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MARRIAGE PRACTICUM IN SCHOOL FROM THE PERSPECTIVE OF HADITH STUDIES

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Abstract

The Implementation of Fiqh Learning in View of its Practice: Marriage Practicum in Schools as a Learning Material Appears to Require Further Examination, as there are Hadiths that explain the significance of divorce, marriage, and reconciliation, even when conducted in jest and not in earnest. Based on this objective, the researcher utilized a qualitative descriptive methodology. The data collection technique employed was a literature review (library research) with a Hadith study approach that focused on relevant subjects. This study aimed to examine how the marriage practicum is implemented in schools, the Hadith study related to it, and the Islamic legal perspectives. The findings of this study indicate that the marriage practicum occurring in schools involves a simulation of marriage conducted by students. The analysis of these Hadiths reveals their weak authenticity (*Dhaif*). Despite their weakness (*Dhaif*), historical accounts suggest that the companions of the Prophet Muhammad practiced the *matan* of these Hadiths. From an Islamic legal perspective, the simulated

marriages conducted by students in schools are not valid due to the absence of a crucial requirement, namely the presence of a guardian (wali). A plausible solution, apart from direct simulation, lies in organizing educational sessions through various institutions, both from the Office of Religious Affairs (KUA) and other relevant bodies. For practical assessments in Islamic jurisprudence classes in schools, these could be redirected towards alternate simulations, such as practical exercises involving the ritual of bathing and shrouding the deceased, the pilgrimage rituals of Hajj and Umrah, religious observances such as Salah (prayer), purification rituals like Tayammum and Wudu (ablution).

Keywords: Practice, Marriage, Hadith Studies

Abstrak

Implementasi dari pembelajaran fikih dilihat dari praktiknya. Praktikum pernikahan di sekolah sebagai bahan pembelajaran nampaknya perlu dikaji lebih mendalam, sebab terdapat hadis yang menjelaskan bahwa peristiwa menalak, menikahkan dan rujuk hukumnya berlaku meskipun dilakukan secara gurauan dan tidak sungguh-sungguh. Berdasarkan objektif ini peneliti menggunakan metodologi deskriptif kualitatif. Teknik pengumpulan data yang penulis gunakan adalah metode telaah pustaka (*library research*) dengan pendekatan kajian hadis yang objeknya relevan dengan pembahasan masalah. Penelitian ini bertujuan untuk mengkaji bagaimana penerapan praktikum pernikahan di sekolah? bagaimana kajian hadisnya? Bagaimana keterangan hadis dan perspektif hukum Islam? Hasil dari kajian ini menunjukkan bahwa praktikum pernikahan yang terjadi di sekolah merupakan simulasi pernikahan yang dilakukan oleh para siswa. Hasil kajian hadis ini menunjukkan bahwa hadis ini *Dhoif*. Meskipun hadis ini *Dhoif*, namun dalam praktiknya para sahabat mengamalkan kandungan hadis tersebut. Dalam perspektif hukum Islam, simulasi pernikahan yang dilakukan oleh para siswa di sekolahan tidaklah sah. Karena di dalamnya terdapat syarat yang belum terpenuhi yaitu keberadaan wali. Solusi yang dapat diambil selain melakukan simulasi langsung adalah dengan mengadakan penyuluhan melalui berbagai lembaga baik dari KUA (Kantor Urusan Agama) maupun dari berbagai badan yang terkait. Untuk ujian praktik pada pelajaran

fikih di sekolah bisa dialihkan pada simulasi yang lain seperti praktik proses memandikan dan mengafani jenazah, praktik haji dan umrah, praktik ibadah seperti salat, praktik bersuci seperti tayamum dan wudu.

Kata kunci: Praktikum, Pernikahan, Kajian Hadis

Introduction

Marriage is the longest form of worship. Through marriage, two human souls unite to form a family. It transforms an individual's status from being single or widowed to being married. The bond of marriage aspires to cultivate a new generation that surpasses the previous one. The series of marriage processes are inseparable from the contractual agreement governed by religion. Marriage is a sacred act; therefore, its execution demands devoutness. The sacredness within the marriage contract should be upheld by every couple intending to marry. One form of this sacredness within the marriage process involves observing the ethics or decorum while making the sacred vows of marriage. It is imperative for every couple partaking in the marriage process to commence with profound introspection to build a family that embodies tranquility, love, and compassion (*sakinah, mawaddah, warahmah*).

