

***Kawin Ajum* in Jambi, Indonesia: Socio-Legal and Islamic Law Perspectives on Cultural and Religious Heritage**

Yuliatin

UIN Sulthan Thaha Saifuddin Jambi, Indonesia
E-Mail: yuliatin@uinjambi.ac.id

Ghina Nabilah Effendi

UIN Sulthan Thaha Saifuddin Jambi, Indonesia
E-Mail: ghinanabilah.effendi@uinjambi.ac.id

M. Kamal Fathoni

Universitas Jambi, Indonesia
E-Mail: kamalfathoni@unja.ac.id

Kholil Syuaib

UIN Sulthan Thaha Saifuddin Jambi, Indonesia
E-Mail: kholil_syuaib@uinjambi.ac.id

Al Fauzi Rahmat

Hungarian University of Agriculture and Life Sciences (MATE), Gödöllő, Hungary
E-Mail: rahmat.al.fauzi@phd.uni-mate.hu
DOI: 10.18326/ijtihad.v25i1 165-189

This article analyses the socio-legal and Islamic law perspectives on the “*Kawin Ajum*” tradition in Seberang Jambi, a marriage custom arranged by parents or families without the prior consent of the prospective bride and groom. The study aims to investigate the underlying reasons for the continuation of this practice and its compatibility with Islamic legal principles. Employing a qualitative method with a juridical-empirical and sociological approach, the research draws on fieldwork conducted in Seberang Jambi City, an area characterised by strong Islamic and Malay cultural heritage. Data were collected through interviews and literature analysis. The study applies the Islamic legal sociology framework as developed by Kyai Munawwir in Tafsir al-Munawwir and the concept of social *fiqh* grounded in *maqāṣid al-shari‘ah*, particularly as interpreted by Maimoen Zubair and Ahmad Warson Munawwir. This research reveals that *Kawin Ajum* persists due to the desire to protect local lineage, familial familiarity with the prospective in-laws’ background, and cultural conformity across Jambi. From an Islamic legal standpoint, such marriages are considered valid provided they do not violate principles of *ijbār*, including *kafā’ah* (compatibility), consent, and absence of conflict. The study underscores the importance of community dialogue and deliberation as essential in maintaining both cultural values and Islamic legal integrity.

Artikel ini menganalisa perspektif sosio-hukum dan hukum Islam tentang tradisi “*Kawin Ajum*” di Seberang Jambi, sebuah adat perkawinan yang diatur oleh orang tua atau keluarga tanpa persetujuan terlebih dahulu dari calon pengantin. Penelitian ini bertujuan untuk menyelidiki alasan yang mendasari kelanjutan praktik ini dan kesesuaiannya dengan prinsip-prinsip hukum Islam. Dengan menggunakan metode kualitatif dengan pendekatan yuridis-empiris dan sosiologis, penelitian ini mengacu pada investigasi yang dilakukan di Kota Seberang Jambi, sebuah wilayah yang dicirikan oleh warisan budaya Islam dan Melayu yang kuat. Data dikumpulkan melalui wawancara dan analisis kepustakaan. Penelitian ini menggunakan kerangka sosiologi hukum Islam sebagaimana yang dikembangkan oleh Kyai Munawwir dalam Tafsir al-Munawwir dan konsep *fiqh* sosial yang didasarkan pada *maqāṣid al-shari‘ah*, khususnya sebagaimana ditafsirkan oleh Maimoen Zubair dan Ahmad Warson Munawwir. Kajian ini mengungkap bahwa *Kawin Ajum* masih lestari karena keinginan untuk melindungi garis keturunan setempat, keakraban keluarga dengan latar belakang calon mertua, dan kesesuaian budaya di Jambi. Dari sudut pandang hukum Islam, perkawinan semacam itu dianggap sah asalkan tidak melanggar asas *ijbār*, termasuk *kafā’ah* (kesesuaian), kerelaan, dan tidak adanya konflik. Kajian ini melihat dialog dan musyawarah masyarakat sebagai hal yang penting dalam menjaga nilai-nilai budaya dan integritas hukum Islam.

Keywords: *Ajum marriage; ijbār; sociological Islamic law*

Introduction

The family is widely recognised as the foundational unit of society (Olim and Meirkhan, 2025), and the formation of a strong generation is essential to building a resilient nation (Djuned and Husna, 2020). Academic interest in family studies has increased significantly in recent years (Stevens and He, 2022, Zhang et al., 2022, Alayo, Iturralde and Maseda,

2022 and Scholes et al., 2021), particularly in relation to marriage as the initial stage of family formation. In Islamic teachings, marriage is regarded as a sacred institution that facilitates lawful relationships, prevents immoral behaviour, and supports the continuation of the lineage (Shahu, 2024). The Qur'an (Ar-Rum: 21) highlights that Allah created human beings in pairs to foster tranquilly and affection in life.

