



Nasikh Mansukh's Implications for the Implementation of the Director General of Islamic Guidance's Decree No. 379 of 2018 concerning Marriage Guidance to Prevent Divorce (Study at KUA Panca Rijang District, Sidrap Regency)

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ABSTRACT

Regulation of the Director General of Islamic Community Guidance at the Ministry of Religion Number 379 of 2018 instructs that every man and woman who wishes to get married must follow marriage guidance organized by the Ministry of Religion and accredited Islamic religious organizations. Certain laws will be replaced by new laws in the future, which will then be known as Nasakh Mansukh. This thesis discusses the implications of Nasakh Mansukh for the implementation of the Decree of the Director General of Islamic Community Guidance Number 379 of 2018 concerning Marriage Guidance to Prevent Divorce. The results of this research show that the implementation of marriage guidance (Bimwin) in Panca Rijang District, Sidrap Regency for prospective brides and grooms in creating a sakinah family. Nasakh Mansukh's implications for the implementation of Islamic Guidance Regulation No. 379/2018 regarding marriage guidance does not have Nasakh Mansukh, but rather complements and strengthens the previous regulations and can be said to be bayan taqdir.

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INTRODUCTION

From a juridical perspective, marriage will give rise to a legal relationship which has reciprocal rights and obligations between husband and wife. Apart from this, it is also a religious act that is closely related to a person's spirituality. As a religious matter, every religion in the world has its own regulations regarding marriage. So in principle it is regulated and must comply with the provisions of the religious teachings adhered to by those who will enter into marriage (Abdurrahman and Syahrani 2014)

The basis for organizing this bride and groom course (suscatin) was the issuance of the Directorate General of Islamic Community Guidance regulation No. 542 of 2013, concerning guidelines for the implementation of Suscatin. Orderly administration and implementation, the Suscatin organizing institution must have received accreditation from the Ministry of Religion. The Office of Religious Affairs (KUA) is an institution that has been actively implementing pre-marital education and guidance programs in the form of the Bride and Groom Candidate Course (SUSCATIN). Guidance specifically for prospective brides and grooms is carried out at the Panca Rijang District Religious Affairs Office, Sidrap Regency. The number of couples taking the bride and groom course depends on the prospective bride and groom who have previously

registered with the local Religious Affairs Office (KUA).

Then, through the regulation of the Director General of Islamic Community Guidance (BIMAS) of the Ministry of Religion Number 379 of 2018, it is instructed that every man and woman who wants to get married must take part in marriage guidance (BINWIN) organized by the Ministry of Religion and Islamic religious organizations that have accreditation from Ministry of Religion. The material presented in this marriage guidance implementation program is varied. Starting from preparing yourself for marriage, to ways to resolve conflicts between family members. The implementation of this marriage guidance, as regulated in the implementation guidelines, must be followed by men and women who are going to get married and have registered their marriage at the District Religious Affairs Office (KUA). This activity aims to ensure that prospective brides and grooms know and have the skills to build a household and prevent domestic violence which leads to divorce.

METHOD

The type of research used is qualitative research. Qualitative research is a research technique that emphasizes the search for meaning, understanding, characteristic concepts, indications, images and depictions of a miracle, centered and multi-method, characteristic and holistic, prioritizing quality, using several strategies and displaying. In terms of location, this research is included in field research, where researchers go directly to the research location to collect data from predetermined informants. As for qualitative research, data analysis must go hand in hand with collecting facts in the field. Thus, data analysis can be carried out throughout the research process using the following analysis techniques: 1) Data Reduction. 2) Data Display (Data Presentation). 3) Conclusion Drawing/Verification.

RESULTS AND DISCUSSION

Implications of the Director of Jendral Bimbingaln Malsyalralkalt Islalm number 379 talhun 2018, specifically callon pengalntin this is also give kesaldalraln kepaldal callon pengalntin tentaln alrti the importanceof Participating in the special guidance program with the percentage of workers, age and age of the student's guidance for the graduation of the high school student 40% for the graduation of the student S1.

At least the importance of this guidance for the life of the participants. Hall this is used bythe lbkaln kalrenal to be busyln the participants to prepare for the lkaln perkalwinalnnyal so thatl can notfollow the guidanceln perkalwinaln salmpali alakhir.

Ibn Qalyyim's Thought about the flexibility of the Law of Islam which was formulated in the form of the law of the Istalalm, "The principle of the thought of the Dharma of the Constitution, the Constitution, the Condition of the Movement, the Motivation of the Constitution", the principle of the Constitution, the T This thinking is supported by the lahdalsaln alrgumentalsi yalnng kualt in the examples of yalnng tepalt, yalnng malkalskaln balhwal Law of Islalm salngalt aldaltalble in every rualng, walktu, situatation in condition. So that this theory continues to develop a methodology of istinbalth in the implementation of Islamic Law, to find solutions to legal problems.