Schools or Madrasahs represent formal educational institutions that systematically design various learning environments (Malik., 2003). Fiqh is one of the fields of knowledge in Islam that specifically addresses legal issues governing various aspects of human life, encompassing personal life, transactions, and human relations with their Creator (M. Yazid Afandi, 2009). In practicing religious activities, individuals use Fiqh as their guide. Rituals such as purification (*thaharah*), prayer, almsgiving (*zakat*), fasting, haji, charity, and other acts of worship, including marriage, are among these practices. Therefore, within the realm of formal education, it is the educator's responsibility to develop

the potential of students in cognitive, affective, and psychomotor aspects. Educators are also required to facilitate students in gaining learning experiences and practical applications from the learning process itself (Roqib, 2009).

Among the studies or chapters within Fiqh is the chapter on marriage. The implementation of Fiqh learning is observed through its practice. Not many educators utilize the marriage process as a practicum material in learning. There is a Hadith that explains that the acts of divorcing, marrying, and reconciling apply even if done jokingly and not in earnest. As narrated by Imam Ahmad, the Prophet Muhammad ﷺ said: “There are three matters that, whether pursued seriously or in jest, are treated seriously: marriage, divorce, and reconciliation” (At-Tirmidzi, 1996). The practice of marriage in schools as a learning material seems to warrant deeper examination, as such actions have been widely conducted in various Islamic institutions.

Numerous studies have discussed various cases within the context of hadith studies. Norcahyono’s article delves into the prohibition of striking one’s wife within the framework of hadith studies (Norcahyono, 2019). Muhammad Zaini’s work explores the concept of *khalwat* in Islam, focusing on the Fiqh al-Hadis (Zaini, 2020). Mustafa Ilham and Ridwan, R. reviewed the tradition of *syaraful anam* through the lens of living hadith (Mustafa, Ilham, 2021). Muhammad Iskandar’s article examines the concept of “Buzzer” within the perspective of hadith (Thematic Hadith Studies) (Iskandar, 2021). Muhammad Luthfi Habibi’s study focuses on the prohibition of temporary marriage (*mut’ah*) through an analysis of the sanad and the matan of hadith (Habibi, 2019). Radhie Munadi’s work delves into the act of shaking hands within the framework of hadith (*A Ma’anil Hadis Study*) (Munadi, 2021). Dewi Umarah and Samsul Bahri’s article explores Body Shaming from the perspective of hadith, focusing on the phenomenon observed in comedy

shows on television screens (Umaroh & Bahri, 2021). Additionally, research has been conducted on the sacredness of wedding processes from various perspectives. For instance, M. Wildanul Ulum's thesis examines the Sanctity of Marriage Contract (Anthropological Cultural Study in the Kanigoro and Doko Districts of Blitar Regency) (Ulum, 2019). Arnisa Siregar, Ikhwanuddin Harahap, and Adi Syahputra Sirait's study investigates the validity of the marriage contract wording (*lafaz ijab kabul*) from the Shafi'i Fiqh perspective. The authors emphasize that the wording used in the contract must adhere to Sharia law and be accurately pronounced; otherwise, the marriage would be considered invalid (Siregar, Harahap, & Syahputra, 2021).

The study above indicates that there is currently no specific journal article analyzing the marriage practicum in schools within the context of Hadith studies. This research aims to examine this practice, specifically focusing on how the marriage practicum is implemented in schools, the Hadith studies associated with it, and the Hadith's explanations and Islamic legal perspectives. These inquiries present an intriguing area for investigation. The underlying assumption guiding this research is that the study of Hadith is deemed capable of aiding in comprehending and evaluating the marriage practicum in schools and the resultant impacts stemming from such a practicum.