The aim of marriage in Islam is to cultivate a harmonious family that reflects the values of peace, compassion, and devotion to Allah SWT (Madina, Ali and Puspita, 2023). An Islamic household forms a microcosm of society, governed by spiritual and ethical principles. Marriage is not only a right but also a social and moral necessity that ensures the survival of human life and the transmission of religious and moral values (Mubarik, and Ulum, 2024 Yuliatin et al., 2025).

However, not all marriages are based on mutual consent. In various regions of Indonesia, marriage is sometimes initiated by parental arrangement or compulsion, often involving minors who may lack the maturity to fully understand marital responsibilities (Shahu, 2024). In Madura, the practice known as *bhakat eko-akoaghi* involves arranging marriages even before birth (Sa'dan, 2015; Mahfudin & Musyarrofah, 2019). In Sumbawa, *samulung* refers to marriages arranged without the children's knowledge (Lives, 2018) Peru, Vietnam and the Indian states of Andhra Pradesh and Telangana, while the Banjar community practices *kawin anum*, with early marriages encouraged to avoid social stigma associated with remaining single (Kartika, Darwin, and Sukamdi, 2020). Similarly, in Sumenep, the *tangkebban* tradition describes forced marriages that proceed despite family disapproval of the relationship (Irawan, 2020).

Such traditions have drawn criticism, particularly for their impact on women, who are often disproportionately affected. Forced marriage, including practices such as "captured marriages" dating back to the royal era, can result in significant psychological harm and high divorce rates when couples are unprepared for marital life (Hutagaol, 2021). When marriage is motivated more by social pressure than individual agency, it raises serious ethical and legal concerns (Ama, 2017; Santoso and Jafar, 2022). Syafingi (2020) notes that while forced marriage is rooted in cultural tradition, it implicates fundamental human rights, particularly the right to choose one's partner.

Within this broader context, the *Kawin Ajum* tradition in Seberang Jambi presents a more nuanced case. While it involves family-arranged matchmaking, it is generally not characterised by coercion. The practice serves as a mechanism for selecting appropriate spouses from within the same cultural and religious community (Mubarik and Ulum, 2024). Families consider criteria outlined in hadith and classical Islamic jurisprudence, including wealth, lineage, physical appearance, and religious commitment (Ministry of Religious Affairs, Indonesia). Choosing a partner from a familiar family is believed to uphold lineage, preserve social harmony, and ensure shared religious values (Jailan and Kusrin, 2023).

Research has shown that marriage without adequate emotional, psychological, and material preparation often leads to conflict and instability (Masruh, 2020; Ningsih et al., 2020). Although *Kawin Ajum* is occasionally justified within Islamic discourse as a form of *ijbar* (guardianship-based marriage), the absence of genuine consent risks violating the principle of mutual agreement central to Islamic marriage (Lives, 2018; Yakub, 2020; and Vinabilah et al., 2024). When consent is absent, such marriages may be categorised as *ikrah* (coerced), which Islamic scholars widely consider invalid or at least ethically problematic.

The *Kawin Ajum* practice, found particularly in the Malay community across the Batanghari River in Jambi, reflects a balance between cultural preservation and religious adherence. While it allows families to ensure compatibility and uphold traditional values, it also raises questions about individual autonomy and evolving marital norms (Abdullah, 2022). Importantly, *Kawin Ajum* differs from punitive forced marriage practices, such as those examined by Madina, Ali, and Puspita (2023), which are often imposed as customary sanctions for social transgressions. In contrast, *Kawin Ajum* focuses on proactive matchmaking to maintain family lineage and cultural continuity.

Further distinction is seen in traditional wedding customs in Batanghari, which involve elaborate ceremonies with symbolic rituals that sometimes diverge from Islamic norms (Abdi, Anita and Hardi, 2020; Mubarik and Ulum, 2024). In comparison, *Kawin Ajum* emphasises the matchmaking process rather than ritual, with family involvement taking precedence over individual choice (Hafidzi and Septiani, 2020; Halim, Al Amruzi and Jalaluddin, 2024).

Although *Kawin Ajum* reflects cultural values of kinship and religious propriety, its continued relevance in contemporary society necessitates critical reflection. As Indonesia grapples with modern conceptions of rights and consent, traditions such as *Kawin Ajum* must be evaluated through the dual lenses of Islamic jurisprudence and sociocultural transformation. This research examines *Kawin Ajum* within that dynamic intersection between preserving communal identity and respecting individual autonomy under Islamic legal frameworks.

Method

This qualitative research adopts a juridical-empirical and sociological approach to examine the *Kawin Ajum* tradition in Seberang Jambi. It integrates the Fiqh Sosial theory developed by Kyai Munawwir and further articulated by his successors at the Pesantren Krapyak. Kyai Munawwir's epistemology is rooted in the belief that Islamic law must be contextualised within the social realities of its time. Fiqh, in this framework, is not merely a set of normative rules but a product of interaction between sacred texts and evolving societal dynamics.

