

The Implementation Of *Maqāṣid Al-Sharī'Ah* Jamāl al-Dīn 'Aṭīyyah On Endogamy Marriage of Ahmadiyyah

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Abstract:

The minority group of the Ahmadiyyah group is one of the groups that still exists among religious groups in Indonesia. they try to maintain the ideology of the group and its sects, one of which is through the idea of endogamy marriage practices. This endogamous marriage has a different concept and purpose, namely marriage must be carried out by fellow members of the Ahmadiyyah group to maintain and strengthen the solidity of Ahmadiyah amidst the siege of the majority group. In addition, the purpose of the marriage is to improve the organization's economy and form the strength of the Ahmadiyyah group through the strength of marriages among the Ahmadiyyah group. Through the implementation of the seven spaces for *maqāṣid al-sharī'ah* Jamāl al-Dīn 'Aṭīyah in the endogamy marriage system for the minority group of the Ahmadiyyah, several things were found, including Ahmadiyyahh endogamy marriage apart from maintaining the husband-wife relationship also safeguards the integrity and purity of the Ahmadiyyah group, protects the integrity and purity of the descendants of the Ahmadiyyah group, keeps the purity of the Ahmadiyyah ideology and maintains the economic loyalty of the Ahmadiyyah group to the Ahmadiyyah organ.

Keywords: *Maqāṣid al-sharī'ah*, Jamāl al-Dīn 'Aṭīyah, Endogamy Marriage, Ahmadiyyah.

Introduction

Indonesia is one of the countries with quite an extraordinary level of diversity; even the diversity that exists in Indonesia has been recognized by the world for its culture and religious expression. This is a value that differentiates Indonesia as a country as well as an Indonesian national entity that can live peacefully side by side amidst the many differences in race, ethnicity, and culture. Besides that, diversity is

simultaneously a serious challenge amid a civilization that continues to experience development, both in terms of human resources (HR), social religion, and digitalization that is taking place in various corners of human civilization. The development of existing civilization is a measure of the maturity of a nation in examining and accepting differences which from time to time continue to appear and experience various responses between individuals and groups, including the existence of the Ahmadiyyah Muslim minority group in Indonesia, which at the beginning of the period of its arrival did not experience a severe response and rejection which made Ahmadiyah have to think many times about living and existing in Indonesia. However, in line with the progress of civilization, now the Ahmadiyyah minority group has experienced various events, ranging from rejection to physical and psychological violence and even strict regulations issued by the government authorities of the unitary state of the Republic of Indonesia. Starting from the labeling as a deviant Islamic group because it recognized the existence of a prophet after the Prophet Muhammad, to the issue of the existence of the Koran with an unusual translation and even being considered to have its own holy book.

All of these things result from friction during the progress of human civilization, including the Indonesian nation in it. Ahmadiyyah is an organization with an Islamic religious sect spread in 178 countries, including Africa, North America, South America, Asia, Australia, and Europe. The number of followers has experienced a reasonably dynamic increase in each country. Some consider the Ahmadiyyah Congregation to be a dynamic Islamic group in the modern era. Because they can adjust to the environment in which country they live.¹

These minority groups entered Indonesia in 1924 (Lahore) and 1925 (Qadiyan).² However, the management was only formed ten years later. A conference was held on 15-16 December 1935 to produce a management structure for the Ahmadiyyah Qadiyan. Then, it also gave birth to the Ahmadiyah Qadiyan Indonesian Department (AQDI), which was changed to the Anjuman Ahmadiyah Indonesian Department (AADI) because of demands for alignment with the center of the Ahmadiyyah organization. Meanwhile, the December 1949 Congress, which took place in Jakarta, resulted in a change of name to the Indonesian Ahmadiyyah

¹ Muclis M. Hanafi, *Menggugat Ahmadiyah* (Jakarta: Lentera Hati, 2011). 1

² Iskandar Zulkarnain, *Gerakan Ahmadiyah Di Indonesia* (Yogyakarta: LKiS Pelangi Aksara, 2005). 17

Congregation (JAI) so that it received approval from the Government of the Republic of Indonesia as a legal entity through Decree of the Minister of Justice No.J.A/5/23/13 dated March 13, 1953. There were several reason for using the term congregation is that in India and Pakistan it has become more popular with the name "Jemaat" in Muslim associations. The term congregation itself is an absorption from Urdu, which means organization or association. the term "Jemaat" is then officially recognized by the state as the name of the Indonesian Ahmadiyyah Congregation listed on the Ministry of Law and Human Rights, so it cannot be arbitrary in making changes.³