The object of this research is the marriage practicum in schools from the perspective of Hadith studies. This research falls under the method of library research with an approach to the study of Hadith (Jonaedi Efendi dan Johnny Ibrahim, 2021). Thus, this research is conducted by examining various interrelated sources (Arikunto, 2006). The data sources for this study are obtained from both primary and secondary sources (Rahmadi, 2011). The primary data used as the main reference or foundation are *Kutubu Sunan* and the hadith encyclopedia within the *Jami' Khadim Al-Haramain As-syarif* application. Meanwhile,

the secondary data are obtained from various related literature such as books, articles, journals, classical texts, and previous studies. Based on the focus and purpose of the research, this study is qualitative in nature. The exposition in this research leans towards descriptive explanation as a characteristic of qualitative research. Qualitative research is intended to understand the phenomena experienced by the research subjects in a holistic and descriptive manner in order to obtain complete and detailed data (Moleong, 2015).

Marriage Practicum in Schools

Every practicum activity constitutes a scientific endeavor, designed with specific objectives aimed at aiding in the comprehension of various concepts, principles, and theories taught in school (Ajeng, n.d.). One of the prevalent practicums undertaken by students today is the marriage practicum. Prior to engaging in practical applications, it is expected that students fully grasp the theoretical framework. In this context, learners must comprehend aspects related to marriage and its associated elements. Among the essential facets to understand are the definition of marriage, its legalities and foundational legal principles, the pillars and prerequisites of marriage, forms of marriage prohibited in Islam, the objectives of marriage in Islam, the concept of divorce (*talak*), its legalities and foundational principles, the requisites, and conditions of divorce, as well as the various types of divorce.

The Marriage Practicum in Schools is a simulation of marriage carried out by students to comprehend the chapter on *Munakahat* in the Fiqh lesson. The concept of this practicum is derived from the teachers' assignments, followed by the students formulating the practicum concept in accordance with the theories they have previously studied. The initiation of the marriage practicum stems from several reasons; students are expected not only to grasp theoretical knowledge but also

to put it into practice (Afdillah, n.d.). This marriage simulation serves as an innovation by the teachers to adapt to the Merdeka curriculum, which grants educational figures such as school principals, deputy heads of departments, and teachers the autonomy to advance the Merdeka curriculum (Indonesia, n.d.).

Several marriage practice phenomena have been observed in Senior High Schools SMA BPI 1 Bandung, West Java (Sukardi, n.d.). Furthermore, a couple initially engaged in a marriage practice as part of their Islamic Religious Education assignment in November 2014 ultimately formalized their union in May 2021 (Kumparan, n.d.). In addition to Islamic Religious Education classes, the subject teaching marriage concepts and practices includes the Javanese language course offered at SMA Negeri 1 Kradenan (Hasan, n.d.). Students at SMA 2 Banjar, Banjar City, West Java, also partake in similar marriage practice exercises (Afdillah, n.d.). This practice serves as a culminating examination conducted by several schools, primarily for 12th-grade students in high schools and vocational schools (SMA/MA/SMK) (Indonesia, n.d.).

Takhrij al-Hadith

The First Hadith, narrated by Imam Abu Daud in the book of At-Talaq (divorce), the chapter on divorce in jest, Hadith No. 2194.

حَدَّثَنَا الْقَعْنَبِيُّ، نَا عَبْدُ الْعَزِيزِ يَعْنِي ابْنَ مُحَمَّدٍ ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَبِيبٍ ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ ،
عَنِ ابْنِ مَاهِكٍ ، عَنْ أَبِي هُرَيْرَةَ : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ : «ثَلَاثٌ جِدُّهُنَّ جِدٌّ وَهَزْلُهُنَّ
جِدٌّ: النُّكَاحُ، وَالطَّلَاقُ، وَالرَّجْعَةُ

The narration transmitted to us by Al-Qa'nabi, relayed by Abdul Aziz bin Muhammad, originating from Abdurrahman bin Habib, traced back to 'Atha` bin Abu Rabah, who cited Ibnu Mahik, from whom Abu Hurairah narrated that the Messenger of Allah ﷺ said, "Three matters are to be treated seriously, despite any jesting

involved: marriage, divorce (talak), and reconciliation (rujuk).”
(Daud, n.d.)

