۟ عَلَيْهِنَّ سَبِيلًا ۗ إِنَّ ٱللَّهَ كَانَ عَلِيًّا كَبِيرًا

"So, the righteous women are those who obey (to Allah) and maintain (their honor) when (their husbands) are not there because Allah has taken care of (their honor). As for those whom you are worried about their disobedience, then advise them, then leave them in bed (split beds), and (if they are still so) beat them. However, if they are obedient to you, do not look for excuses to do bad things to them. Indeed, Allah is the Highest, the Greatest." (Q.S. An-Nisa': 34)

When each of the two has carried out this role well, then the harmony that God willingly desires will be realized. On the other hand, if there are roles that have not been realized to the maximum or are roles that have been swapped, it is feared that harmony will be difficult to achieve.

d. Fulfilling rights and obligations

In social life, humans cannot be separated from the relationship between rights and obligations. Especially in the marriage bond between husband and wife. Each of the two has rights that must be obtained and also obligations that must be fulfilled.

In verse 34 of Surah An-Nisa' above, Allah hints at the main obligation in marriage, namely maintenance for the husband and obedience for the wife. This shows that there is a command to build household harmony and form an ideal family. However, it will not be possible unless both husband and wife fulfill their obligations and each other also gets their rights (Misbahuzzulam, 2019).

There are 2 types of maintenance that must be fulfilled by the husband, namely zahir maintenance and inner maintenance. The zahir alimony includes food, clothing, and shelter. While mental maintenance includes biological relationships (jima'). As Allah says in the Qur'an:

$$\text{وَعَلَى ٱلْمَوْلُودِ لَهُۥ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِٱلْمَعْرُوفِ ۚ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا}$$

"And the obligation of the father (husband) is to give rizki (food) and clothes to them (wives) in an appropriate way. A person is not burdened except according to his level of ability." (Q.S. Al-Baqarah: 233)

$$\text{أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنتُم مِّن وُجْدِكُمْ}$$

"Place them (wives) where you live according to your ability." (Q.S. Al-Thalaq: 6)

$$\text{فَإِذَا تَطَهَّرْنَ فَأْتُوهُنَّ مِنْ حَيْثُ أَمَرَكُمُ ٱللَّهُ}$$

"And when they have been purified (from menstruation), then come (jima'lah) according to what Allah has commanded you." (Q.S. Al-Baqarah: 222)

From some of the above verses, it can be concluded that the command to fulfill obligations in the household is adjusted based on the level of ability of each one. Thus, it is inappropriate for a husband or wife to demand more rights beyond the limits of their partner's ability when he has tried his best in fulfilling this obligation. This aims to maintain household harmony, which is when each of the two has felt enough of the rights obtained according to the ability of their partner (Hanafi & Yulia, 2021)

e. Commitment to implement Islamic sharia

When explaining the law of ruju' (remarriage) after the third divorce between husband and wife, Allah binds this ability with a strong conviction that they will enforce the boundaries of Allah which is the sharia of Islam itself. Allah said:

$$\text{فَإِن طَلَّقَهَا فَلَا تَحِلُّ لَهُۥ مِنۢ بَعْدُ حَتَّىٰ تَنكِحَ زَوْجًا غَيْرَهُۥ ۗ فَإِن طَلَّقَهَا فَلَا جُنَاحَ عَلَيْهِمَآ}$$
$$\text{أَن يَتَرَاجَعَآ إِن ظَنَّآ أَن يُقِيمَا حُدُودَ ٱللَّهِ ۗ وَتِلْكَ حُدُودُ ٱللَّهِ يُبَيِّنُهَا لِقَوْمٍ يَعْلَمُونَ}$$

"So, if she divorces him (the third talaq), then the woman is no longer lawful for her until she marries another husband. Then if she divorces him, then there is no sin for to refer to if they both see that they are capable of carrying out the limits of Allah. Those are the provisions of Allah that are explained to the knowledgeable." (Q.S. Al-Baqarah: 230)

This verse shows that in order to achieve harmony, a couple must commit to upholding Islamic law within the scope of their household. Farida & Salman (2023). If not, then the trigger for divorce in the form of conflict between the two will have the potential to occur. As indicated in the previous verse, when the husband and wife are worried that they will not be able to enforce the laws of Allah, then the wife is allowed to pay a ransom ('iwadh) on herself as a condition for the realization of the divorce (khulu').

$$\text{فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ ٱللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا ٱفْتَدَتْ بِهِۦ}$$

"And if you are worried that both of you are not able to enforce the laws of Allah, then there is no sin in paying a ransom (by the wife) against her." (Q.S. Al-Baqarah: 229)

f. Interact with ma'ruf (good and appropriate)

