

The Concept Of *Mitsaqan Ghalizhan* In The Qur'ān and Hadith

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Article History	Abstract
Received : 22 Februari 2024 Revised : 10 Juli 2024 Accepted : 10 Agustus 2024	<i>In Islam, building a family requires strong commitment, sincerity and readiness. Marriage is a strong agreement (mitsaqan ghalizhan). Advice on maintaining the integrity of marriage can be reviewed in the Al-Qur'an and hadith which are the basis of Islamic law. The research method uses descriptive studies processed from reading sources (literature review). Data sources use the Al-Quran and primary materials that support research. The data collection technique was carried out by tracing data sources relevant to the research through research studies, journals and articles about mitsaqan ghalizhan. The results of this research show that the essence of mitsaqan ghalizhan is not only about maintaining the integrity of the household to avoid divorce, but is also related to the purpose of marriage, namely sakinah, mawaddah, warahmah. The verses of the Qur'an and Hadith convey the crucial principle of the word mitsaqan ghalizhan, namely shaking the heavens, causing destruction and destroying humanity, if the agreement is betrayed and cheated. So, to maintain the strength of the agreement, you should think about the purpose and location first</i> Keywords: <i>Mitsaqan Ghalizaan, Purpose of Marriage, and Islamic Law</i>

INTRODUCTION

The study of the Qur'an and Hadith discusses the methodology, rules, epistemology of verse interpretation, scope, background, approach, paradigm of thought and rules of verse. This study has a discussion of the verses of the Qur'an that are a source of human reference (guidelines) in all areas of life. In its provisions, it is a reference for the source of Islamic law. One of the studies on Islamic law is about marriage (*munakahat*). The Qur'anic verses about marriage are general in nature and require explanation. As for the explanation of the verses of the Qur'an, Allah gave commands to the Prophet Muhammad through Hadith.

Marriage is a manifestation in the union of couples who love each other and want to be together. Islam means that a family must be built on the basis of sincerity and commitment, because marriage is a sacral bond. This concept explains that *mitsaqan ghalizhan* is a commitment that cannot be played with. A form of sacred promise as well as a sacral bond is not only between human beings but also involves God. This is because it causes consequences of birth and mind in this world and the hereafter. The marriage contract with *al-muasyarah bil'ma'ruf* is a promise that is pronounced at the same time as the contract. Getting along well is a wife's right

that must be fulfilled by the husband, such as birth and bath maintenance, as well as the husband's right that must be exercised by the wife.

The word *mitsaq* in Arabic means "promise" or covenant charter, it is a commitment, as a form of *taukid*, more than just a promise. While *ghalizhan* means *ghilz* which means strong, heavy, sturdy and firm. The KHI mentions that *mitsaqan ghalizhan* is a very strong contract to obey Allah's commands and carry it out is worship. Regarding *mitsaqan ghalizhan* according to Prof. Dr. Siti Musfidah Mulia states that there are four principles of harmonious family in the pleasure of Allah, namely: (1) Marriage: a strong covenant built on a sincere commitment to achieving an ideal family. (2) Manifest love and affection. (3) Viewing each family according to its position. (4) Apply the principle of fairness to foster the family.

Mitsaqan ghalizhan as the main principle in building a family that is *Sakinah, mawaddah, warahmah*. This is important to know and apply in the family. The family life of each individual must be serious and committed to building his family well, by understanding the obligations and responsibilities of the family to know the ideal family foundation in accordance with religion and the country. With the ignorance of knowledge and the intention to learn about family life, neglect of rights and obligations will lead to confusion in marriage (Aziz & Azzam, 2009).

Ahmad Isham's research states that marriage is *sunnatullah* which applies to all of Allah's creatures. Marriage in Islam is defined as a sacred and great bond. The vow of marital ties between husband and wife in the Qur'an is called *misaqan galiza*. In the Qur'an, the word *misaqan galiza* appears three times. One of the meanings of the word *misaqan galiza* is a strong bond between partners. This expression is used in the Qur'an to describe how scary the relationship between husband and wife is and is even compared to the agreement between the Prophet and Allah. This research aims to reveal the meaning of the *misaqan galiza* in Surah An-Nisa verse 21. In its findings it is stated that the *mitsaqan galizan* in Tafsir al-Munir is a great agreement because it involves Allah in it, giving rise to consequences in the afterlife. Allah also commands you to fulfill this promise wisely and if you want to break it, do it as best as you can. But, this research focuses on the fundamentalist concept of *mitsaqan galizan* in the Al-Quran and Hadith. Which is described theoretically.