The historicity of the presence of Ahmadiyyah in Indonesia goes back a long way until today, with as many as 300 branches throughout Indonesia spread across several areas such as Jakarta, West Java, Central Java, West Sumatra, Palembang, Bengkulu, Bali and West Nusa Tenggara. However, this number did not prevent the MUI, especially at the II National Conference (Munas) in Jakarta on May 26-June 1 1980, to prevent them from issuing a fatwa that the Ahmadiyyah Congregation⁴ included in congregations outside of Islam or in other words are heretical and misleading groups.⁵ The fatwa issued by the MUI referred to nothing but the fatwa Rabi'ah Alam Islami which gave the same firmness regarding the Ahmadiyyah Congregation at the annual conference in Mecca on April 6-10 1974. It was also followed on June 9 2008 by the government in a joint decree (SKB).) by three ministers following up on input from the MUI and mainstream Islamic groups which considered the Ahmadiyyah congregation to be heretical and out of Islam. The agreement of the three ministers, namely the Minister of Home Affairs, the Minister of Religion and the Attorney General which is based on Law Number 1 PNPS of 1965. Meanwhile the MUI fatwa and Rabi'ah Alam Islami are based on three matters of deviation from the teachings of the minority group of the Ahmadiyyah congregation: 1) recognition of Mirza Ghulam Ahmad as prophet; 2) different interpretations of the Al-Quran so that it leaves Islam; 3) the concept of jihad was abolished among the Ahmadiyyah congregation.⁶

³ Iskandar Zulkarnain. 196

⁴ Februana Mustafa, Indirani, dan Wahyuni, "Ahmadiyah: Keyakinan Yang Digugat," 2005, Pusat Data dan Analisa TEMPO edition. 145

⁵ Iskandar Zulkarnain, *Gerakan Ahmadiyah Di Indonesia*. 294

⁶ Darul Khotimah, "Gerakan JAI Pasca Fatwa MUI Dan SKB Tiga Menteri JAI Cabang Surabaya" (Fakultas Ilmu Sosias UNESA Surabaya, 2011). 127

Even though challenges and obstacles continue to come to the minority group of the Ahmadiyyah congregation, especially in terms of carrying out their missionary movement, their existence as a minority group, Ahmadiyah continues to exist and develop, especially in the policy of independence of marriage through its mode of endogamous marriage. Based on this phenomenon, it is interesting to carry out research and scientific studies especially regarding the background which until now can be said to be hidden from the public, and with this Ahmadiyah continues to exist until now amid the onslaught of the majority religious groups and sects in Indonesia. The temporary hypothesis shows that the teachings of the minority group of the Ahmadiyyah congregation have a significant meaning for the congregation, because they are used as a belief so that they can fulfill the rules of life. Therefore, the rules made and enforced are quite detailed, starting from matchmaking rules to marriages centered on the Ristha Nata bureau which is specialized in dealing with arranged marriages to carrying out marriages. Rishta Nata comes from the Urdu language which means the relationship between a man and a woman or known as matchmaking.⁷

The following are some previous studies related to the Ahmadiyyah minority group that still exists in Indonesia: 1). Mohammad Said et al. 2019, Indonesian Ahmadiyyah Community; conflict, nationality, and humanity. This research suggests that JAI is currently experiencing discrimination, and this research invites academics so that positive narratives about JAI are grown with an open paradigm, not prejudice. 2). Tsaniyatul Aziyah 2016, Ahmadiyyah Marriage; Ristanata legal history studies; internal matchmaking institution of the Indonesian Ahmadiyyah Congregation in Yogyakarta. This study explains the existence of an internal matchmaking institution of the Indonesian Ahmadiyyah Congregation in Yogyakarta. Namely with a review of history and law. 3). Ihrom 2013, Gender Equality in the Views of Ahmadiyah Leaders. This study uses a sociological approach with gender theory, psychoanalysis or identification, structural functionalism and conflict theory. The type of research is library research (library research). 4). Ridwan A. Malik, 2013, Ahmadiyyah Theology Past, Present, and Coming in Indonesia. This research says, as a result, that there is a middle way of determining the "gender" of Ahmadiyah, who are heretical and

⁷ PB Jemaat Ahmadiyah Indonesia, *Pedoman Rishta Nata* (Bogor: Biro Perjudohan, 2009).

who are not heretical. After the identification process, which Ahmadiyyah sect one should convert to became clear. All of this leads us to think and be objective about one issue, especially regarding the existence of Ahmadiyyah in Indonesia. 5). Zulhamdani 2010, The concept of Kafaah in the marriage of Ahmadiyah Qodian and Lahore from the perspective of Syafi'iyah scholars. The results of this study explain the concept of Kafaah according to Ahmadiyah Qodian, Lahore, and Safi'iyah scholars, namely equality and comparability. According to Ahmadiyah Qodiyah equality, equality is in terms of similarity in aqidah or spirituality, namely similarity in one religion and class (Jemaat).