Table 1. Biography of the Narrator (Hadith No. 2194 narrated by Abu Dawood)

	Name	Level	Death	Jarh Wa Ta'dil Tsiqah
1	Abdullah bin Maslamah Al-Qa'nabi	9	220 H	Tsiqah
2	Abdul Aziz bin Muhammad Ad-Darawurdi	8	186 H	Tsiqah
3	Abdurrahman bin Habib bin Ardak	6	-	Dhaif
4	Atha bin Abi Rabah	3	114 H	Tsiqah
5	Yusuf bin Mahak	3	103 H	Tsiqah
6	Abu Hurairah	1	57 H	'Adil

The second Hadith, narrated by Imam At-Tirmidhi, Hadith No. 1184.

حَدَّثَنَا قُتَيْبَةُ، قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَرْدَكٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ مَاهَكَ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «ثَلَاثٌ جِدُّهُنَّ جِدٌّ، وَهَزُلُهُنَّ جِدٌّ: النِّكَاحُ، وَالطَّلَاقُ، وَالرَّجْعَةُ». هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ. وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَهْلِ الْعِلْمِ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَعَبْدُ الرَّحْمَنِ هُوَ ابْنُ حَبِيبِ بْنِ أَرْدَكِ الْمَدَنِيِّ. وَابْنُ مَاهَكَ هُوَ عِنْدِي: يُوسُفُ بْنُ مَاهَكَ. حَكَمَ الْحَدِيثُ: صَحِيحٌ

The following narration was relayed to us by Qutaibah, who reported from Hatim bin Isma'il, who in turn narrated from Abdurrahman bin Ardak Al-Madani, who heard it from 'Atha' who received it from Ibnu Mahak, who cited Abu Hurairah stating that the Prophet Muhammad ﷺ said, "There are three matters that are taken seriously and their seriousness is acknowledged: marriage, divorce (talak), and reconciliation (rujuk)." Abu Isa commented that this Hadith is graded as Hasan Gharib and serves as a practical guideline according to muslim scholars

among the Prophet's companions and others. Abu Isa further added, "Abdurrahman is identified as Ibnu Habib bin Ardak Al-Madani, and as for Ibnu Mahak, in my view, he is Yusuf bin Mahak"(At-Tirmidzi, 1996).

Table 2. Biography of the Narrator (Hadith No. 1184 narrated by At-Tirmidhi)

	Name	Level	Death	Jarh Wa Ta'dil
1	Qutaibah bin Said	10	240 H	Tsiqah
2	Hatim bin Ismail Al-Haratsi	8	186 H	Tsiqah
3	Abdurrahman bin Habib bin Ardak	6	-	Dhaif
4	Atha bin Abi Rabah	3	114 H	Tsiqah
5	Yusuf bin Mahak	3	103 H	Tsiqah
6	Abu Hurairah	1	57 H	'Adil

The Third Hadith, narrated by Imam Ibn Majah, Hadith No. 2039.

حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، قَالَ: حَدَّثَنَا حَاتِمُ بْنُ إِسْمَاعِيلَ، قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ حَبِيبِ بْنِ أَرْدَكٍ، قَالَ: حَدَّثَنَا عَطَاءُ بْنُ أَبِي رَبَاحٍ، عَنْ يُونُسَ بْنِ مَاهَكَ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: « ثَلَاثٌ جِدُّهُنَّ جِدٌّ، وَهَزْلُهُنَّ جِدٌّ: النِّكَاحُ، وَالطَّلَاقُ، وَالرَّجْعَةُ ». حکم الحديث: حسن

It has been narrated to us by Hisham bin Ammar who said that Hatim bin Isma'il narrated to us, who said that 'Abdurrahman bin Habib bin Ardak narrated to us, who said that 'Atha bin Abu Rabah narrated to us from Yusuf bin Mahak from Abu Hurairah, who said, The Messenger of Allah ﷺ said, "There are three matters that, whether taken seriously or in jest, carry their legal consequences: marriage, divorce (*talak*), and reconciliation (*rujuk*)"(Ibnu Majah, n.d.).