The Qur'anic verses that regulate marriage consist of 85 verses spread across about 22 surahs. Among the verses of the Qur'an that regulate marriage, there are explicit and implicit, so there are those who need to be *mujtahid* who are required to be able to understand the verses and hadiths. In this case, it can be found in the *book of fiqh munakahat*. From this, the author will examine surah An-Nisa' verse 21 about *mitsaqan ghalizhan* in surah an-Nisa' verse 21.

Surah An-Nisa verse 21 has a complex meaning, the meaning of Surah An-Nisa' verse 21 is that it is impossible for a husband to take back the dowry or gifts that have been given to his wife by force and arbitrarily. This is because: Husband and wife have associated with each other as husband and wife. The wife has taken a strong agreement in the marriage bond The marriage bond is a sacred bond that must be maintained. Surah An-Nisa' discusses various aspects related to women, such as marriage laws, inheritance, rights and obligations in the family, protection of

women's rights, and so on. Therefore, it is important for researchers who study the study of munakahat and interpretation to conduct further research.

RESEARCH METHODS

The research method used in this research is a library research method. In this method, the author does not need to go directly into the field or interact with respondents. literature review of Al-Quran literature, especially the Koran Surah An-Nisa' verse 21 and other verses about Mitsaqan Ghalizhan. The required data can be obtained through library sources or documents. The author collects information and data from Svarious relevant sources, such as books, journals, previous research results, etc., with the aim of obtaining the latest reliable data. The primary data for this research include the Journal of the Meaning of Mitsaqan Ghalizhan from the Tafsir Al-Munir Perspective and the Journal of Understanding the Meaning of Mitsaqan Ghalizhan in the Qur'an This research is a type of literature study research which aims to investigate and analyze information from various literary sources related to Mitsaqan Ghalizhan.

Library research data collection techniques are carried out using data collection techniques by reading books that study marriage (Fiqh Munakahat, Mitsaqan Ghalizhan journals, and previous published research reports. The data analysis technique in library research is content analysis). Content analysis is a technique used to draw conclusions from data that has been collected and analyzed. In this research, after finding the data source, the researcher then selects data that is relevant to the research and data that strengthens the research results, based on contextual arguments from the Qur'an and hadith.

RESULTS AND DISCUSSION

Marriage is a common *sunnatullah* and applies to all His creatures, both humans, animals, and plants. This is the way chosen by Allah as a way for His creatures to multiply and preserve their lives. Marriage according to the language is *al-kam'u* and *al-dhamu* which means gather. The meaning of nikah (*zawaj*) can be interpreted with *aqdu al-tazwij* which means a marriage contract. It can also be interpreted (*wath'u al-zaujah*) to mean having sex with a wife. Nikah comes from the Arabic nikahun which is masdar or the origin of the word from the verb (*fi'il madhi*), the synonym of nakaha is *tazawwaja*, which is later in Indonesian as marriage (Hakim, 2000).

Marriage according to Islamic law, there are several definitions, including Marriage according to sharia ', which is a contract set by sharia to allow fun between men and women and to legalize fun between women and men. This shows that marriage is a beautiful path set by Allah to celebrate love and affection between human beings as it should be.

Sayyid Sabiiq commented that marriage is one of the *sunnatullah* that applies to all creatures of Allah, both humans, animals and plants. Marriage is a way chosen by Allah to have children, multiply and preserve their lives after each couple is ready to play a positive role in realizing the purpose of marriage (Rahman, 2012).

Some sources also mention that marriage with the word marriage. In Indonesian, marriage comes from the word marriage used in general, referring to plants, animals, and humans by showing natural generative processes. In contrast, marriage is only used in humans because it contains the validity of national laws, customs, and especially according to religion. The meaning of marriage is a contract or bond, because in a marriage process there is an ijab or statement of submission from the woman's side and Kabul or a statement of acceptance from the man's side. In addition, nikah can also be interpreted as having sex or jimak.