This hall is nowin the hands of the Ministry of the Republic of Indonesia (the Ministry of Justice) of the Republic of Indonesia (the Ministry of Justice of the Republic of Indonesia) is the director of the Urus of the Republic of Indonesia. Director General Bimals Islalm Number DJ.II/491/2009 tentalnng course callon, as aresponse to the high level of domestic violence in Indonesian.

Suscaltin dilalksalnalkaln berdalsalrkaln lahdalsaln law Peralturaln Director Generalll Bimals Islalm Depalrtemen Algalmal Number: DJ.II/491 Talhun 2009. Thenthe Director General of the Ministry of Algalmal (BIMAlS) Islalm of the Ministry of Algalmal Number 379 of 2018 regarding the technical instructions of the bimwin balhwal every time the alkaln is in the context of the alkaln melalnngsungkaln in the halrus according to the guidance of the algalmal (BINWIN) which is organized by the Ministry of Algalmal as well as the organization of the algalmalal al-malaln Islalm which has already had the alkreditalization of the Ministry of Algalmal. Director Generalll Bimals Islalm Depalrtemen Algalmal Number: DJ.II/491 Talhun 2009. Then the Director of General (BIMAlS) Islalm of the Ministry of Algalmal Number 379 talhun 2018.

CONCLUSION

The results of this research show that the implementation of marriage guidance (Bimwin) in Panca Rijang District, Sidrap Regency for prospective brides and grooms in creating a sakinah family. Nasikh Mansukh's implications for the implementation of Islamic Guidance Regulation No. 379/2018 regarding marriage guidance does not have Nasikh Mansukh, but rather complements and strengthens the previous regulations and can be said to be bayan taqdir.

REFERENCES

- Albdul Walhalb Khalllalf. 1999. Ilmu Ushul Fikih, Terj. Hallimuddin Jalkalrtal: Rinekal Ciptal.
Albdurralhmaln daln Syalhralni. 2014. Malsallalh-Malsallalh Hukum Perkalwinaln Di Indonesial, Balndung:

- Allumni.
- Alsnaulwi., Mohalmmald. 2014. *Nikalh Dallalm Perbincaingaln Daln Perbedalaln*, Yogyakarta: Dalrussallalm.
- Edwalrd III, George C (edited). 1990. *Public Policy Implementing*, Jali Press Inc, London-Englalnd. Goggin, Mallcolm L et All. 1990.
- Halris Muslim. 2019. ““Pemikiraln Ibnu Qalyyim All-Jaluziyalh (W 751 H/1350 M) Tentalng Perubalhaln Faltwal Daln Relevalnsinyal Dengaln Peneralpaln Hukum Islalm Di Indonesial’”, All-Malshlalhalh Journall Hukum Islalm Daln Pralnaltal Sosiall Islalm, Volume 1 No. 2, 2019.
- Ibn Malnzur. Lisaln All-Alralb (.Beirut: Dalr All-Saldr, Tth.
- Ibnu Qalyyim All-Jaluziyyalh. 1223. I’lalm All-Muwalqqi’in ‘Aln Ralb All-‘Allalmin. Malmlalkalh All-‘Alralbiyyalh All-Saludiyyalh : Dalr Ibn All-Jaluzi. , 1223H.
- Lexy J. Moleong. 2014. *Metode Penelitaln Kuallitaltif*, Balndung: Remaljal Rosdalkalryal.
- M. Quralish Shihalb. 2016. *Menalbur Pesaln Islalmi*, Jalkalrtal: Lental.
- Nipaln., Fuald Kalumal daln. 2017. *Membimbing Istri Mendalmpingi Sualmi*, Yogyakarta: Mitral Usalhal.
- Rofiq., Alhmald. 2014. *Hukum Islalm Di Indonesial*, Jalkalrtal: Raljal Grafindo Persaldal.
- Rusdalyal Balsri. 2018. ““Urgensi Pemikiraln Ibnu All-Qalyyim All-Jaluziyyalh Tentalng Perubalhaln Hukum Terhaldalp Perkembalngaln Sosiall Hukum Islalm Di Lingkungaln Peraldilaln Algalmaal Wilalyalh Sulalwesi Selaltaln’ Diktum: Journall Syalri’alh Daln Hukum, Volume 16, Nomor 2 Desember 2018.
- Subhi Shallih. 1990. *Membalhals Ilmu-Ilmu All-Qur’aln*, Jalkalrtal: Pustalkal Firdalus.
- Sugiyono. 2018. *Metode Penelitaln Pendidikaln Pendekaltaln Kualntitaltif, Kuallitaltif R Daln D. Balndung: Allfalbetal, Balndung.*
- Suhalrsimi, Alrikunto. 2016. *Proses Penelitaln Sualtu Pendekaltaln*. Jalkalrtal: Rinekal Ciptal.
- Talufiqul Halkim. 2004. *Kalmus All-Talufiq*, Jeparal: Dalrul Fallalh.
- Yusuf Qalrdhalwi. 2003. *Membumikaln Syalri’alt Islalm Keluwesaln Alturaln Ilalhi Untuk Malnusal. Balndung: Mizaln Pustalkal.*