Table 3. Biography of the Narrator (Hadith No. 2039 narrated by Ibn Majah)

	Name	Level	Death	Jarh Wa Ta'dil
1	Hisyam bin Ammar	10	244 H	Tsiqah
2	Hatim bin Ismail Al-Haratsi	8	186 H	Tsiqah

3	Abdurrahman bin Habib bin Ardak	6	-	<i>Dhaif</i>
4	Atha bin Abi Rabah	3	114 H	<i>Tsiqah</i>
5	Yusuf bin Mahak	3	103 H	<i>Tsiqah</i>
6	Abu Hurairah	1	57 H	<i>'Adil</i>

Sanad Study

Imam Abdurrahman Al-Mubarakfuri stated in his book “*Tuhfatul Ahwaz*”, that this hadith is deemed *hasan garib* and has been narrated by Imam Abu Daud, Ibn Majah, and its sanad has been authenticated by Abdurrahman bin Habib bin Ardak by Imam Al-Hakim. This hadith remains a subject of contention (Al-Mubarakfuri, n.d.). According to Ibn Abil Izz in his book “*At-Tanbih ‘ala Musykilat Al-Hidayah*”, he elucidated that the hadith has been narrated by Imam Ahmad, Abu Daud, Ibn Majah, and At-Tirmidhi. He mentioned that the hadith is classified as *Hasan Gharib* (Ali, 2003). Similarly, Imam As-Suyuti in his book “*Jam’ul Jawami’*”, also opined that this hadith falls under *Hasan Gharib* (As-Suyuti, 2005). Imam As-Syaukani included this hadith in the chapter regarding divorce and its likes, such as jokes, coercion, or intoxication. In his book “*Nailul Awthar*”, he expounded that this hadith has been transmitted by Al-Hamsah except by Imam An-Nasa’i. Imam At-Tirmidhi remarked that this hadith is *Hasan Gharib* (As-Syaukani, 1993).

In his book *Al-Mustadrak ‘ala Shahihain*, Imam Al-Hakim stated that this hadith has a valid sanad (*sahih sanad*). He argued that Abdurrahman bin Habib was from the lineage of Ardak and considered him among the rijal who are *Tsiqah* “Rijal Tsiqah is a reliable transmitter of hadith” (Al-Hakim, 1990). The sanad through Abdurrahman bin Habib has been a point of contention among muslim scholars regarding the authenticity of this hadith. According to Imam An-Nasa’i, Abdurrahman bin Habib bin Ardak was a narrator whose hadith was deemed *Munkarul Hadis*. Similarly, Imam Adz-Zahabi, in his book *Al-Kasyif*, labeled

Abdurrahman bin Habib bin Ardak as a narrator whose hadith was considered *Layyinul Hadis* (Adz-Zahabi, 1992). Ibn Hajar Al-Asqalani, in his book *Taqribu Tahzib*, also categorized Abdurrahman bin Habib bin Ardak as a narrator whose hadith was considered *Layyinul Hadis* (Al-Asqalani, 1986). However, Imam Al-Hakim assessed Abdurrahman bin Habib bin Ardak as a narrator who is *Tsiqah* (Al-Hakim, 1990).

Imam Abdul Jabbar included this hadith in his book *Al-Musnad Al-Maudhui Al-Jami' lil Kutubil Asyrah*. He placed this hadith in the chapter concerning divorce in a lighthearted manner. He stated that this hadith had been narrated by Abu Daud. Imam Al-Bani commented that this hadith is *hasan* (Abdul Jabbar, 2013). Similarly, Imam Ar-Rudani, in his book *Jam'ul Fawaid min Jami' Ushul wa Mujma' Az-Zawaid*, mentioned that this hadith was narrated by Imam Abu Daud in hadith number 2194, by Tirmidhi in hadith number 1184, and by Ibn Majah in hadith number 2039. He clarified that this hadith is classified as *Hasan Gharib* and was also authenticated by Al-Albani in *Shahih At-Tirmidzi* in hadith number 944 (Ar-Rudani, 1998).