Although Kyai Munawwir is primarily known for his contributions to *qirā'āt*, his socio-legal thought, particularly on contextualised Islamic jurisprudence, was significantly expanded by his students, including Ali Maksum, Maimoen Zubair, and Ahmad Warson Munawwir. These scholars emphasised the application of *maqāṣid al-sharī'ah* (objectives of Islamic law), particularly justice, public welfare, and the relevance of local contexts, as guiding principles for interpreting fiqh (Huda, 2020; Solichah, 2021; Arif and Pratama, 2021; Pondok Pesantren Almunawwir, 2025). Within this intellectual tradition, this research assesses *Kawin Ajum* not solely as a legal contract but as a socio-ethical practice requiring considerations of *riḍā* (consent), *ʿadl* (justice), and *maṣlaḥah* (benefit). The juridical-empirical dimension evaluates the extent to which the tradition aligns with Islamic legal norms, while the sociological approach explores its implications for social harmony, family structure, and cultural continuity in the Seberang Jambi community.

Data was conducted through semi-structured interviews with six informants, three traditional leaders and three community members, supplemented by a review of relevant literature on Islamic law and Malay customary practices. Thematic analysis was employed to

interpret the data, focusing on how the bar (guardian authority) principle is contextualised within the *Kawin Ajum* tradition. This research argues that the practice, while culturally rooted, must be critically examined considering Islamic legal values and evolving understandings of individual autonomy. Drawing on Fiqh Sosial, it advocates for a model of marriage that balances tradition with ethical integrity and social welfare.

Marriage in Islam

Marriage is a fundamental aspect of human life, encompassing both social and juridical dimensions (Madina, Ali, and Puspita, 2023). From a social perspective, marriage holds significant importance as it establishes a formal bond between two individuals of different genders, a husband and wife, forming a family that can eventually grow into a community group (Shahu, 2024). Juridically, marriage creates a legal relationship involving reciprocal rights and obligations between husband and wife. Moreover, marriage is a religious act deeply connected to one's spirituality, as a religious matter, marriage is governed by specific rules that should adhere to the principles of religious teachings (Yasin et al., 2024).

Allah has taught the concept of building a family since the first humans were sent down to earth, Prophet Adam and Hawa. Allah instructed the Prophet Adam and Hawa to make a commitment to work together in carrying out and fulfilling biological and spiritual needs (Batchelor, 2017; Arifin, 2023). Among the concepts about marriage and building a family that Allah has explained are those contained in surah Ar-Rum verse 21, which discusses the power of Allah, who created humans in pairs, hence humans can feel affection and peace between each other.

Based on the words of Allah, it can be understood that the existence of marriage between a pair of people of opposite sexes (male and female), will enable the family that is formed to bring peace to the family (Usman and Jafar, 2024). The calm in question is a feeling that is felt in the human heart and then gives rise to happiness if they love and care for each other's family members. There are others who define marriage according to the opinion of Fiqh Ulama (Mulyono, Ayuniyyah, and Ibdalsyah, 2022), this term is stereotyped because it states that marriage is a contract regulated by religion to give a man the right to a woman and her entire body for sexual enjoyment as the primary purpose of

marriage (Darussamin, Armansyah and Zikri, 2023).

By uniting two people from different families, with Allah's grace and permission, they can develop into a large family (Sholeh, Saputra and Manurung, 2021). A family consisting of a father, mother, and children can add more family members through marriage and give birth to quality generations as described in the Quran (Shahu, 2024; Olim and Meirkhan, 2025). A. (2024). Every person from various generations must have the desire to leave behind a strong and quality generation to face life's various obstacles and survive with the times, as Allah says in surah An-Nisa' verse 9. Words such as leaving behind them weak children in the verse above, make it clear that we must leave a strong and qualified generation. This is also related to the functions of the family as explained in the Quran thematic interpretation of the Ministry of Religion of the Republic of Indonesia.

Religious Functions, based on a hadith narrated by Imam Bukhari which essentially refers to the commandment for a Muslim to marry, if you do not wish to marry or start a family then you do not want to be part of the *Ummah* of the Prophet Muhammad. *Economic Function*, this means that the generation left behind can utilize and adapt their needs to existing resources effectively (Khatun, Islam, and Latif, 2022; Saimun, Hanafi, and Nuansari, 2023). *Social Function*, a family prepares its generation to be able to enter social life and neighbors and be able to differentiate between associations that are good for them and associations that do not bring good for them. *Rescue Function*, the function of a family is applied by each family member in order to always maintain the quality of their generation (Nasrullah, Indarti and Ghufrani, 2024). In accordance with the content of the previous surah An-Nisa' verse 9. Because the matter of protecting the family is also emphasized by Allah in Surah At-Tahrim verse 6, which contains Allah's command to protect oneself and one's family from the torment of hellfire, for this reason, parents must teach their children always to worship Allah and stay away from all Allah's prohibitions (Hidayat, Ahmad, and Basuki, 2023).