This research is an empirical qualitative study that includes conceptual meaning, characteristics, metaphors, symbols, and descriptions of a phenomenon or reality.⁸ This research seeks to find out the meaning, conceptual, definitive, and character of the basic concept of marriage for the minority group of the Ahmadiyyah Congregation and its practice as a minority group amid the majority religious group in Indonesia. This study uses phenomenological-social normative. That is, it is a fundamentalist structural approach rooted in text or revelation, as well as something that cannot be rationalized (unthinkable).

Discussion

Endogamy and Jurisprudence Marriage for Ahmadiyyah Minority Groups in Indonesia

The practice of marriage for minority groups in the Ahmadiyyah Congregation can be said to be different from the general concept of marriage practiced by the Muslim community in particular. This is despite the confessions of the Ahmadiyyah congregation refusing to be said to have differences regarding marriages carried out by their group, even though the public already knows it, that the Ahmadiyyah congregation has entirely independent regulations regarding marriages for the Ahmadiyyah Congregation so that it is different from Islamic groups in general, especially regarding matchmaking rules. which became the root of their endogamous marriage. Namely, women from Ahmadi families are prohibited from marrying non-Ahmadi sons. Because marriage according to the minority group of the Ahmadiyyah Congregation is more important than anything else, this is reinforced by the existence of a dating agency called the Rishta Nata Bureau. Rishta

⁸ Bruce L. Berg, *Qualitative Research Methods for The Social Sciences* (Boston: Allyn and Bacon, 1998). 3

Nata has the meaning of *qarīb bi ta'alluq* (close relationship) or marriage. The existence of *Rishta Nata* is aimed at facilitating Ahmadi families to find a mate for Ahmadi children or youths who meet the requirements to carry out marriages; by making a complete list of data in which there are names of all Ahmadi boys and girls from various countries including branches in Indonesia, the matchmaking bureau's database is quite detailed, because in addition to containing the relevant history, it includes Ahmadiyyah family members also have photos of each young man/girl in question so they can get to know each other and measure themselves and the candidate they want to propose to.⁹

The Ahmadiyyah Congregation's *Rishta Nata* Bureau does not only play a role in collecting data on *hudam* and *lajnah* who are eligible for marriage. But it also works as follows:¹⁰

1. Facilitating institutions for matchmaking services

Rishta Nata has a role as a service bureau that facilitates matchmaking through screening members' readiness by distributing forms, starting from the elementary level, *taaruf* to the marriage process.

2. A special administrative institution for marriage

Among the roles carried out by the dating agency, *Rishta Nata* is to collect comprehensive data on all elements of the Ahmadiyyah Congregation from all levels and regions.

3. Marriage education institution

Education about marriage is something that must be instilled in the Ahmadiyyah Congregation. Especially regarding the norms and suggestions for marrying fellow members of the Ahmadiyyah Congregation.

4. Marriage consulting institution

One of the goals of the *Rishta Nata* dating agency is to maintain the integrity and unity of vision in the household built by the Ahmadiyyah groups.

5. Institutions that take part in determining *kafaah* (equivalent)

The *Rishta Nata* Bureau provided input regarding the level of equivalence (*kafaah*) of candidates from the Ahmadiyyah

⁹ PB Jemaat Ahmadiyah Indonesia, *Pedoman Rishta Nata*. 13

¹⁰ Ahmad Suhud, Muballigh Internasional Ahmadiyah, Wawancara, July 12, 2019.

Congregation, because among the concepts of challenge to equivalence (*kafaah*) in the perspective of Ahmadiyyah is that there must be one ideology, meaning that candidates are considered equal if fellow members of the Ahmadiyyah Congregation.

The marriage rules for fellow members of the Ahmadiyyah congregation or also known as the marriage system with same class/one group or marriages which are limited to only one clan and are not justified in carrying out marriages with parties outside their group.¹¹ This endogamy marriage system by Ahmadiyah has been practiced since 1898, namely in order to discipline membership and continue to strengthen the Ahmadiyyah congregation and become an Ahmadiyyah identity so that it continues to exist wherever it is. Mirza Ghulam Ahmad as the founder of Ahmadiyah regulates his followers as the Ahmadiyyah congregation by patenting ways of socializing, namely that the Ahmadiyyah congregation is not justified if they carry out marriages with people who are outside the Ahmadiyyah congregation.¹²

This rule basically applies to all Ahmadiyyah congregations, but it applies more to Ahmadiyyah women who are obliged to marry Ahmadi men so it is clearly strictly forbidden for Ahmadi women to marry non-Ahmadi men.¹³ Apart from being considered unseemly, it is also said to be a threat to the solidity of the Ahmadi congregation in the future. Whereas marriages that are not the same as their religion believe that their marriage is rejected religiously so that it is also rejected within the Ahmadiyyah Congregation.¹⁴ If this is violated, or rebels against the provisions of the regulation, then his position is equated with an apostate.¹⁵ So that anyone from the congregation who violates it, will certainly be subject to sanctions both organizationally, namely by being accused of violating the rules/orders that apply in the teachings of the Ahmadiyyah congregation even those that are believed by the minority group of the Ahmadiyyah congregation.¹⁶