Analysis of Matan

In his book *Aunul Ma'bud Wa Hasyiah Ibnu Qayyim*, Imam Al-Azhim Al-Abidi included this hadith in the chapter on divorce humorously. He explains that "Three matters, seriousness in intent is taken seriously, even in jest." Jest is something other than what is meant, deviating from the understood expression. On the other hand, seriousness implies intending precisely what is meant, aligning linguistically with the intended meaning in a metaphorical sense (Al-Abidi, 1415 H). Al-Khatibi mentioned that many scholars concur that divorce applies to a wife when pronounced explicitly by a mentally mature and responsible person. Divorce does not become void by statements like "I was merely joking and jesting" without a genuine

intention of divorce or its equivalent. They draw evidence from the Quranic verse: “Do not make the verses (-laws) of Allah (-a target) for jest” (QS. Al-Baqarah 231). When this principle is applied to humans (permitting casual pronouncement of divorce), these laws become ineffective. Flexibility is not granted to someone who divorces, marries, or frees a slave to claim, “My words were just in jest.” Such allowance would invalidate the laws of Allah. Therefore, anyone who utters something in a context similar to what is mentioned in the hadith is bound by the law, and it is not acceptable for the challenger to disagree with it (with what the individual uttered) (Amin, 2018).

The essence of the excerpt from the hadith, where *Al-Hazl* signifies jesting, while *Al-Laib* stands as its counterpart, is elucidated by Imam As-Sindi. He asserts that muslim scholars infer that if a person divorces his wife under compulsion, the divorce is rejected or deemed invalid. Similarly, if someone jokingly divorces his wife with complete intention and volition when pronouncing it, the divorce holds legal weight. This is because such an act does not require his consent in the manner of a person under compulsion, who lacks choice and authority to utter the divorce. Conversely, a person who willingly and compliantly expresses their intent, the seriousness of the matter, whether in jest or sincerity, applies to all contracts, including sales and gifts. Emphasis on the chapters concerning marriage, divorce, and reconciliation serves as a reinforcement of their significance (As-Sindi, n.d.).

In *The Syarah Sunan Abi Daud lil Ibad*, authored by Abdul Muhsin Al-Ibad, discussing divorce in jest, it is stated that when an individual pronounces divorce while in a state of jest or laughter, it is considered a serious declaration of divorce. It is also mentioned that if someone claims it as a joke, it cannot be equated to jest based on the aforementioned hadith. Hence, the utterance of divorce takes effect, whether intended as a jest or not. Even though the intention might have been playful, the

expression of divorcing one's spouse in clear terms signifies the act of divorce. Therefore, once uttered, despite the playful intent, the statement carries the weight of seriousness. Consequently, the conclusion drawn is that jest, in reality, embodies sincerity in this context.

His opinion stands firm that regardless of whether someone intends earnestly or engages in jest or any other form of expression, all are to be taken seriously, and all associated consequences apply accordingly. Therefore, it is not permissible to trivialize or mock through jest. Furthermore, he also holds the view that some scholars categorize the matter of freeing slaves into three serious considerations (Abbad, n.d.).

The Analysis of Marriage Practicum in Schools within Hadith Studies

Jesting is a common practice among humans. It is also an act cherished by Prophet Muhammad ﷺ, as evidenced by narrations depicting his jesting with his wives and companions. However, not all jesting is mere amusement; at times, it extends to serious matters such as jesting about marriage, divorce (*talak*), and reconciliation (*rujuk*). This underscores that using the laws of Allah ﷻ as jest is not permissible. The hadith emphasizing serious jesting sets a boundary, signifying that issues of marriage, divorce (*talak*), and reconciliation (*rujuk*) are not to be taken lightly (Mardiyah, n.d.).

The meaning of the hadith under scrutiny by the author encompasses three matters - whether conducted seriously or in jest, their legal implications remain intact: marriage (*nikah*), divorce (*talak*), and reconciliation (*rujuk*) (Triyono, 2017). The understanding derived from this hadith indicates that if within the practicalities of marriage or the examination of marital practices there exists a contractual process, then such jesting practices could be considered valid from the perspective

of the hadith. It raises the question of how Islamic religious education, intended to serve as a platform for instilling Islamic faith, inadvertently becomes a trial-and-error process (Indonesia, 2022). Muslim scholars vary in their opinions regarding the status of this hadith; however, the examination presented above illustrates that this hadith is *Dhoif* due to the presence of the narrator Abdurrahman bin Habib bin Ardak, who is regarded as *Layyinul Hadis* (Al-Asqalani, n.d.). Despite its *dhoif* classification, the companions practiced the matan of this hadith. As elucidated by Imam Al-Khathabi, he stated that the majority of muslim scholars agree that if the expression of divorce is unequivocally uttered by an adult, mentally sound male, then the divorce stands valid. Excuses are not accepted if he claims, “I was merely jesting or joking and did not intend to divorce her, or the like” (Amin, n.d.).

