

Revitalisasi Peran Kantor Urusan Agama (KUA) dalam Mewujudkan Keluarga Sakinah di Kabupaten Bone dengan Perspektif Maqāṣid Asy-Syarī'ah

Revitalizing the Role of *Kantor Urusan Agama (KUA)* in Realizing the *Sakinah* Family at Bone Regency with *Maqāṣid Asy-Syarī'ah* Perspective

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Abstrak: *Kantor Urusan Agama (KUA) di suatu daerah memiliki peran dalam membentuk keluarga bahagia. Realisasi tugas dan tanggung jawabnya dapat mempengaruhi calon pasangan yang ingin menikah. Kursus pra-nikah, sebagai upaya edukasi, telah menegaskan indikator membangun rumah tangga*

yang baik. Upaya ini juga memberikan saran untuk mengelola masalah rumah tangga. Tahap pengumpulan data dilakukan melalui observasi, wawancara, dan dokumentasi. Sedangkan pada tahap analisis data dilakukan dengan menyajikan data, mereduksi data, dan menarik kesimpulan. Hasil penelitian menunjukkan bahwa KUA sebagai perpanjangan dari tugas Kementerian Agama, berfungsi untuk menyelenggarakan perkawinan yang sah di dalam masyarakat yang sesuai dengan syariah. KUA memegang dharuriyat atau kepentingan dalam membangun keluarga sakinah melalui pernikahan yang sah. KUA juga memegang ketentuan untuk menyelenggarakan kursus pra-nikah untuk mewujudkan keteguhan dalam agama, jiwa, keturunan, pikiran, dan harta benda. Dalam praktiknya, KUA di Kabupaten Bone telah menyelenggarakan program pembangunan keluarga yang berdampak pada upaya menciptakan keluarga sakinah dan menekan angka perceraian. Namun, KUA lain tidak memiliki upaya untuk memahami apa itu pernikahan.

Kata Kunci: Kantor Urusan Agama (KUA); Sakinah Family, Maqāṣid Asy-Syarī'ah

Abstract: Kantor Urusan Agama (KUA) in a certain region has the role in forming a happy family. The realization of its duties and responsibilities can influence prospective couples eager to get married. The pre-marriage course, as an educational effort, has emphasized the indicators of building a favorable household. This also offers advice for managing household problems. The data collections stage are carried out through observation, interviews, and documentation. While in the data analysis stage it is done by presenting data, reducing data, and drawing conclusions. The results showed that the KUA as an extension of Ministry of Religious Affairs duties, serves to administer legitimate marriage in the community corresponding to the sharia. KUA holds dharuriyat or importance in constructing a sakinah family through legal marriage. KUA also holds the provisions to organize the pre-marriage course for the realization of the religion, soul, offspring, mind, and property consolidation. In practice, the KUA in Bone Regency has organized family development programs that have an effect on efforts to create a sakinah family and reduce the divorce rate. Yet, other KUAs lack efforts to even understand what marriage is.

Keywords: Kantor Urusan Agama (KUA); Sakinah Family, Maqāṣid Asy-Syarī'ah

A. Introduction

All human activities are controlled by rules. This is intended to create order, peace and stability in the implementation of their activities in life.¹ Tracing the existence of Islamic teachings is shown by one form of legal application, namely in the field of civil affairs, including family law or *al-Aḥwal al-Syakhṣiyyah*. Quoting from Subekti, M. Amin Summa in his book states that, family law is a law that regulates the order of human life formed as a result of the process in the family.²

Marriage and household are a place to maintain the existence and achievement of humans as creatures of Allah. In the process, it always requires special attention to study and analyze it and takes place by paying attention to religious teachings, the culture that is maintained, and the applicable state regulations.³ Another aspect that makes marriage have an important position is building human life. This is because marriage is intended to obtain offspring, then they multiply to form families, then develop into relatives and communities.⁴