Based on the social reality and the reality of these rules, the Ahmadiyyah congregation directly maintains its identity by strictly

¹¹ Lihat: <https://id.wikipedia.org/wiki/Endogami>

¹² Mirza Bashiruddin Mahmud, *Invitation Ahmadiyyat* (Lahore: Islam Internasional Publication, 1980). 96

¹³ Pengurus Besar Jemaat Ahmadiyah, *Pedoman Ristha Nata (Perjodohan)*, n.d. 13

¹⁴ PB Jemaat Ahmadiyah Indonesia, *Pedoman Rishta Nata*. 48

¹⁵ PB Jemaat Ahmadiyah Indonesia. 47

¹⁶ Mirza Abdul Haq, *Fiqh Ahmadiyah* (Rabwah: Advocate Sadr Tadwin Fiqh Commite Idatul Musarifin, tt). 96-97

implementing the rules for practicing endogamous marriage. That is nothing but to maintain the organization of the Ahmadiyyah congregation, also for their existence and independence in the midst of the surrounding majority group. Meanwhile, for men in the Ahmadiyyah congregation, regarding marriage, they are still allowed to marry non-Ahmadiyah women; but with conditions, it remains an Ahmadi family or non-Ahmadi women who are married must be brought into the minority group of the Ahmadiyyah congregation after their marriage. Based on the beliefs of the Ahmadiyyah congregation, texts are important, especially from the father/male line. So based on this, the Ahmadiyyah congregation prohibits Ahmadi women from marrying non-Ahmadi men; In addition to maintaining lineage from the father's path, it also maintains the purity and solidity of the Ahmadiyyah. Because of this, an Ahmadi man who marries a non-Ahmadiyyah woman, automatically the married woman has been respectful towards Ahmadiyyah, so she must comply with the existing regulations. In other words, the regulations on the marriage practice of the Ahmadiyyah minority group in Indonesia in particular, provide information regarding the marriage fiqh of the Ahmadiyyah congregation. So in general, at least the concept of marriage in Ahmadiyyah fiqh has interdependence between theology and fiqh. So it is clear that the influence of the theology that the Ahmadiyyah congregation understands and believes in on the aspects of their fiqh.¹⁷

The Ahmadiyyah congregation's fatwa or marriage rules are clearly different from those of other Islamic groups. The minority group of the Ahmadiyyah Congregation will not take part in small matters such as debates in the field of fiqh. In fact, the difference between the Ahmadiyyah Movement and other Islamic groups is not only about jurisprudence or small things about their religious life choices. However, said the Ahmadiyyah congregation, the responsibility as the duty of the Ahmadiyyah congregation is to preach and promote as well as defend the Islamic religion.¹⁸ The legal concept of Ahmadiyah fiqh clearly has tolerance. For example, details regarding the law on ablution, prayer, fasting, clothing, marriage, divorce, inheritance, and so on, which are usually always debated among scholars, are not questioned. The minority

¹⁷ Fazlur Rahman, "Interdependensi Teologi Dan Fiqh," *Al-Hikmah* No. 2, no. Dzulhijjah, 1410-R.Awwal, 1411/Juli-Oktober, 1990 (n.d.): 45. Herien Puspita, *Konsep Dan Teori Keluarga* (Bogor: Fakultas Ekologi Manusia, 2013). 114

¹⁸ Minhadjurrahman Djojosegito, *Pengertian Ahmadiyah Yang Benar* (Yogyakarta: Darul Kutubil Islamiyah, 2010). 9

group of the Ahmadiyyah Congregation declares itself as an independent group in its fiqh concept and practice. Even Ahmadiyyah is better off looking for similarities between the schools of thought so that whatever is emphasized to unite and eliminate differences in understanding is better practiced than debating differences.¹⁹ The following is the application of the jurisprudence of the minority group of the Ahmadiyyah congregation in terms of their marriage:²⁰

a. Terms and Pillars of Marriage

1) *Ijāb* and *qabūl*

2) *Mithāqan*, which means the agreement between husband and wife, is a word known in the holy book of the Koran. So, based on this, the agreement in marriage must be pronounced directly by the parties concerned and must be witnessed by the witnesses. The agreement sentence is then known in fiqh as *ijāb* and *qabūl*. The marriage will be considered valid only if the consent and consent are pronounced directly and simultaneously with witnesses.²¹

3) Marriage guardian

The woman is a party that must have a guardian in her marriage. Stipulations regarding guardians in marriage are stipulated by the man, having a mahram path with the bride, being mature, having common sense, being fair, having good morals, being able to see, not being forced, independent and having the same religion as the bride.

4) Prospective husband and wife

The bride and groom are required not to have a mahram, the prospective wife is determined and is not prohibited from getting married. This means that both prospective husbands and prospective wives meet the religious and organizational requirements of the Ahmadiyyah congregation to continue their marriage.