Marriage or handover contract between a man and a woman with the aim of satisfying each other and to form a sacred household and a prosperous society (Tihami & Sahrani, 2014). Fiqh scholars such as Hanafiyah "nikah is a contract that provides the benefit of performing a contract deliberately for a man and a woman to obtain biological pleasure". According to Maliki, "Nikah is an expression for a contract that is carried out with the intention of achieving (sexual) pleasure alone. The Shafi'i nikah is a contract that guarantees ownership to have sex using the pronunciation of inkah or tazwij. And according to Hanabilah "Nikah is an agreement that uses the word nikah which means tazwij with the intention of taking benefits for fun'.

In Law No. 1/1974 Marriage is a bond of birth and mind 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 (UU RI, 1974). The Compilation of Islamic Law states that marriage according to Islamic law is a marriage, which is a very strong contract or mitsaqan ghalizhan to obey Allah's commands and carry it out is worship. Marriage also aims to create a household life that is *sakinah mawaddah warahmah* (Instruksi Presiden RI, 199).

According to customary law in general, in Indonesia, marriage does not only mean "civil engagement", but also "customary engagement" and at the same time "kinship and neighborliness bond". So the occurrence of a marriage bond does not only have consequences for civil relations such as the rights and obligations of husband and wife, joint property, the position of children, the rights and obligations of parents, but also concerns the relationship of inheritance customs, good family in the relationship between human beings (*muamalah*).

Marriage in the sense of a customary covenant is a marriage that has legal consequences for the customary law that applies in the community concerned. The consequences of this law have existed since before marriage occurred, for example with the existence of a proposal relationship which is *rasan sanak* (the relationship between single children and girls) and *rasan tuha* (the relationship between the parents of the prospective husband and wife). However, after the marriage bond occurs, the rights and obligations of parents arise (including members of relatives). In local customary law, namely the implementation of ceremonies and participation in fostering and maintaining harmony, integrity and permanence, from the lives of their children who are bound by marriage (Hadikusuma, 2007).

Marriage according to customary law in general in Indonesia does not mean only a civil bond but also a customary bond and at the same time a kinship bond. In addition, marriage law is an integral part of Islamic shari'a which is inseparable from the dimensions of faith and morals. From this basis, the marriage law wants the realization of marriage among Muslims to be a

marriage that is divine and moral, because this marriage is expected to have transcendent and sacral values to achieve the goal of marriage that is in line with the goals of Islamic law.

As a component of Islamic teachings, Islamic sharia is to comply with the normal system that regulates human relations with Allah which is called the rules of worship, regulates human relations with fellow human beings and also nature is called the rules of mu'amalah. Which is one of the components of the muamalah rules that include the rules of worship which is related to *al-ahwal al-syakhshiyah* which contains the law of munakahat or marriage.

The provisions regarding marriage according to Islam are binding on every Muslim, and every Muslim needs to realize that in marriage there is a value of ubudiyah. Therefore, the marriage bond that is enshrined in the Qur'an with the mitsaqan ghalizhan is a solid promise bond. As a bond that contains the value of ubudiyah, it is necessary to pay attention to the validity which is a very principled thing (Anshary, 2015).

Principles of Marriage Law, some principles on the basis of marriage according to Islam that need to be considered so that marriage is true and meaningful in the life of human beings who carry out their duties are: (1) fulfilling and implementing religious orders, (2) willingness and consent, (3) marriage for good; and (4) husband as the person in charge in the household (Rahman, 2012).

In Law-1/1974, the principles or principles regarding marriage are determined that are adapted to the development and demands of the times. The principles or principles are as follows: (1) marriage aims to form a happy and eternal family, (2) marriage is valid if it is carried out according to religious law and belief, (3) marriage must be registered in accordance with laws and regulations, (4) marriage based on open monogamy, (5) prospective husband and wife must conduct a physical and mental examination before marriage, (6) the age limit for marriage is in accordance with the provisions of the regulations, (7) divorce is complicated and carried out in front of the court; and (8) the rights and position of husband and wife are balanced (Hilman, 2007).