It has become human nature that they are happy to be treated well by others. Such good treatment can provide peace and happiness for someone who receives it. Not only

that, but good treatment can also build love and close relationships between others, even between 2 parties who previously had hostility. Allah said:

$$وَلَا تَسْتَوِي ٱلْحَسَنَةُ وَلَا ٱلسَّيِّئَةُ ۚ ٱدْفَعْ بِٱلَّتِي هِيَ أَحْسَنُ فَإِذَا ٱلَّذِي بَيْنَكَ وَبَيْنَهُۥ عَدَٰوَةٌ كَأَنَّهُۥ وَلِيٌّ حَمِيمٌ$$

"And there is no equal between good and evil. Repay (the evil) with a better one, so that someone who (before) had enmity with you will become like a faithful friend." (Q.S Fushilat: 34)

This also applies to household life. To foster a sense of love and happiness between husband and wife, both must establish good interactions and get used to treating each other positively. Both in the form of deeds and ways of communicating (Rina & Hafid, 2020) If this can be realized, then with the permission of A.llah, their household harmony can also be realized. Therefore, Islam commands husbands to interact with ma'ruf to their wives, and vice versa. And as Allah says:

$$وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ$$

"And associate them (wives) in a proper way." (Q.S. Al-Nisa': 19)

$$وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَّ بِالْمَعْرُوفِ$$

"And they (wives) have rights commensurate with their obligations in a proper way." (Q.S. Al-Baqarah: 228)

From the above explanation, it can be concluded that from an Islamic perspective, there are several factors of determination or efforts to maintain domestic harmony that can be done before marriage and after marriage. Efforts to build domestic harmony that can be done before marriage are: (a) Choosing a commensurate/equal partner (kufu'), (b) Choosing a pious partner, (c) Getting to know the partner well. The efforts that can be made after marriage are: (a) Pleasing the spouse as Allah's decree, (b) Expanding one's chest with the shortcomings and mistakes of the spouse, (c) Realizing the role of the husband as an imam and the wife as a makmum, (d) Fulfilling rights and obligations, (e) Commitment to carrying out Islamic law, (f) Interacting with ma'ruf (good).

Efforts and Individual Roles in Maintaining the Sakinah Family

a. Commitment of Husband and Wife to Islamic Values in Marriage

Marriage in Islam is not only seen as a legal and social bond, but also as a worship that has a spiritual dimension. The commitment of husband and wife to Islamic values is

very important in building a sakinah family, which is a family full of peace, affection, and blessings. Islam teaches that husbands and wives must support each other to live in accordance with religious teachings. In Surah Al-Baqarah verse 187, Allah SWT explains that life partners are clothes for each other, which means to cover, protect, and strengthen each other.

Husbands and wives who are committed to Islamic values will strive to maintain each other's honor, carry out common religious obligations, and support each other in achieving common goals, both in worldly and religious life. This means practicing principles such as justice, compassion, and piety in the household.

b. Mutual Respect and Understanding of Each Other's Rights and Obligations

In a harmonious household, husband and wife must respect each other and understand each other's rights and obligations. Islam teaches a clear and fair division of roles in the family, where the husband as the head of the family has the responsibility to provide maintenance and protection, while the wife has a role in supporting the husband and taking care of the household. However, in practice, these rights and obligations must be carried out with mutual understanding and respect.

In Surah An-Nisa verse 34, Allah SWT emphasizes the importance of safeguarding each other's rights in marriage. The obligation of a husband is to take care of his wife with affection, while the wife must also respect her husband in a way that is in accordance with the teachings of Islam. When husbands and wives understand their respective rights and obligations, they can live their home life more harmoniously and full of blessings.

The Importance of Patience, Counseling One Another in Kindness, and Sacrifice in Family Relationships

Patience, counseling each other in kindness, and sacrifice are important values in building a good family relationship. In Surah Al-Asr verse 3, Allah SWT reminds mankind to always do good, including in living family relationships. Patience in the face of trials in married life and giving each other constructive advice are indispensable so that every problem can be solved in a good way (Fashi Hatul Lisaniyah, et al., 2021).

The Prophet Muhammad PBUH also taught to advise each other in kindness, as stated in the hadith: "Religion is advice" (HR. Muslim). Counsel given in a wise and loving manner will strengthen the relationship between husband and wife. In addition, sacrifice in carrying out their respective roles is also a form of contribution that strengthens family relationships.

This sacrifice is not only in the form of material, but also in the form of time, attention, and effort to understand the feelings of the partner.

By maintaining a commitment to Islamic values, respecting each other's rights and obligations, and instilling the values of patience, advice, and sacrifice, husbands and wives can create a family that is sakinah, mawadah, and merciful. The implementation of Islamic teachings in family life will bring happiness and blessings both in this world and in the hereafter.