5) Witness marriage

Witnesses are required to be independent, i.e. able to make their own decisions, totalling two men, normal sight and hearing. Witnesses in the Ahmadiyyah congregation tend to practice the view of hanafiyyah; that is, if a marriage does not have witnesses,

¹⁹ Februana Mustafa, Indirani, dan Wahyuni, "Ahmadiyah: Keyakinan Yang Digugat." 19

²⁰ Sayyid Sabiq, *Fiqh Al-Sunnah. Juz II* (Dar al-Fikr, 2006). 265

²¹ Maulana Muhammad Ali, *Islamologi (Dinul Islam)* (Jakarta: Darul Kutubil Islamiyah, 2012). 226

the marriage is invalid. Even within the Ahmadiyyah congregation, it is still mandatory to register marriages in order to remove negative accusations related to the practice of marriage.²²

6) Dowry

One of the conditions for marriage is the existence of a dowry or dowry for marriage. Therefore, the husband is obliged to pay his lunar dowry to the wife when the marriage contract takes place. Apart from being a condition, the dowry also implies that with a dowry, the wife gets her independence, because then the wife also has the rights to her husband's wealth, even though before the marriage contract was made, the wife did not have any rights. Among the Ahmadiyah, the dowry must be in the form of valuables/valuable assets, because the dowry is used as a symbol of glory for women in the Ahmadiyyah congregation.²³

b. Duties and obligations of husband and wife in the family

The Ahmadiyyah congregation regarding the obligation of a husband or wife to stick to the instructions in the Qur'an, the hadith of the Prophet and the opinions of fiqh experts contained in the school in general. This is recognized by Ahmadiyyah. Regarding family matters, according to Ahmadiyyah, husband and wife complement each other in terms of shared responsibility. However, for the husband, earning a living for the sake of his family life is his obligation. For the wife, taking care of the household including children is the main task. Thus, joint responsibilities are quite clear with notes according to their abilities.²⁴ In essence, within the Ahmadiyyah congregation, the wife is obliged to accompany her husband and is obliged to look after her assets. In addition, the wife has the obligation to distance herself from actions that can damage the happiness of her family.²⁵

In line with the concept of endogamy marriage that is practiced by the Ahmadiyyah congregation as a minority group amidst the majority religious group in Indonesia, within the Ahmadiyyah Congregation's family environment, the existence of problems is a necessity as is the course of the family in general. It's just that, the form and time or the size is different. Domestic problems

²² Maulana Muhammad Ali. 237

²³ Maulana Muhammad Ali. 238

²⁴ Maulana Muhammad Ali. 657

²⁵ Maulana Muhammad Ali. 658

among the minority group of the Ahmadiyyah congregation give rise to the following two reasons:²⁶

1. Because of marrying someone outside the Ahmadiyyah Congregation

Marriage with other than the Ahmadiyyah Congregation is indeed a challenge as well as a separate problem for the Ahmadiyyah minority group, both individually and as an organization. Because differences will create dissension, especially in terms of loyalty or disdain towards the Ahmadiyyah organization. Therefore, it becomes important to consider or think carefully when you want to marry a non-Ahmadiyah.

Marriage with non-Ahmadiyah is specifically prohibited, so as much as possible this should not happen. Several examples have occurred, namely the existence of special sanctions for the Ahmadiyyah Congregation for forcing its will to choose a life partner who comes from outside the Ahmadiyyah Congregation. Such sanctions can be in the form of organizational sanctions, such as not accepting their sacrifice (chanda dues) by the administrator concerned or moral-social sanctions within the Ahmadiyyah community. Because according to the Ahmadiyyah Congregation, there will be a difference between having a family with a non-Ahmadiyah congregation, especially in respect of the Ahmadiyyah organization. Unless the Ahmadiyyah Congregation can confirm in advance, that he can bring his non-Ahmadiyah spouse to become a member of the Jama'at and comply with the provisions imposed by the Ahmadiyyah. They will still be accepted and positioned as the Ahmadiyyah Congregation that is wise, both towards religion and towards the organization.

2. Doing marriage with someone outside the Ahmadiyyah Congregation will only lead to differences in economic vision

This difference is not only due to marriage with non-Ahmadiyah. It could happen in marriages between Ahmadiyahs, so it will be a problem when the family's vision, especially regarding the economy, is different. Because within the Ahmadiyyah organization there are regulations that require its

²⁶ Zulhamdani., ""Konsep Kafa'ah Dalam Pernikahan Ahmadiyah Qadian Dan Lahore Perspektif Ulama Syafi'iyah, (Studi Terhadap Penganut Ahmadiyah Qadian Dan Lahore Di Yogyakarta)" (UIN Sunan Kalijaga, Yogyakarta, 2010). Lihat juga Herien Puspita, *Konsep Dan Teori Keluarga*.