The result of marriage then gives birth to various kinds of laws that require optimal data collection in order to tidy up the law, especially in Islamic law in Indonesia.⁵ *Kantor Urusan Agama* (KUA) is an institution that is given the responsibility by the Ministry of Religion as an extension of the sub-district area to carry out the main tasks and functions in its working area in accordance with Regulation Menteri Agama Republik Indonesia Number 34 of 2016.⁶

Kantor Urusan Agama (KUA) as an institution involved in a marriage, should analyze the understanding that is developing in the community today, including: (1) *Kantor Urusan Agama* (KUA) only acts as an institution to record the marriages of prospective couples and the community does not understand its duties in other

fields; (2) the role of the headman is limited to the task of marrying off the bride and groom. In Bugis terms the word “*mappakawing*” refers to the fact that the headman’s job is not only at pre-marriage but also after the marriage, namely as an advisor and a medium for counseling or consulting; (3) extension workers only focus on developing education and teaching Islamic religion teachers, even though the reach of extension workers can also function as a safeguard for contemporary community problems including household matters; and, (4) the implementation of the pre-marriage course does not meet the standards set by the Religious Affairs Ministry, namely by taking place in a makeshift manner without exploring the nature and purpose of the course. The term is the formality to fulfill the requirements before the validity of the prospective couple who want to get married.⁷

From the perspective of Islamic law, marriage in Indonesia is agreed upon as a form of running, maintaining, and striving for the realization of a happy family physically and mentally. Marriage is also interpreted as an effort to form a family in which prosperity, peace and tranquility will be obtained.

In the process, after the marriage contract and the validity of the marriage, each couple carries out a different task in building their family. This is due to differences in interests and differences in understanding and response to their roles among family personnel. The innate character in humans, including selfishness and jealousy, could also be the fundamental reason for bringing discord in the household.⁸ In the implementation of divorce for Muslims, it is carried out through the Religious Court procedure. And for non-Muslims it is carried out according to the District Court procedure. The mediation process is carried out as an effort for a couple to maintain their family which is then accommodated by a non-judge mediator or a court-appointed judge.⁹

Based on this background, the main problem is how to revitalize the role of the KUA in realizing a *sakinah* family in Bone Regency from the perspective of *maqāṣid asy-syarî'ah* ". Then it is arranged into several sub-problems as follows; (1) the efforts of KUA in constructing a *sakinah* family, (2) the effect of the implementation of the *sakinah* family program at KUA in suppressing the divorce rate in Bone Regency, and (3) an analysis of *maqāṣid asy-syarî'ah* in realizing a *sakinah* family and at the same time suppressing the divorce rate in Bone Regency. This research is presented qualitatively and through direct field research in 10 sub-districts in Bone Regency. Data collection was done through direct interviews with prospective brides and the head of the KUA in the sub-district, as well as distributing questionnaires as supporting data. The data obtained were formulated into answers and then narrated in paragraph form.

Based on Regulation of Minister of Religion Number 34 of 2016 concerning the Organization and Work Procedures of the District KUA, its main tasks and functions are to carry out services and guidance for the Islamic community in the district. In accordance with the research, the tasks referred to are; (1) Implementation of services, supervision, recording, and reporting of marriage and referral. (2) The service of *sakinah* family guidance. and (3) Implementation of administration and housekeeping of the district KUA.¹⁰

The marriage registration process is a series of activities carried out by KUA in its working area in the sub-district including; notification of marriage plan, marriage examination, and announcement of marriage process as stated in Article 3, Article 6 verse (1), and Article 8 of Government Regulation Number 9 of 1975 concerning the Implementation of Law Number 1 of 1974 concerning Marriage.¹¹ At the stage of entering into marriage through the marriage contract under the supervision of the PPN

(Marriage Registration Officer) a marriage is recorded in a marriage certificate.¹²

The *sakinah* family guidance program is a task that is carried out before the marriage takes place. In the Regulation of the Director General of Islamic Public Guidance No. DJ.11/491 of 2009 concerning the Prospective Bride Course is certainly regulated. Then in 2013 the regulation was refined with the issuance of the Regulation of the Director General of Islamic Public Guidance No. DJ. II / 542 of 2013 concerning Guidelines for the Implementation of Pre-Marital Courses.¹³