If everyone who wants to start a family knows and carries out all the family functions mentioned, then a harmonious family atmosphere will undoubtedly be created, and a peaceful social life will also be realized because the family is the smallest part of the community group. The primary goal of marriage, as stated in Bukhari No. 5066, is reflected in the concept of

sakinah, derived from the Quranic term in Surah Ar-Rum (30:21), which means peace and tranquility. This sense of tranquility is achieved through the fulfillment of sexual needs, leading to the idea that marriage should not be overly complicated (Shahu, 2024). Troubled marriages should be resolved promptly through divorce, and those who are divorced should be allowed to remarry freely. In Indonesia, as the world's largest Muslim-majority country, marriage traditions have unique characteristics (Mubarik and Ulum, 2024). Marriage is regarded as a crucial milestone in the lives of Indonesian Muslims, one that must be valued and preserved at all costs (Halim, Al Amruzi and Jalaluddin, 2024). Communities and government institutions undertake numerous efforts to uphold and sustain Muslim families (Yuliatin et al., 2025).

Kawin Ajum in Seberang Jambi

Among several factors that cause a marriage to occur is an order from the parents of both parties (Madina, Ali and Puspita, 2023). This is what led to the emergence of the term "*Kawin Ajum*" in the Seberang Jambi area. The word *ajum* means "order or command". This word is often used by the people of Jambi, especially those who live across the Batanghari river because the native Malay people of Jambi generally live in that area (Abdi, Anita and Hardi, 2020).

The customs and nuances of Islam in this region are still powerful; there is an event related to marriage, which is a hereditary custom of the Malays of Seberang Jambi. This is a marriage entered into by a couple due to the wishes of the families of both parties. This event was later called "*Kawin Ajum*", which means getting married because the family was asked to do so (Abdi, Anita and Hardi, 2020). According to Muk Fauzi's story (2022), although this marriage was initially arranged by the family, the union that emerged from this arrangement fostered mutual affection and endured, ultimately resulting in the birth children and grandchildren. The narrative indicates that individual typically selected for marriage are residents of Seberang Jambi.

Fatimah (2022), a Tanjung Johor, Pelayangan subdistrict, Jambi resident, added that this marriage between fellow Seberang Jambi residents was intended to protect children of native Jambi-Malay descent. On average, men can read the Koran and understand religion (Madina, Ali and Puspita, 2023). As for girls, they have been accustomed to doing

housework since childhood, unlike girls from cities in general (Ahmad, Baig and Hussain, 2022). Therefore, rather than the generation that has been educated leaving the village and eventually having many immigrants fill the village, the children of Seberang residents are simply married off (Yuliatin et al., 2023; Mubarik, and Ulum, 2024).

Furthermore, Abdurrahman's narrative further strengthens that *Kawin Ajum* exists because of the family's desire to get the best candidate for their child, especially candidates from fellow Seberang Jambi residents. In fact, it is possible that the potential partner will not come from the native Seberang Jambi community (Nasrullah, Indarti and Ghufrani, 2024). The main factor that considers this is, in accordance with the criteria explained by the Prophet which was conveyed by Imam Shafi'i: wealth, lineage, appearance, and religion. Finding a potential partner for their child whose families also know each other clearly meets the second of the four criteria (Hidayat, Ahmad and Basuki, 2023). Moreover, the chosen candidate still has distant family ties and is knowledgeable about religion, so there is no reason not to match their children (Abdurrahman, 2022). To date, the *Kawin Ajum* tradition continues to be practiced in Seberang Jambi (Ningrum, Wahyuni, and Ramli, 2025).

However, it is not as strict as in the past, where if it is not followed, the child's family will be angry and will not even talk to them. The adj marriages currently being held in Seberang consider what the bride and groom think; if they refuse and have another candidate, they can marry the partner they want (Chandra et al., 2024). It would be even better if both partners agree with the orders or aides requested by the family, then the whole procession will be made easier, and both families will be happy to receive their son-in-law (Fadlaini, 2022). This matter regarding the validity of the *Kawin Ajum* law, is strengthened by the opinion of Sayyid Abu Al-Hasan Al-Isfahan in his Al-wash in the *Zawaj* chapter, he states that a contract will be better and more valid if one's own will does it (Redaksi, 2018). If both or one of them is forced, then the contract is invalid, but if the coercion is accompanied by the willingness of the person being forced, then, according to a stronger opinion, the contract is valid (Ihsan, 2019).

Sociological Perspective of Islamic Law

Kawin Ajum is a marriage tradition arranged by families based on lineage, religion, and social

considerations. The process begins with finding a suitable partner, followed by a family discussion to ensure compatibility. If both families agree, the groom's family formally proposes to the bride through the *Madam Ajum* ceremony. This tradition has evolved, allowing the prospective bride and groom to express their consent or refusal, making the practice less coercive than in the past. Once the proposal is accepted, the wedding takes place with an Islamic marriage contract (*akad nikah*), followed by a traditional Malay Jambi reception, including the bride's welcoming ceremony and *Tepuk Tepung Tawar*, a blessing ritual (Ningrum, Wahyuni and Ramli, 2025). Then, couples typically adapt to life within the extended family, preserving cultural continuity and family values. With these changes, *Kawin Ajum* has become more flexible, maintaining its cultural heritage while aligning with Islamic teachings and individual rights in marriage (Chandra et al., 2024).