members to pay 10-16%/1/3 of the total salary every month or even year as a form of loyalty and respect for religion and the organization which is called "chanda" payments. Indirectly, household or family problems in the Ahmadiyyah environment mostly occur because of these two things, so that on their journey they can be protected from an early age by the presence of the Rishta Nata bureau which has the task of arranging arranged marriages to carrying out marriages.²⁷

Household problems that come in accordance with the times and the passage of time, of course it cannot be said that they will still originate from the two things above, household problems can develop on the other side within the household sphere. Especially now that the level of technological progress is getting more advanced and the young people of the Ahmadiyyah Congregation must be careful in responding to and using the technology. Because it is possible, even though they have been through tarbiyat/education since they were young and have a family with fellow Ahmadiyyah Congregation, problems that have been entangled in domestic harmony can also become a source of disaster for their household. Therefore, the leadership of the Ahmadiyyah congregation recommends and even pressures them to have a family with fellow Ahmadis, and Ahmadiyah also requires members of their congregation to read books by prominent figures, such as Khalifatul Masih Mirza Ghulam Ahmad's book at least three times and whenever there is a problem to immediately read the fatwa - fatwa, advice and guidebooks for the Ahmadiyyah Congregation, so that household problems or life problems of whatever magnitude can be solved simply so that household divisions are avoided. Because if the household is divided, then Ahmadiyyah as a forum as well as an organization that carries out its beliefs will also be threatened.

The Implementation of *Maqāṣid al-Sharī'ah* Jamāl al-Dīn 'Aṭīyah on Endogamy Marriage of Ahmadiyyah Minority Group

Whether the marriage of the minority group of the Ahmadiyyah congregation is recognized or not, it is different from the marriages of other Islamic groups. The Ahmadiyyah Congregation uses the usual

²⁷ Ali Mukhayat, "Sejarah Pertablighan Jema'at Ahmadiyah Indonesia," 1994 1925.

marriage system, such as introductions or *ta'aruf*, *khiṭbah* and determining the wedding time. However, the process was carried out because of the existence of a Rishta Nata/marriage bureau, and this is where the difference later became clear because it was only carried out within the group itself. The marriage of the Ahmadiyyah congregation as a minority group, especially in Indonesia, has the goal of getting happiness in the afterlife, but also for the solidity of the minority group of the Ahmadiyyah congregation as well as their form of existence amid the onslaught of negative issues amid the majority religious group in Indonesia.

In line with the basic concept of fiqh for the minority group of the Ahmadiyyah congregation and the correctness of the practice of endogamous marriage and the goals to be achieved, basically it can be measured by *maqāṣid al-sharī'ah* as the goal of Islamic law regulated by the Creator and His Messenger as the basis Islamic law (*sharī'at*). Therefore, Jamāl al-Dīn 'Aṭīyah gives its emphasis on the main thing as the goal of Allah's *sharī'at*. towards all His servants, namely the benefit (*maṣlahah*) achieved by all servants, and can save them from trouble (*mafsadah*).²⁸ Jamāl al-Dīn 'Aṭīyah reform and detailing *maqāṣid al-sharī'ah* into twenty-four then focus on a few spaces, in between: 1) personality, 2) family, 3) general and 4) humanity.²⁹ The specification of *maqāṣid al-sharī'ah* into some of these spaces, it says Jamāl al-Dīn 'Aṭīyah aims to be more specific in its application, so implementation *maqāṣid al-sharī'ah* (*maṣlahah* is right on target and does not favor certain groups and even all particular circles of humanity).

The Implementation of *maqāṣid al-sharī'ah al-usrah* (family) Jamāl al-Dīn 'Aṭīyah in the endogamous marriages practice for the minority group of the Ahmadiyyah congregation includes several stages:³⁰

1. Regulates the Bond of Two Kinds of People (*Tanzīm al-'Alāqah Bayn al-Jinsayn*)

The main objective (*maqṣad*) is to have Islamic shari'a orders to carry out marriages and prohibit relations outside the marriage bond. The minority group of the Ahmadiyyah Congregation with its dating agency named Rishta Nata emphasizes that young Ahmadis

²⁸ Muhammad Thahir Ibn 'Ashur, *Maqasid Al-Shari'ah al-Islamiyah* (Tunis: al-Shirkah al-Tuniziyyah li altawzi', tt). 125

²⁹ Jamal al-Din 'Atiyah, *Nahwa Tafil Maqasid al-Shariah* (Suriah: Dar al-Fikr, 2003). 140

³⁰ Jamal al-Din 'Atiyah., 140-156

who are ready to carry out marriages (*hudam*) with prospective Ahmadi women who also meet the requirements (*lajnah*) to carry out the marriage contract will be carried out as soon as possible, to form a household who is *sakinah-mawaddah-rahmat*, and fulfill their biological desires in a way that is justified by religion so that they avoid actions that harm religion as well as the dignity of Ahmadiyah.