In marriage, the requirement of intention (*niyyah*), as in the case of ritualistic practices, is not mandatory. Once both parties have solemnized the marriage contract without coercion, then the marriage they both undertake is considered valid. Even if their initial intent was in jest, this is supported by the hadith of the Prophet Muhammad ﷺ: “There are three matters that, whether pursued seriously or in jest, are considered binding: marriage (*nikah*), divorce (*talak*), and reconciliation (*rujuk*)” (Majah, n.d.). If intention were a prerequisite for marriage, an individual could easily annul the contract by arguing the absence of intent to marry. However, if both individuals marry under coercion, with no genuine desire for the union, the contract is deemed invalid due to their forced circumstance, as Islamic law does not recognize the validity of a contract when a person is compelled without legitimate Islamic justification (*uzur syar’i*) (As-Saghnaqi, 1438 H).

However, in the principles of Islamic jurisprudence (*ushul fiqh*), there exists a fihiyyah principle which states: “Every condition that renders a contract invalid upon its mention, renders it invalid

upon mere intention (*niyyah*).” The invalidation here relates to what is intended or can be discerned from the intention (*niyyah*) of the actor. However, if someone’s intention (*niyyah*) cannot be discerned, then their contract remains valid (Al-Musyaiqih, 1444 H). An example of this principle is when someone purchases grapes with the intention (*niyyah*) of fermenting them into wine or an alcoholic beverage. In this case, the contract becomes void. Similarly, if an individual solemnizes a marriage contract merely as a joke, without genuinely intending to marry, according to the Hanbali Mazhab of thought, this contract is not valid (Mansur, 1427 H). The intention (*niyyah*) holds the status of speech, as based on the saying of the Prophet Muhammad ﷺ: “Actions are judged by intentions (*niyyah*)” (Bukhari, n.d.).

Marriage requirements refer to prerequisites necessary before entering the marriage process. Failure to fulfill these prerequisites renders the marriage unexecutable. These requirements vary in accordance with the pillars of marriage. For both parties -male and female-, it is imperative that they must be adherents of Islam, have reached the age of maturity (*baligh*), and possess sound judgment. Furthermore, the woman must not be a current spouse of another individual. The witnesses required in a marriage must also adhere to Islam, have reached maturity (*baligh*), possess sound judgment, and demonstrate fairness by obeying Allah ﷻ. Similarly, the legal marriage guardian (*wali nikah*) must meet specific criteria: they must be a Muslim, have a blood relationship with the female prospective spouse (such as a father, grandfather, or male sibling), have reached maturity (*baligh*), and possess sound judgment. Equally crucial among these pillars is the stipulation that none of the parties involved should be in the state of ihram for Hajj or Umrah, as individuals in this sacred state are prohibited from engaging in the marriage process. This is rooted in a Hadith of the Prophet Muhammad, in which he forbade those in the state of ihram from marrying or being married (Ismail,

2019).

For Muslims, the validity of marriage refers to the provisions within Islamic Law. It is widely acknowledged that the majority of muslim scholars across the four mazhab of thought have opined, particularly within the Maliki, Shafi'i, and Hanbali mazhab, that the presence of a legal marriage guardian (*wali nikah*) in a marriage is obligatory. According to the consensus of muslim scholars (*Jumhur Ulama*), the presence of a legal marriage guardian (*wali nikah*) is considered crucial and determinant in validating a marriage, as the legal marriage guardian (*wali nikah*) is among the essential conditions (*syarat-rukun*) of marriage. Therefore, a marriage conducted without a legal marriage guardian (*wali nikah*) is deemed invalid. This is rooted in the saying of the Prophet Muhammad ﷺ: "There is no valid marriage except with the presence of a legal marriage guardian (*wali nikah*) and two just witnesses" (Al-Bahuti, 2000). The consensus of muslim scholars asserts that there was no disagreement among the companions of the Prophet regarding the invalidity of marriage without a legal marriage guardian (*wali nikah*). The absence of disagreement among the companions and likewise among *the tabiin* indicates that the law concerning marriage without a legal marriage guardian (*wali nikah*) being invalid is by consensus (*ijmak*) (Al-Mawardi, 1999). Imam Al-Mawardi mentioned that the hadith "There is no valid marriage except with the presence of a legal marriage guardian (*wali nikah*)" was narrated by many companions of the Prophet, including Ibn Mas'ud, Ibn Umar, Ibn Abbas, Abu Hurairah, Aisha, Anas bin Malik, Imran bin Al-Husain, and Abu Musa (Mualifin, 2012). Moreover, none of *the tabiin* contradicted this, thus establishing it as a consensus (*ijmak*) (Al-Mawardi, Al-Hawi Al-Kabir Fi Fiqh Mazhab As-Syafii, n.d.).