Changes in the *Kawin Ajum* tradition, according to traditional and community leaders in Seberang Jambi, have developed. The shift in partner selection is one of the main changes (Yuliatin et al., 2025). If previously partners were chosen entirely by the family, now the bride and groom have a say in choosing their life partners. Interviews with the younger generation showed that 78 percent prefer contemporary methods, such as getting to know each other before marriage (Mubarik, AM and Ulum, 2024). In addition, the role of religion in marriage is becoming clearer as clerics emphasize how important it is for both parties to be happy with each other during marriage. "Islam teaches that marriage should be based on the consent of both parties, not coercion", said a religious figure. The social and economic impacts show that interaction between prospective brides and grooms is very limited; more families now allow introductions with certain restrictions, such as Islamic *ta'aruf* (Ibrahim, 2021). Educational and financial factors are also very important when choosing a partner.

Field studies found that 65% of parents consider prospective partners' financial stability and education before agreeing to their child's marriage (Vinabilah et al., 2024). This shows that values have changed from simply maintaining lineage to being more practical and logical. The changes in the *Kawin Ajum* tradition shows social dynamic in the Seberang Jambi community. These changes occur gradually and maintain cultural elements that are considered important, which 40% still exist, such as respect for parents, family deliberations, and customary rituals. Meanwhile, 60% have changed, such as how partners are chosen,

how the bride and groom participate in decision-making, and the role of education and finance in marriage (Mubarik, and Ulum, 2024).

Marriage in Islam is fundamentally viewed as *ibahah* (permissible), which becomes *sunnah* (commendable) when the intention aligns with worship and avoiding sinful behavior (Khalid Shahu, 2024). According to classical Islamic jurisprudence, marriage is even discouraged (*makruh*) if the groom is financially incapable of fulfilling marital obligations, such as providing a dowry, regardless of its simplicity (RaibulBugha, 1978). This balanced approach reflects Islam's adaptability to both spiritual and societal needs, prioritizing the establishment of a family as a source of *sakinah* (tranquility), as emphasized in Surah Ar-Rum (30:21).

Forced marriage in Islamic jurisprudence is largely addressed under the concept of *ijbar*, where a guardian, typically a father or grandfather, has the authority to arrange the marriage of a dependent child (Rofi and Azmin, 2024). Imam al-Syafi'i permitted this practice under specific conditions, such as ensuring the suitability of the groom (*kufu'*), the ability to pay a dowry, and the absence of hostility between the parties involved (Prastio and Lubis, 2023). However, Kyai Munawwir argues that *ijbar* should be applied sparingly and only in situations where it aligns with *maslahah* (benefit), such as preventing harmful unions like interfaith marriages involving non-Muslims (Almunawwir, 2025). This position reflects a more nuanced understanding of guardianship that prioritizes the well-being of the bride over rigid application of authority.

While classical jurisprudence emphasizes the role of guardians, modern interpretations increasingly highlight the importance of individual consent (Halim, Al Amruzi, and Jalaluddin, 2024). Imam al-Syafi'i differentiates between the silence of a virgin as implicit consent and the explicit approval required from a widow (Qohar et al., 2022). This distinction ensures that the marriage contract respects the autonomy and well-being of the woman involved, aligning with broader principles of justice and mutual agreement in Islamic law.

Building on George Simmel's sociological theory, marriage is framed as a dynamic process of interaction that fosters cohesion between families and communities (Khatun, Islam, and Latif, 2022). In the context of *Kawin Ajum* in Seberang Jambi, this tradition serves to strengthen familial bonds and preserve cultural identity while ensuring that

Islamic values are maintained. Although some aspects of *Kawin Ajum* may align with *ijbar*, its continued practice depends on the willingness of the bride and groom, thereby avoiding coercion (*ikrah*). This indicates a shift from rigid guardianship models toward a more inclusive and consultative approach (Umam, Al Humaidy, and Amrulloh, 2024).

Basically, many hadiths discuss the right to choose a mate and an *ijbar* right. Furthermore, based on the following history, Asman explains:

“Any woman who marries without the permission of her guardian, then her marriage is void, then her marriage is annulled. If he has had sexual relations, then he is entitled to a *mitsil* dowry (matching dowry), because he considers the sexual relations *halal*. If they are hostile, the sultan (judge) becomes guardian for women who do not have guardians (Asman, 2024).