2. Caring for offspring (*Hifz al-Nasl*)

Maintaining generations as a basic argument prohibits sodomy, lesbians, abortion, ejaculation for men and the prohibition of damaging the female uterus whether intentionally or not. The thing that the Ahmadiyyah Congregation believes for the next generation in every family is by carrying out marriages among the Ahmadiyyah Congregation. Apart from being a recommendation, indirectly it is also to maintain the integrity of the Ahmadiyyah Congregation as well as the purity of the Ahmadiyyah generations in the long term so that it is maintained and also guaranteed.

3. Realizing peace, love and affection (*Sakīnah, Mawaddah, Rahmah*)

The basic concepts of *sakīnah*, *mawaddah* and *rahmah* according to the capabilities of each party. The position *sakīnah* is more *d}arūriyyat*, *mawaddah* in scope of *hājiyāt* and *rahmah* in *tahsīniyāt*. the implementation carried out by the Ahmadiyyah Congregation includes areas that are independent/different in understanding in building a religious family and maintaining their ideology by way of endogamous marriage so that they can make a family *sakīnah* (*d}arūriyyat*), *mawaddah* (*hājiyāt*) and *rahmah* (*tahsīniyāt*) also avoid things that damage household happiness, such as separation. Based on that, endogamy marriage/marriage among the Ahmadiyyah congregation has religious behavior in the region *d}arūri* to build *sakīnah* family. because *sakīnah* a family is measured by loyalty to Ahmadiyah to what extent it can be realized.

4. Maintain lineage (*Hifz al-Nasb*)

Protecting lineage in several ways, namely the prohibition of adultery, levying children (*tabannī*), *iddah* orders. The Ahmadiyyah Congregation is based on its belief that maintaining lineage through marriage ties among the Ahmadiyyah Congregation (*kufu*) is an effective way so that the Ahmadiyyah ideology remains in the realm of purity and is carried out. Thus, religious goals as well as organizational goals can be realized.

5. Maintaining Family Religion (*Hifz al-Tadāyun fī al-Usrah*)

Instilling a basic understanding of religion in the family, including within the scope of *ḍarūri* for all Muslims, this is emphasized for the head of the husband as the head of the family to foster according to the guidance of Islamic law. The religious understanding of the Ahmadiyyah Congregation is that it can be carried out as quickly as possible if marriages are carried out only within the Ahmadiyyah Congregation. The practice of marrying non-Ahmadiyah will only complicate the implementation of religion (*at-tadāyun*) in the family environment so building a household will only distance them from religion, even though the main principles of life for the Ahmadiyyah Congregation are carrying out the recommendations of the Islamic religion as well as an organization.

6. Manage Family Organization (*Tanzīm al-Jānib al-Muassasī li al-Ushrah*)

Implementing *maqāṣid* in the scope of family organization includes obligations and rights to the family that must be fulfilled. The Ahmadiyyah Congregation prohibits marriages with other Islamic groups. This arrangement applies to all Ahmadiyah congregations without exception. However, specifically for men, there is still tolerance in being able to marry non-Ahmadi women on the condition that the woman concerned is automatically obliged to obey and respect the teachings of Ahmadiyah. Because women usually in the minority group of the Ahmadiyyah congregation follow what the men say as the head of the family. By marrying fellow members of the Ahmadiyyah Congregation, the implementation of Ahmadiyyah organizational values in the form of the concept of kinship and in-laws is a form of *maqāṣid tanzīm al-jānib li al-usrah* can be adequately achieved.

7. Regulate the family economy (*Tanzīm al-Jānib li al-Ushrah*)

Jamāl al-Dīn 'Aṭīyah about *sharī'at* Islam has other explanations, namely not only regarding family regulations that will focus on social aspects but regulating family life in the economic aspect also needs attention. Economic independence within the Ahmadiyyah Congregation is a top priority scale known from the Ahmadiyyah congregation's professional database. Most are private entrepreneurs (trading), rather than employee professions. This is the potential as well as the strength of the continuity of the organization besides the family. Bearing in mind that the basis of the organization is the loyalty of its membership to donate wealth for the existence of Ahmadiyah; but packaged in blackened form so as not to be too visible.

Ahmadiyyah emphasizes the attitude of solidarity among entrepreneurs within the Amadiyah environment, so that economic rotation remains in the same organizational scope and is maximized. Socio-economic inequality according to the opinion of the Ahmadiyyah Congregation will certainly have an impact on the performance of the Ahmadiyyah organization as well, so that in implementing the shari>'at of Allah SWT, it also pays attention to the socio-economic structure of the Ahmadiyyah Congregation, for example there is one member who still lives below standard. appropriate, then the Ahmadiyyah leadership, through the Ahmadiyyah secretary, is responsible for resolving such problems.