The *sakinah* family guidance that has been prepared by the Ministry of Religious Affairs to be coordinated with the KUA based on the indications of problems that occur towards marriage as the Islamic guideline. The main topic of guidance consists of six main materials, namely: 1) planning a *sakinah* family, 2) managing marriage and family dynamics, 3) meeting family needs, 4) maintaining family reproductive health, 5) preparing a quality generation, and 6) managing conflict and building family resilience.¹⁴ The implementation of service programs, supervision, recording, and reporting of marriage and referral, as well as *sakinah* family guidance services by the sub-district KUA, the presence of headman (*penghulu*) and counselor personnel to support all actions concerning the interests of the Islamic community.

Penghulu as stated in PMA Number 30 of 2005 is a civil servant as a marriage registration officer (PPN) who has full duties, authority and rights by the Ministry of Religion Affairs been appointed in accordance with applicable laws and regulations to supervise marriage or referral according to Islam and headman's related activities. Initially, *penghulu* was called deputy marriage registrar appointed by the Ministry of Religious Affairs and was placed in the Regional Religious Ministry at the level of the regency. Subsequently, it was changed to *penghulu*.

The term Islamic religious instructor was socialized since 1985 under the name Honorary Religious Teacher (GAR) during the Ministry of Religious Affairs through Ministerial Decree No. 791 of 1985 concerning Honorarium for Religious Instructors. The position of religious instructors at that time was distributing Islamic religious information in the midst of the rapid development of Indonesian society by building the mental, moral and religious values of the people. They also helped to improve the quality of people's lives in various fields both in the fields of religion and development. Today, the role of extension workers is quite burdensome. They must be able to act as a motivator, facilitator, and at the same time a channel for Islamic da'wah. In carrying out its work in the field of Islamic community guidance, they must consider the diversity nuance to reflect and actualize the materials they preach, appreciation and practice of the values of faith and piety in the context of life in society, nation and state.¹⁵

The main tasks and functions of Islamic religious instructors are to conduct and develop religious guidance or counseling activities and development through religious language. The function of the extension worker includes: Informative and educative functions that consider them as a *da'i* who is obliged to preach Islam, convey religious information and educate the community as well as guide them in accordance with the demands of the sharia. Consultative function provides extension workers to think about and solve problems faced by the community, both personal, family and society in general. Advocative function which has a moral and social responsibility is carried out to secure people or community activities under their guidance against various threats, disturbances, obstacles, and challenges that harm faith, disrupt worship, and damage morals.¹⁶

The term *sakinah* family derives from the explanation of Q.S. al-Rûm (30/21).¹⁷ Hasan Hj. Mohd Ali argues that the concept of a

sakinah family or a happy family is the principle of fulfilling welfare and happiness in a household which is perceived from the level of piety to Allah SWT in the form of Allah's graces and blessings in all activities of family life.¹⁸

Basically, the ideal family takes into form from the real action of implementing family functions to the fullest. Sociologically, the function of the family is as a biological function, that marriage is a medium that is legal and healthy to bear offsprings. As an educational function, the family is the first unit that constructs a human being. A person's characteristics and behavior depend on the education pattern applied in the family. As a religious function, family is the first school. The family is a place to instill the principle of *tawhid* and the teachings of the religion that a human being adopts. As a protective function, the level of sensitivity and care the family gives to its members holds the principle that the family is a safe haven that protects them from crime in community life. As a socialization function, the family is a place to apply habit patterns to social and human values. Furthermore, human nature as a social being (we need other people) can be actualized properly. As a recreational function, the daily activities make the family a place to return and offer a sense of comfort for all family members. As an economic function, the family is a place to learn economic issues. Managing livelihoods and other assets, preparing for the future, and household stability are learned in the course of the household.¹⁹

Abdullah Gymnastiar suggests that some indications that can lead the family to become a *sakinah* (happy) family are namely making the family as a motivation in increasing acts of worship, home as a center of knowledge, home as a center of advice, and home as a center of confidence.²⁰

Pre-Islamic marriage was a practice that harmed and humiliated women. It gave fear, shame, and disgrace to give birth to a baby girl.