Islamic Efforts Against Domestic Violence (DV)

Islam categorically opposes all forms of violence, including domestic violence. Violence, whether physical, verbal, or emotional, is contrary to the basic principles of Islam that emphasize compassion, justice, and respect for human dignity. In Surah Ar-Rum verse 21, Allah SWT says that marriage is a means to create tranquility (sakinah), love (mawaddah), and affection (rahmah) between husband and wife. Therefore, Islam encourages the creation of peaceful relationships and no room for domestic violence.

In addition, the hadith of the Prophet Muhammad PBUH also emphasizes the importance of good treatment of wives. One of the famous hadiths reads, "The best among you is the best in treating his wife" (HR. Tirmidhi). This shows that violence against a partner, especially in the household, is strictly forbidden in Islam, and there should be an effort to resolve the issue in a compassionate, not violent, way.

a. The Role of Good Communication in Overcoming Family Conflicts

Good communication is the key in resolving conflicts in the family. Islam teaches the importance of open, honest, and respectful communication. In Surah Al-Hujurat verse 10, Allah SWT says that Muslims must maintain brotherhood and avoid disputes. In the household, it is important to create space for husband and wife to listen to each other, respect opinions, and find solutions together wisely.

In addition, good communication also involves managing emotions and understanding your partner's feelings. Islam teaches not to neglect the rights of spouses, and encourages dialogue that prioritizes peaceful solutions, not confrontation. For example, the Prophet Muhammad PBUH taught to speak with good words and maintain manners in communicating, as in the hadith: "Good words or silence" (HR. Bukhari and Muslim).

b. Family Guidance (Ta'lim and Islamic Counseling) to Strengthen Relationships

Family guidance in Islam plays an important role in building healthy and harmonious relationships. Through ta'lim (religious learning) and counseling based on Islamic values, married couples can better understand their roles and responsibilities in the family. Islamic counseling, which integrates the principles of religious teachings, helps families overcome problems without violating Islamic norms. In the Quran and Hadith, there are many instructions that teach about the importance of patience, respect, and justice in married life.

Ta'lim and family guidance also help couples manage emotions, improve communication patterns, and strengthen the spiritual bond between husband and wife. This guidance can be provided by scholars, religious leaders, or counselors who understand the field of religion and Islamic psychology.

c. Intervention of Islamic Institutions (Such as Social Institutions or Sharia Courts) in Handling Domestic Violence Cases

Islamic institutions have an important role in handling domestic violence cases by providing legal and social interventions in accordance with Islamic teachings. Sharia courts can function to resolve family disputes involving violence, taking Islamic law into account as the basis for decision-making. The intervention aims to protect the rights of family members, especially women and children, and to provide solutions that are fair and in accordance with Islamic principles. In addition, Islamic social institutions can also aid, counseling, and legal assistance to victims of domestic violence. This is crucial to ensure that victims receive protection in accordance with Islamic law and have access to justice.

d. Prioritizing Advice, Mediation, and Peaceful Settlement in Accordance with Islamic Teachings

Islam promotes conflict resolution through advice, mediation, and peaceful approaches. In many hadiths, the Prophet Muhammad PBUH taught to always find a peaceful way to solve problems, including in household problems. One of the ways taught is to mediate between disputing couples, as written in Surah An-Nisa verse 35 which suggests presenting a mediator from the husband and wife's side.

Advice given with compassion and non-violence is highly valued in Islam, as it is a way to bring a disputing couple back together. Islam strongly emphasizes the importance of prioritizing peace and harmony in the family, by not allowing violence to be a way out of existing problems.

Conclusion

The importance of maintaining the sakinah family and resolving domestic conflicts based on the Islamic teachings of the sakinah family, which means a family full of peace, affection, and blessings, is the main goal in domestic life according to Islam. This can be achieved with a strong commitment from husband and wife to follow the principles of Islamic teachings in daily life. Islam teaches values such as compassion, justice, patience, and mutual respect between couples.

In a household, husband and wife must support each other and fulfill their obligations with full responsibility and understanding, and avoid all forms of violence, whether physical, verbal, or emotional, that are contrary to religious teachings. Domestic conflicts are natural, but Islam teaches to resolve them in a loving and peaceful way. Through open communication, constructive advice, and sacrifice from both sides, problems can be resolved without violence. In the face of serious problems such as domestic violence (DV), Islam encourages peaceful settlement through mediation, advice, and the role of Islamic institutions that can provide protection and justice in accordance with sharia.

Recommendations:

The researcher recommends investigating how the verses of the Qur'an and the hadith of the Prophet Muhammad PBUH, which teach compassion, mutual respect, and maintaining peace in the family, can be used as guidelines to prevent domestic violence. Is it a thematic study both in the Qur'an and Hadith?

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