As for the KHI regarding marriage, the following principles or principles are determined: (1) the basis of voluntariness, (2) basis of consent, (3) the principle of freedom, (4) the principle of husband and wife partnership, (5) forever foundation, (6) basic abilities or mubah, (7) the basis of the benefits of life, (8) the principle of picking up harm and taking benefits, (9) the principle of legal certainty, (10) the principle of Islamic personality; and (11) the basis of open monogami.

Essence of Mitsaqan Ghalizhan nowadays it needs to be understood in advance related to dowry (Musthafa & Subiono, 2020). Dowry etymologically means dowry. In terminology, dowry is a mandatory gift from the prospective husband to the prospective wife as the sincerity of the prospective husband's heart to cause a sense of love for a wife to the prospective husband. Or in other words, a gift that is mandatory for the future husband to the future wife, either in the form of objects, property, or services, in accordance with the provisions of sharia.

Dowry is something that a man must give to a woman to be able to control all his limbs. If the wife has received her dowry, it is acceptable and not to blame. However, if the wife gives her

dowry because she is embarrassed, or afraid, then it is not halal to accept it. In surah an-Nisa' verses 20-21, it is stated that the dowry is a valid condition for marriage, even being a marriage pillar is obligatory.

In line with the discussion above, because of the sacral and the obligatory dowry of eating an-nisa', verse 21 talks about *the mitsaqan ghalizhan*. In Arabic, *mitshaq* means a promise or charter of agreement, the same as the word *wa'd*. but the emphasis on *mitsaq* is stronger. *Mitsaq* as a form of taucid or emphasis, strengthening, and affirming a promise. It is a word of commitment that is more than just a promise. The word *ghalizhan* comes from the word *ghilzh* which means strong, heavy, firm, hard, sturdy and firm. In the Qur'an there are many words of *ghilzh* such as in the surahat-Taubah as follows:

يَا أَيُّهَا النَّبِيُّ جَاهِدِ الْكُفَّارَ وَالْمُنَافِقِينَ وَاغْلُظْ عَلَيْهِمْ وَمَأْوَهُمْ جَهَنَّمُ وَبِئْسَ الْمَصِيرُ

It means: "O Prophet, wage jihad against the disbelievers and hypocrites, and be tough with them. Their place is the Jahannam. And that's the worst place to come back." (Qs.At-Taubah:73)

يَا أَيُّهَا الَّذِينَ آمَنُوا قَاتِلُوا الَّذِينَ يَلُونَكُمْ مِنَ الْكُفَّارِ وَلْيَجِدُوا فِيكُمْ غِلْظَةً وَاعْلَمُوا أَنَّ اللَّهَ مَعَ الْمُتَّقِينَ

It means: "O you who believe, fight against the disbelievers who are around you, and let them meet with violence from you, and know that Allah is with those who are devout" (Qs. At-taubah:123). (Departemen Agama RI, 2008)

Mitsaqan-ghalizhan is a commitment that is not a joke. It is a form of sacred covenant as well as a sacred bond not only between the people involved but also God. Because with that it has consequences for birth and mind, in this world and in the hereafter. Mitsaqan ghalizhan is usually found in wedding invitations or in mualimah or the delivery of marriage advice. In the Qur'an, mitsaqan ghalizhan is found 3 times, namely: (1) Surah an-Nisa; paragraph 21, (2) Surah an-Nisa'verse 154; and (3) Surah al-Ahzab verse 7.

However, only Surah an-nisa' verse 21 Allah uses the diction of mitsaqan ghalizhan in relation to the context of marriage, while in the other two surrahs this term is used as the last words of the verse that tells about the struggle of the Prophet and the Messenger of Da'wah.