As it was born, it would be killed alive. This practice was recorded in the history of pre-Islamic Arabia, ancient Greece and India. Through the improvement of the order of life, marriage provides strength between men and women and regulates their respective existence in the household. The story in the Quran on family development is explained by Allah with a lot of lessons. The story of Imran's family, who was not even a Prophet but was mentioned in Quran, as they had successfully fostered a family that gave rise to a noble family, Sayyidah Maryam. Lukman al-Hakim's had his success in educating children through the principle of solid tawhid. The family of Ibrahim A.S. who was famous for his obedience to Allah had born noble, pious and sholehah offsprings. The last prophet Muhammad PBUH, who perfected human morals, was a role model in behavior. He has an honest attitude that is full of gentleness towards his wife and children. He also helped and took part in matters of household affairs. He was calm in addressing problems that arise in the household and resolve them not through violence.²¹

The application of good management patterns in the family is an effort to achieve a prosperous household. The basis of a family's welfare is determined by the fulfillment of daily needs. If everyone can fulfill their daily needs, even at a level according to their ability and potential, then they can be categorized as prosperous.²² In general, the category of prosperity is referred to when human needs are met, including physical needs (clothing, food, and clothing), spiritual needs (fulfillment of religious teachings, healthy body and soul), and socio-cultural needs (the ability to associate and carry out culture in society).

As the largest recognized Islamic organizations in Indonesia, Muhammadiyah and Nadhatul Ulama (NU) present their explanations regarding the category of a sakinah family in Islam. A sakinah family is interpreted by Muhammadiyah as a family that

seeks to develop each family member towards the fitrah that has been given by Allah in order to achieve welfare for themselves, with other humans, and the surrounding environment. Thus family members could feel a sense of security, peace, and happiness.²³ Mashlahah Family (*Mashalihul Ussrah*) as the term used by Nahdatul Ulama stated that the family is able to practice the principles in Islam including, a sense of fairness / i'tidal; full of balance (tawazzun); appreciate moderation (tawasuth) and tolerance (tasamuh); carry out what is obliged and refrain from what is prohibited by religion; have noble character; want a sakinah mawaddah warahmah family; live simple and humble welfare; and play an active role for the benefit of society.²⁴

The role of the family in achieving an Islamic society is shown in the following ways:

- a. Government work programs collaboratively with the families, such as supporting the Family Planning (KB) program, allowing the use of contraceptives, and marriage registration helps the Population Office in regulating and processing population data. The mutual collaboration indicates that the role of the family helps the government in several aspects of people's lives. In the end, religion and the state have the same mission, which is as long as it brings benefits to society and allowed by the law.
- b. The pioneer of the birth of a generation should pose best character, intelligence, and benefits through the application of parenting or how to educate and instill basic norms. Children born from pious or sholeh families will create a competent and qualified generation. Conversely, those who come from bad families, the generation will be less acceptable in society.
- c. A good family environment will help form a good community environment. For example, a family that pays attention to manners, is polite and friendly, and likes to share with

neighbors, the surrounding neighbors will do the same. In the end, this habit expands and makes an environment create a society as desired.²⁵

Commonly the aim of a happy family in marriage comes from good communication, fulfilling the needs of household life, and understanding the rights and responsibilities of each other member.

Similar research conducted by Iin Sunan Atmaja stated that KUA plays a role in maintaining family resilience. The difference in this research can be seen from the object of study. His research was conducted in general related to the religious, psychological and sociological and economic resilience of the community. While this research focuses on the readiness to build a family through emphasizing the rights and obligations of married couples and minimizing problems that will later be embraced by the family.²⁶

Abu Ishak Ash-Syatibi as a figure who contributed to the development of the science of *maqāṣid ash-sharī'ah* gave a definition that the burdens of sharia return to the preservation of its goals in all of us. In his work *al-Muwāfaqāt*, he states that the Shari'ah was revealed to achieve Allah's intentions in gaining the benefits of the *diniyah* and *duniawiyah* together.²⁷