Based on the implementation of maqāsid regarding marriage among members of the Ahmadiyyah congregation indirectly maintains unity among the Ahmadiyah congregation. A wholeness will be stronger if, in their family, a unified vision and mission has been created³¹ that will bring them to harmony. The integrity of the households of the Ahmadiyyah Congregation will not only create a peaceful situation but will also positively impact the organization's existence. The effect of a complete and harmonious family of the Ahmadiyyah Congregation will also strengthen Ahmadiyyah, especially in the savings they will carry out in each family as a form of loyalty and their obligation as members of the Jama'at.³²

Along with the two foundations that they instill in each member of the Jama'at, it is hoped that in addition to being the basic foundation of any possible challenges that exist related to the marriage of members of the Ahmadiyyah Congregation, it will become a special spirit to minimize the occurrence of failures in the household. So that tarbiat and marriage with fellow congregations is an absolute that must be maintained and obeyed by all congregations. Congregational meetings continue to be held regularly, tarbiyat³³ in the *ḥalaqah* format are held regularly, from tarbiyat for generations of children, youth, youth to adults. Especially for

³¹ The unity of vision and mission according to them can only be achieved by marriage among the Ahmadiyya Jama'at. Therefore, marrying another is an encouragement and a form of circumcision against religion and organizations.

³² Abdul Halim Mahally, "Benarkah Ahmadiyah Sesat? Catatan Bagi Umat Islam Indonesia Dalam Menyikapi Gerakan Ahmadiyah Internasional" (Cahaya Kirana Rajasa, 2015). 57

³³ Tarbiyat according to the understanding of the Jama'at, is a source of knowledge for them given by their organization. This Tarbiyat is like a forum for recitation at other Islamic organizations. In its implementation, this tarbiyat forum is open to anyone who wishes and wants to follow it. This special tarbiyat of the Jama'at mother is known as tarbiyat.

housewives, there are tarbiyah with the theme of family, household and the role of parents for their children.³⁴ In addition, the Ahmadiyyah Congregation has an important position which according to them can strengthen them and their families in facing various problems, both in family life and in their organizations, including:³⁵

a. Faith and belief

Priest and believe in Allah's promise that will not leave his creatures who have sacrificed for their religion makes motivation and a sense of enthusiasm in carrying out Islamic orders and navigating the life of his household. No matter how big the obstacle they receive they will face easily.

b. Independence

As for the first time an organization was formed which was not funded by any party, all their activities and movements were taken from members' funds or income, including in household matters which had to be lived with independence and sacrifice towards religion and organization.

c. Breadth of Heart

The principle of broad-mindedness is embedded in the hearts of every member of the Ahmadiyyah Congregation, so that everything that is issued starting from the physical, material and also prayer aspects is voluntary. Sacrificing wealth for the struggle for the advancement of the organization and religion, including destroying the family, is a way of maintaining the integrity of the family and fellow congregation.

Conclusion

The marriage of the minority group of the Ahmadiyyah congregation amid the majority religious group in Indonesia seems to be no different from the marriages practiced by Muslims in general in Indonesia. However, with the limitation of marriages, which can only be carried out by bridegrooms of the Ahmadiyyah congregation, the purpose of the marriage is to strengthen the Ahmadiyyah congregation, maintain the organization's economy, especially the economy of its leaders who have donated themselves to Ahmadiyah besides fulfilling religious

³⁴ Ahmad Munawar dkk, *Bunga Rampai Sejarah Jema'at Ahmadiyah Indonesia.*, 1925.

³⁵ A. Fajar Kurnia, *Teologi Kenabian Ahmadiyah* (Jakarta: Wahana Semesta Intermedia, 2008). 228 lihat juga Muhammad Zafrullah Khan, "Ahmadiyyah The Renainssance of Islam" (Tabshir, 1978). Th.

recommendations, it is quite clear that the difference lies with practice. Muslim marriages in general.

The Implementation of *maqāṣid al-sharī'ah* Jamāl al-Dīn 'Aṭīyah in the endogamy marriage system of Ahmadiyah minority groups, there are seven spaces. *First*, the husband and wife relationship model among the Ahmadiyyah Congregation (*'alāqah bayn al-jinsayn*). *Second*, maintaining the purity and solidity of the Ahmadiyyah Congregation (*ḥifẓ al-nasl*). *Third*, maintaining the happiness of the Ahmadiyyah Congregation's family (*sakīnah, mawadah, rahmah*). *Fourth*, maintaining the purity of the family lineage of the Ahmadiyyah Congregation (*ḥifẓ lineage*). *Fifth*, maintaining the purity of the ideology of the Ahmadiyyah Congregation (*ḥifẓ tadāyun*). *Sixth*, maintaining the family relations of the Ahmadiyyah Congregation (*tanẓīm al-jānib al-muassasī li al-usrah*). *Seventh*, maintaining and anticipating family economic inequality within the Ahmadiyyah Congregation (*tanẓīm al-jānib li al-usrah*).

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