وَكَيْفَ تَأْخُذُونَهُ وَقَدْ أَفْضَى بَعْضُكُمْ إِلَى بَعْضٍ وَأَخَذْنَ مِنْكُمْ مِيثَاقًا غَلِيظًا

It means: "How are you going to take it back, even though some of you have mixed with others as husband and wife. And they (your wives) have taken from you a strong covenant." (Qs. An-Nisa':21)

وَرَفَعْنَا فَوْقَهُمُ الطُّورَ بِمِيثَاقِهِمْ وَقُلْنَا لَهُمْ ادْخُلُوا الْبَابَ سُجَّدًا وَقُلْنَا لَهُمْ لَا تَعْدُوا فِي السَّبْتِ وَأَخَذْنَا مِنْهُمْ مِيثَاقًا غَلِيظًا

It means: "And We have lifted up the hill of Thursina to receive the covenant that We have taken from them. And We commanded them, "Enter from the gate and prostrate yourself," and We commanded them, "Do not break the rules of Saturday, and We have taken from them a firm covenant" (Qs.An-Nisa':154)

وَإِذْ أَخَذْنَا مِنَ النَّبِيِّينَ مِيثَاقَهُمْ وَمِنْكَ وَمِنْ نُوحٍ وَإِبْرَاهِيمَ وَمُوسَى وَعِيسَى ابْنِ مَرْيَمَ وَأَخَذْنَا مِنْهُمْ مِيثَاقًا غَلِيظًا^٧

It means: "And remember when We took the covenant from the Prophets and from yourselves from Noah, Abraham, Moses and Isa the son of Maryam and We took from them a firm covenant", (Qs. Al-Ahzab:7)

Tafsir mitsaqan ghalizhan in surah an-Nisa' verse 21, Ibn Katsir quotes a saheeh hadith: From Jabir in the book Saheeh Muslim it is stated that when a man takes a woman from his parents to marry, it means that he has made a covenant in the name of Allah as Allah has legalized marriage with His sentence.

The three verses mention that there is one word that is the common thread of mitsaqan ghalizhan, which is to fulfill election. That only the chosen one can perform the ghalizhan mitsaqan. Only the Messenger of Allah (Muhammad, Abraham, Moses, Noah and Isa). Likewise, only men are the best choice for good women, and good women are also for good men who are able to maintain the sacredness of the meaning and purpose of marriage.

Thousands of years ago, Allah presented the Prophets and specifically called the leaders of the Prophets and Apostles called *ulum azmi*, not only to witness but also to remind people of the covenant called mitsaqan ghalizhan. That in the presence of the greatness of God, man is confronted with a strong covenant, that man trembles his heart, shakes his chest and submits obediently to all his soul and body. And thousands of years ago, Allah uprooted the hill of Sinai, and hung it on the heads of the children of Israel, then the Children of Israel violated the mitsaqan of ghalizhan, and Allah cursed them and they broke the covenant on Saturday and Allah made them despicable apes as in al-Baqarah verse 65.

From the above, wisdom can be drawn that when a human says *ijab* and *qabul*, his heart should tremble, his chest will tremble and his heart will rumble. Because know that there is indeed a covenant before Allah. The bond in a covenant is as holy as the covenant of the glorious Prophets. If this covenant is violated, it will be a waste of the mighty covenant. Then they will face the wrath of God, as it happened to the Children of Israel in the past. Let man take refuge in God from any violation of this covenant, and be given the power to guard and keep the sacred covenant (Musthafa, 2020).

Allah mentions that among the signs of His power is that He created for a man and a wife of his own kind, that he might be inclined to feel at peace with him, and that He made between them a sense of love and affection. There are signs for those who think as in ar-Rum verse 21. The purpose of marriage is to form a family filled with peace, love, and affection. After *ijab* and *qabul*, we are required to intend with our hearts, speak with our tongues, and act with our limbs

to maintain peace and develop love and compassion, because every behavior that will bring happiness in the family is counted as the main worship (Al-Bukhari, 2009).

The interpretation of the mitsaqan ghalizhan in surah an-Nisa' verse 21 mentions something very important for us to know its meaning with the current situation. According to this verse explains that in marriage there is a strong agreement from the husband to the wife and the wife is not in the position of milk al-yamin, from the word *istibdala zawjin* or replacing the wife in the verse piece it can be understood that the wife is only one, the second marriage can be realized if the wife has been released or divorced. In line with verse 3 which means that if you cannot be fair in polygamy, then it is better for one person.

Being fair is an act that is fair to the wife such as clothes, shelter, turns, etc. that are outwardly sigfat. Islam allows polygamy on fair terms. Before the passage of polygamy, the Prophets also taught to limit polygamy to 4 people. Then the meaning of mitsaqan ghalizhan or a strong covenant. The word mitsaqan comes from the base of the word *watsaqa*, then the words *ats-tsiqah*, *al-watsaqah*, *al-watsaq*. Then there is an agreement between the two parties on the basis of trust, then it is called mitsaqan but if the agreement is based on compulsion, it is called *watsaqan*.