The book of *al-Muwāfaqāt Fi Ushul Al-Syariah* contains the main objectives of Islamic law for the benefit of humans both in this world and the hereafter by achieving the maintenance of needs namely *dharuriyat* (urgent; compulsory; basic; primary), *hajiyyat* (secondary; supplement) and *tahsiniyyat* (moral maintenance measures in the field of worship, customs or muamalah) for humans. Fulfilling these three needs can be obtained through the five main aspects namely: religion, life or soul, reasoning, offspring, and property. If these five are not well-preserved, human life will be chaotic and there will be no benefit in this world or the hereafter.²⁸

The relationship between marriage and *maqāṣid asy-syarî'ah* as expressed by Jamaluddin Atiyyah is to regulate the relationship between men and women, protect offspring and lineage, create a family that is *sakinah*, *mawaddah*, *wa rahmah*, regulate the financial aspects of the family, and regulate good relationships in the family.²⁹

This study was conducted using a juridical-normative approach and a qualitative sociological approach. Primary data sources are locations that came from 10 KUAs in Bone Regency chosen due to the fact that they were considered capable of educating the entire area. Secondary data were obtained from various sources, namely books, journals, and other relevant research. The data collection stage was carried out through observation, interviews, and documentation. While the data analysis stage is presented by presenting data, reducing data, and drawing conclusions.

B. Result and Discussion

KUA in its role in the region has a role in constructing a happy family. The realization of its duties and responsibilities can influence prospective couples who want to get married. Through the pre-marriage course, this educational activity elaborates the indicators of building a family. It also offers advice for managing family problems. The results showed that the first problem is the KUA's efforts in achieving *sakinah* families in Bone Regency as stated by several KUA's representing the research locations in Bone Regency that:

1. The regulation of marriage services and administration through marriage and referral registration is the first step towards the building of a *sakinah* family. It also has urgency in the world of marriage. Similar to Shofiatul's study,³⁰ that the benefits that will be achieved to realize a *sakinah* family with peace and

happiness include the recognition of marriage according to the religion and the state regulation. The data collection of marriage and referral events has occurred in Bone Regency through the sub-district Religious Affairs Office. In the implementation mechanism, the online process is only carried out at the Tanete Riattang KUA. While the other 9 KUAs still do manual registration and recording marriages. The cost of marriage is also still unregulated in several research locations. 4 out of 10 KUAs still hold such terms. The average age of marriage in the Bone Regency KUA is 19 years old for women and 26 years old for men. People who are above this age range, held marriages outside KUA.

2. The qualifications of the headmen and counselors on matters related to marriage are constantly improving through training in accordance with the guidance and conditions in the community. Though the pre-marriage courses program did not provide a role for village imams or influential figures in the marriage process. However, it is different in the KUAs of Tanete Riattang Barat, Palakka District, Awangpone District, and Tellu Siattinge District. These 3 KUAs stated that the position of the village imam is still influential in the marriage process in their communities.
3. The arguments conveyed by several KUAs representing the research locations in Bone Regency, that the implementation of the KUA's role related to *sakinah* family guidance has been carried out well. It described the indicators of a *sakinah* family including religious understanding, implementation of the rights and obligations of husband and wife, and education related to reproduction. Good communication should also be built in the family. The pre-marriage course delivered by the KUA offers the most effective effort in realizing a *sakinah* family. The provision obtained from the pre-marriage course at least opens

up the insights and mindset of the prospective bride and groom before getting into the actual family life. In the implementation procedure, the KUA in the Tanete Riattang region and Mare sub-district have implemented the pre-marriage course very well. Ulaweng, Barebbo, and Cina sub-districts are also good in implementing the pre-marriage course. Yet the East Tanete Riattang, West Tanete Riattang, Palakka sub-district, Awangpone sub-district, and Tellu Siattinge sub-district are still far from the expected implementation of the pre-marriage course.