According to Imam Syafi’i, in this hadith, explains that there are differences in the way of expressing permission or agreement between a woman who is still a virgin and a widow (Andiko, Nurdin, and Abdul Malik, 2023) then analyze the *maqasid sharia* in it and the relevance of its application in the modern era. This type of research is qualitative in the form of normative legal research using library research methods. Source data was taken through documentation. As for data analysis, it was used as thematic and inductive with a historical and philosophical approach. The research results concluded that the wali’s right to *ijbar*, according to Imam Shafi’i is the father’s right to force his daughter to marry or forbid her daughter from marrying a man as a form of protection and responsibility under certain conditions. Wali mujbir are divided into two groups: (a. A virgin expresses her consent through silence and a widow’s consent is expressed through speaking (Abubakar, Nurlaelawati, and Wahib, 2022). Meanwhile, Ibn Mundzîr confirmed that regarding the issue of a virgin’s expression of consent with her form of silence, it is recommended to confirm it again to the person concerned, that her silence is her consent. If the woman does not know that her silence constitutes her consent even after the contract has taken place, then according to *jumhûr ulama*. *Jumhûr ulama* is the opinion of the majority of ulama from the main schools of Islam (Hanafi, Maliki, Syafi’i, Hanbali). This opinion is often applied as the main reference in *ijtihad* and *fatwa* when there is no explicit argument (Turmuzi et al., 2025) and the contract is not void (Rahman, 2024). Such differences in interpretation are intended as clarity that the woman’s consent (with silence) leads to her

willingness, hence she can be married. But if it leads to a form of rejection, then he cannot be married (Darussamin, Armansyah, and Zikri, 2023).

Imam Syafi'i states that a girl's consent is not mandatory, because if a father cannot marry off his girl child without his daughter's permission then it seems as if there is no difference between a girl who is still a girl and a woman who is a widow (Ahmad, Baig, and Hussain, 2022). However, he determined that a guardian's right to *ijbar* is based on love for the child he is marrying (Ihsan, 2019). It is even better if the right of *ijbar* is accompanied by the consent of the child, then as Sayyid Abu Al-Hasan Al-Isfahani in his *Al-Wasilah* in the *Zawaj* chapter states that the validity of a contract is conditioned on the will of the bride and groom (Misbachul and Zumrotun, 2023). If both or one of them is forced, then the contract is invalid, but if the coercion is accompanied by the willingness of the person being forced, then, according to a stronger opinion, the contract is valid (Ihsan, 2019).

The definition of forced marriage is dualistic. Forced marriage is often equivalent to *ijbar* when a father or grandfather compels a girl to marry without her consent, provided the groom is her equal, pays the dowry in cash, and there is no hostility between the parties (Yusriana, 2021). If the four conditions above are not met, then the marriage that takes place cannot be called *ijbar*, but rather *ikrah* (threat) (Arif and Pratama, 2021). According to Kyai Munawwir (2025), forced marriage is currently still necessary in some situations, for example in emergencies (Solichah, 2021), or when a child asks his parents for permission to marry a non-Muslim partner. In such circumstances, the right of *ijbar* is still relevant to apply. However, it is best to avoid forced marriages by parents or family. The way to avoid forced marriages is to invite consultation (Olim and Meirkhan, 2025; Yuliatin et al., 2025).

Strengthening the opinion of Kyai Munawwir, Kiai Zaky Muhammad Hasbullah, The Grandson of Kyai Ali Maksum, explained that if the event of forced marriage continues, it is known that it will harm the purpose of marriage as shown in the Qur'an or Hadith, who wants to be offered forced marriage, if it means forced marriage is *ikrah*. If forced marriage is defined as *wilayatul ijbar* then according to *fiqh* it is legal (Asmara, 2021).

Simmel (cited in Octavia, 2016) explains that interaction is the cause of the emergence of a group of people, not because a group of people just remain silent. It is not important how many people interact, what important the interaction is. Through reciprocal interaction,

individuals relate to each other and influence each other, and society will emerge. For example, a group of people is waiting for a bus, then one person sees and says that the bus they have been waiting for has arrived, then communication occurs between them. This is called temporary interaction by Simmel (Staudacher, 2023).

According to Simmel's perspective, marriage serves as a significant form of social interaction that is essential for reinforcing relationships among familial groups, which initially operate in relative isolation but subsequently engage in frequent interaction (Staudacher, 2023; Liu, 2024). Similarly, the practice of *Kawin Ajum* is observed in Seberang Jambi. Although there are instances where marriages occur between families with pre-existing close ties, such unions continue to foster positive social interactions among families. In examining the context, the *Kawin Ajum* tradition in Seberang Jambi, which involves the marriage of Malay natives as well as non-Malay residents, has frequently been associated with *ijbar* in Islamic jurisprudence. This practice is deeply entrenched in the cultural norms of the region, wherein parents or guardians arrange marriages for their children with the objective of preserving familial and cultural integrity, particularly about safeguarding the descendants of native Jambi Malays. Despite its traditional characteristics, a critical aspect of assessing whether this practice aligns with Islamic law is the voluntary consent of both the bride and groom, which plays a pivotal role in determining its validity under the stipulations of *ijbar*.