In the perspective of Fiqh (Islamic jurisprudence), the father holds the right of "*ijbar*," which is the right to compel his daughter to marry. The presence of a legal marriage guardian (*wali nikah*) in marriage is

one of the prerequisites that must be fulfilled. However, at times, a living legal marriage guardian may refuse consent without justified cause. In Islamic jurisprudence, the rejection of the legal marriage guardian to marry a girl under their guardianship is termed as “*wali ‘adhal*.” In such circumstances, the legal marriage guardian’s right to marry off the girl under their guardianship can be revoked. If the girl finds herself without a legal marriage guardian (*wali nikah*) due to the legal marriage guardian’s refusal to marry her without justified cause or due to the absence of a living legal marriage guardian to conduct the marriage, then she may proceed with her marriage under the supervision of a judge (*wali hakim*) (Al-Baghawi, 1997). This is based on the saying of the Prophet Muhammad ﷺ: “There is no valid marriage without the presence of a legal marriage guardian, and if the legal marriage guardian refuses, then the supervision of a judge (*wali hakim*) is the guardian for one who has no legal marriage guardian” (As-Suyuti, 2005).

From the elucidation of the conditions for marriage in Islam, it is evident that if the practice of marriage simulation or the marriage practice examination conducted in schools involves the process of solemnization (*akad*), such simulated marriage or examination of marriage practice is deemed invalid from a Fiqh perspective. This is due to the failure to fulfill a crucial condition in marriage, which is the presence of a legal marriage guardian (*wali nikah*). Even if both parties are present, the declaration of intent (*ijab*) and acceptance (*qabul*) has taken place, and it is attended by two witnesses, the marriage is deemed invalid according to the saying of the Prophet Muhammad ﷺ: “A woman who marries without a legal marriage guardian (*wali nikah*), her marriage is void, her marriage is void, her marriage is void” (As-Suyuti, As-Shahih Wa Dhoif Al-Jamiul As-Shagir Wa Ziyadatuh, 1998).

Conclusion

Using the laws of Allah ﷻ as a subject of jest is not permissible. The hadith regarding jest and play being considered seriously serves as a boundary indicating that matters concerning marriage (*nikah*), divorce (*talak*), and reconciliation (*rujuk*) are not trivial issues. Based on the exposition in this research, muslim scholars hold varying opinions regarding the status of this hadith. However, the analysis presented by the author indicates that this hadith is *Dhoif* due to the inclusion of the narrator Abdurrahman bin Habib bin Ardak, who is considered a narrator of questionable reliability (*layyinul hadis*). Despite the weakness (*dhoif*) of this hadith, the companions (*sahabah*) practiced its teachings. From the Islamic legal perspective, the simulated marriages conducted by students in schools are not valid due to the unmet requirement of the presence of a legal marriage guardian (*wali nikah*). A plausible solution, apart from direct simulation, lies in organizing educational sessions through various institutions, both from the Office of Religious Affairs (KUA) and other relevant bodies. For practical assessments in Islamic jurisprudence classes in schools, these could be redirected towards alternate simulations, such as practical exercises involving the ritual of bathing and shrouding the deceased, the pilgrimage rituals of Hajj and Umrah, religious observances such as Salah (prayer), purification rituals like Tayammum and Wudu (ablution).

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