The second problem is that the pre-marriage course program by the KUA has an influence on achieving a *sakinah* family while reducing the divorce rate. Although it has not been able to reduce the number, based on the Goda'sl study.³¹ The delivery of the material fulfills the indicators of a *sakinah* family although it has not reached the maximum level. In religious matters, whether they are properly ready to become a prospective family priest is still questionable. Or they are at least being able to properly perform the prayer service and are fluent in reciting the Qur'an. Issues of maintenance and financial management are important things that must be resolved. The sexual interaction is the reason for marriage to last longer is also a benchmark for the KUA's pre-marriage course. Introducing the importance of implementing the rights and obligations of married couples was conveyed well by the KUA in Bone Regency. In fact, the KUAs of Tanete Riattang, Tanete Riattang Barat, Kecamatan Cina, Kecamatan Mare, Kecamatan Ulaweng, Kecamatan Awangpone and Kecamatan Barebbo through family development programs organize efforts to create a *sakinah* family and reduce the divorce rate. Other KUAs still have limited efforts to elaborate what marriage is.

The third problem is the result of the KUA as an extension of the duties of the Ministry of Religious Affairs to assist legitimate

marriage in the community to correspond to the sharia as a form of dharuriyat or importance in realizing a *sakinah* family. It is achievable through legal marriage and having the provisions obtained from the pre-marriage course for the realization of the maintenance of religion, soul, offspring, mind, and wealth.

D. Conclusion

The problem formulations that have been compiled, revealed several conclusions; 1) the online process is only carried out at the Tanete Riattang KUA while the other 9 still manually register and record marriages. The cost of marriage is also still unregulated in several KUA locations. Only 4 four have regulated marriage cost; 2) In practice, the KUAs of Tanete Riattang, Tanete Riattang Barat, Kecamatan Cina, Kecamatan Mare, Kecamatan Ulaweng, Kecamatan Awangpone and Kecamatan Barebbo through the family development put their effort to create a *sakinah* family and reduce the divorce rate. Other KUAs felt hindered to elaborate marriage well. 3) The KUA as an extension of the duties of the Ministry of Religious Affairs to build legitimate marriage in the community have corresponded to the aim of sharia. It holds the dharuriyat or importance in realizing a *sakinah* family through legal marriage. It also held the provisions obtained from the pre-marriage course for the realization of the maintenance of religion, soul, offspring, mind, and wealth.

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This verse explains that the purpose of creating a wife is so that the husband can build a *sakinah* family, which is a harmonious family, happy physically and mentally, living calmly, serenely, peacefully, and filled with love. The term "*Sakinah*" describes family comfort. Another term that has the same

root word “Sakanun” means a place to live. So the family is present to be the best place to return from the activities of the world to gain peace of life.

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9. Habiburrahman, *Bunga Rampai Peradilan Agama* (Cet. I; Jakarta: Prenadamedia Group, 2015), h. 7.
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12. Refer to Pedoman Pegawai Pencatat Nikah (PPN).
13. Harun Nasution, *Ensiklopedia Islam "Badan Penasehar Perkawinan, Perselisihan, dan Penyelesaian Perceraian"* (Jakarta: Departemen Agama Republik Indonesia, 1993), h. 212.
14. Kementerian Agama Republik Indonesia, *Modul Bimbingan Perkawinan Untuk Calon Pengantin* (Cet. I; Puslitbang Bimas Agama dan Layanan Keagamaan

- Badan Litbang dan Diklat Kementerian Agama RI: Jakarta, 2017), h. xi.
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 17. This verse explains that the purpose of creating a wife is so that the husband can build a *sakinah* family, which is a harmonious family, happy physically and mentally, living calmly, serenely, peacefully, and filled with love. The term "*Sakinah*" describes family comfort. Another term that has the same root word "*Sakanun*" means a place to live. So the family is present to be the best place to return from the activities of the world to gain peace of life.
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28. Al-Yasa Abubakar, *Metode Istislahiah Pemanfaatan Ilmu Pengetahuan dalam Ushul Fiqh* (Banda Aceh: Diandra Prima Mitra Media, 2012), h. 39-40;
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