According to Islamic law, *ijbar* refers to a situation where a guardian, typically a father or grandfather, has the authority to arrange a marriage for a minor or someone under their care, provided that certain conditions are met (Yasin et al., 2024). Recent scholarship, such as that by emphasizes that *ijbar* should not be misinterpreted as forced marriage, but rather as a protective measure intended to safeguard the interests of the individual involved. In the case of *Kawin Ajum*, as explained by local residents, the practice is not a result of coercion but is carried out based on mutual agreement between the parents and the prospective bride and groom, with the emphasis on their willingness. This dynamic suggests that, as long as the marriage does not occur out of parental hatred or malice toward the child, and the union does not lead to harm or the erosion of Islamic values, it can be deemed lawful according to the principles of *ijbar* (Mohd and Kadir, 2020).

Furthermore, studies on the sociocultural implications of forced marriages highlight the importance of context in interpreting marriage laws. In a study on forced marriages in Islamic communities, Kyai Munawwir (2025) asserts that Islamic law accommodates the flexibility needed for the marriage to serve societal benefits (*maslahah*), provided that the bride and groom's well-being is not compromised. In the case of *Kawin Ajum*, if the practice is conducted with the intention of protecting family integrity and ensuring the compatibility of the couple while maintaining the welfare and rights of both parties it does not contravene the basic tenets of *ijbar* and remains permissible. In light of the Qur'anic injunctions about marriage, such as the requirement for harmony and peace between spouses (Surah Ar-Rum, 30:21), the intention behind *Kawin Ajum* must align with creating a stable and peaceful household. If the marriage is based on respect and care for the individuals involved and seeks to uphold societal values, then can be seen as consistent with Islamic law. Prominent scholars argue that marriage must be based on mutual consent, and while parental involvement is not inherently problematic, it should not overpower the autonomy of the bride and groom.

Conclusion

Marriage is a sacred institution that demands mutual responsibility and voluntary commitment from both partners. Its primary purpose is to fulfil religious devotion to Allah, prevent immoral conduct, and ensure the continuity of future generations in upholding Islamic values. Therefore, marriage should ideally be based on mutual consent, not coercion, except in unavoidable circumstances.

The continued practice of *Kawin Ajum* in the Malay community of Seberang Jambi is driven by three main factors: the desire to protect the lineage of native descendants, familial familiarity with prospective in-laws, and the ease of cultural adaptation within local customs. From the perspective of Islamic legal sociology, *Kawin Ajum* remains valid as long as it complies with the conditions of *ijbar*, which include the groom being *kafa'ah* (socially equal) to the bride, payment of the dowry in cash, absence of hostility between the bride and groom, and no enmity between the bride and her guardian. Ideally, this tradition should function as a familial.

Bibliography

- Abdi, F., Anita, E. and Hardi, E.A. (2020) 'The Adat Litigation and Adultery Sanctions In Batanghari-Jambi Province', *Jurnal Hukum Islam*, 18(2), pp. 235–249. Available at: <https://doi.org/10.28918/jhi.v18i2.2766>.
- Abdullah, S. (2022) *Ditinggal kabur tempati peringkat kedua alasan perceraian di Jambi, Antara Jambi*.
- Abubakar, F., Nurlaelawati, E. and Wahib, A.B. (2022) 'Interpreting bulugh: Enhancement of women's rights through management of marriage within Salafi community in Wirokerten, Yogyakarta', *Indonesian Journal of Islam and Muslim Societies*, 12(1), pp. 139–163. Available at: <https://doi.org/10.18326/ijims.v12i1.139-163>.
- Aditya, R. I. & L.B. Waddington (2021), 'The Legal Protection Against Child Marriage in Indonesia', *Bestuur*, 9(2), pp. 126-134. Available at: <https://doi.org/10.20961/bestuur.v9i2.55144>
- Aghbary, F., et al (2024) 'Rights of women in the establishment and dissolution of marriage in Oman: between CEDAW and sharia perspective', *Legality : Jurnal Ilmiah Hukum*, 32 (1), pp. 33-50. Available at: <https://doi.org/10.22219/ljih.v32i1.31493>
- Ahmad, W., Baig, K. and Hussain, D.S. (2022) 'Role of Wali in Contract Marriage of Islam: A Critical Analysis', *Journal of Law & Social Studies*, 4(3), pp. 409–418. Available at: <https://doi.org/10.52279/jlss.04.03.409418>.
- Alayo, M., Iturralde, T. and Maseda, A. (2022) 'Innovation and internationalization in family SMEs: analyzing the role of family involvement', *European Journal of Innovation Management*, 25(2). Available at: <https://doi.org/10.1108/EJIM-07-2020-0302>.
- Almunawwir (2025) 'KH Ahmad Warson Munawwir Sang Penyusun Kamus Legendaris', pp. 1–10.
- Ama, S.Z. (2017) 'Pernikahan Kekerabatan Bani Kamsidin (Studi Kasus Pernikahan Endogami Di Jawa Timur Tahun 1974-2015 M)', *JUSPI (Jurnal Sejarah Peradaban Islam)*, 1(2). Available at: <https://doi.org/10.30829/j.v1i2.1207>.
- Andiko, T., Nurdin, Z. and Abdul Malik, A. (2023) 'Reactualization of Wali Mujbir in The Modern Era: Maqasid Sharia Analysis of Imam Shafi'i's Concept Regarding Wali's Ijbar Right', *Al-Risalah: Forum Kajian Hukum dan Sosial Kemasyarakatan*, 23(2), pp. 274–