فَيَوْمَئِذٍ لَا يُعَذِّبُ عَذَابَهُ أَحَدٌ
وَلَا يُوثِقُ وَثَاقَهُ أَحَدٌ

It means: " *So on that day no one will torture like Him. And no one is as bound as His bonds*" (Qs. Fajr: 25-26)

A strong covenant in a marriage has framed the social life of the common community between husband and wife in particular and the family in general. Al-Mitsaq is also a covenant with Allah by oath.

الَّذِينَ يُوفُونَ بَعْدَ اللَّهِ وَلَا يَنْتَظُونَ الْمِثْقَالَ

Meaning: "*Those who fulfill God's promises and do not break the covenant*". (Qs.Ar-ra'd:20)

Therefore the word mitsaqan ghalizhan taken from both sides of the husband and wife is a promise to Allah to fulfill it and he has framed the life together between the husband and wife. (Anwar & Santoso, 2017). And contains the aspects of humanity and society during the period of living with Mitsaqan Ghalizhan can be arranged in the following matters: (1) both parties promise to be honest with each other and not lie to each other, (2) both parties promise not to commit heinous acts such as marital betrayal, (3) both parties promised to take care of each other's health and property, as well as remain patient in a spacious state in a cramped, healthy, and sick state, (4) both parties promise to take good care of and educate their children born out of marriage; and (5) both parties promised to maintain each other's privacy and not to disseminate it to others (Amri, 2019).

Mitsaqan ghalizhan is a contract of marriage and a promise of arduousness, not just the conclusion of a relationship and unity such as a friendship relationship, a relationship between a son and a father, or what many people understand as an agreement to take advantage, own and speculate, but much more than that. Therefore, to maintain the sacredness of the value of marriage, it must be recorded in an official deed. The Qur'an views marriage as a high position in both personal, family, and national life. The award and elevation of marriage is a kind of agreement that must be fulfilled with all duties and obligations with *ijab* and *qabul* as well as the testimony of several witnesses. In addition, the Qur'an views marriage as a contract that carries it to a heart that understands the meaning of the contract, namely the responsibility of the marriage, while the heart of such a person always strives as hard as possible to keep the contract and is always faithful even though there are disturbing things, namely in the form of difficulties and various difficulties. From the interpretation of *mitsaqan ghalizhan* which is interpreted as a very strong agreement with all aspects of responsibility and respect for each other's rights in married life that contains religious and social values can only be realized in writing, then for now in Indonesia it is called a marriage certificate (Mulyati, 2014).

CONCLUSION

Mitsaqan ghalizhan is a term in Islam that refers to a strong and great agreement, or a strong binding commitment between a husband and wife. The wisdom of the interpretation of Mitsaqan Ghalizhan includes of marriage is a way for humans to have children, reproduce and preserve their lives. Marriage is a worship that must be carried out to obey God's commands. Marriage has the aim of creating a domestic life of *sakinah*, *mawaddah* and *grace*. Marriage is a medium for perfecting religion. Marriage must be maintained by supporting each other and treating each other well. Marriage is not a casual agreement, but must last until the end of life. The consequences of breaking the *mitsaqan ghalizhan* are very serious because of the strong bonds of commitment. Allah will ask the husband and wife about their responsibilities in the future without knowing their status in the world. The sentence Mitsaqan ghalizhan is mentioned in the Al-Qur'an three times in different verses, namely QS. An-Nisa': 21, QS. An-Nisa': 154, and QS. Al-Ahzab: 7.

Marriage in Islam does not only involve biological aspects and material things but is much broader and deeper than what we imagine. Marriage also involves the deepest spiritual aspect of human beings. Which with the two sentences of *Kabul ijab*, immoral acts become worship. Practical relationships become bonds of purity, simple statements become mighty covenants. Allah calls it *mitsaqan ghalizhan* or a strong, strong, and holy covenant. *Ijab* and *qabul* are not only agreements between people, they are agreements that are maintained and affirmed by Allah's command.

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