291. Available at: <https://doi.org/10.30631/alrisalah.v23i2.1403>.
- Andurahman (2024), personal interview in Ulu Gedong, 23 August.
- Arif, D. and Pratama, N. (2021) 'Manajemen Spiritual di Pondok Pesantren Al Munawwir Krapyak Yogyakarta', 3(2).
- Arifin, M.L. (2023) 'Bagaimana Siti Hawa Tercipta: Perspektif Tafsir Al-Qur'an', *Jurnal Penelitian Agama*, 24(2), pp. 225–241. Available at: <https://doi.org/10.24090/jpa.v24i2.2023.pp225-241>.
- Asman (2024) 'Comparative Analysis of the Istibath Methods of the Shafi'i and Hanafi Schools Regarding the Role of the Wali Mujbir in Marriage Law', *Al-Ahkam: Jurnal Ilmu Syari'ah dan Hukum*, 9(1), pp. 29–46. Available at: <https://doi.org/10.22515/alakhkam.v9i1.9447>.
- Asmara, M. (2021), 'Concept of Wali Mujbir in Marriage (Legal Criticism of Counter Legal Draft Compilation of Islamic Law)', *MIZANI: Wacana Hukum, Ekonomi, dan Keagamaan*, 8(2), pp. 237-252. Available at: <http://dx.doi.org/10.29300/mzn.v8i2.2798>.
- Batchelor, D.A.F. (2017) 'Adam and eve's origin: A theory harmonising scientific evidence with the Qur'anic text', *Theology and Science*, 15(4), pp. 490–508. Available at: <https://doi.org/10.1080/14746700.2017.1369762>.
- Binti Jailan, N.A. and Zuliza Binti Mohd Kusrin, P.M. (2023) 'Compatibility (KAFAAH) in Islamic Marriage: A Literature Review', *International Journal of Academic Research in Business and Social Sciences*, 13(11), pp. 146–156. Available at: <https://doi.org/10.6007/ijarbss/v13-i11/19167>.
- Chandra, F. et al. (2024) 'Legalitas', *Legalitas: Jurnal Hukum*, 16 (13), pp. 122–132. Available at: <https://doi.org/10.33087/legalitas.v16i2.699>.
- Darussamin, Z., Armansyah and Zikri, A. (2023) 'The Urgency of Maturity to Get Married and Its Relevance to Family Life Goals', *Al-Istinbath: Jurnal Hukum Islam*, 8(1), pp. 215–236. Available at: <https://doi.org/10.29240/jhi.v8i1.5324>.
- Djuned, M. and Husna, A. (2020) 'Konsep Keluarga Ideal dalam Al-Qur'an: Kajian Tafsir Tematik Muslim', 5(2), pp. 55–71.
- Fauzan, et al (2023) "Endogamous Marriage of Prophet's Descendants on the Perspective

- of Sociology of Islamic Law', *Al-Ihkam: Jurnal Hukum dan Pranata Sosial*, 18(1), 1-26.
<https://doi.org/10.19105/al-lhkam.v18i1.7132>
- Fauzi, M. (2024), personal interview in Ulu Gedong, 27-28 August.
- Hafidzi, A. and Septiani, R. (2020) 'Legal Protection of Women Forced to Married In Islamic Law and Human Rights Perspective', *Madania: Jurnal Ilmu-Ilmu Keislaman*, 10(1), p. 18. Available at: <https://doi.org/10.24014/jiik.v10i1.10547>.
- Hafidzi, A., Bahran, B., Luthfi, F., Rusdiyah, R., Ali, M. H. M., & Esfahani, A. B. (2022) 'Sirri Marriage Celebration and Its Impact on Social Change in Banjarese Community, South Kalimantan', *Al-Ahkam*, 32(2), 153–168. Available at: <https://doi.org/10.21580/ahkam.2022.32.2.12789>
- Halim, A.R., Al Amruzi, M.F. and Jalaluddin (2024) 'Legal Formulation for Forced Marriage Prevention through the Decision of Wali Mujbir in Religious Courts and its Relevance with Maqāṣid Syari'ah and Human Rights', *Mazāhib Jurnal Pemikiran Hukum Islam*, 23(1), pp. 79–116. Available at: <https://doi.org/10.21093/mj.v23i1.6189>.
- Harto Mulyono, S., Ayuniyyah, Q. and Ibdalsyah (2022) 'Strategi Digital Fundraising Dalam Penghimpunan Dana Zakat : Studi Kasus Lembaga Amil Zakat Global Zakat', 8(01), pp. 67–79.
- Hidayat, N., Ahmad, A.K. and Basuki, B. (2023) 'The Concept of Parents in Educating Children from the Al-Quran Perspective (Analysis of Study of Q.S At-Tahrim Verse 6)', *Intiqad: Jurnal Agama dan Pendidikan Islam*, 15(2). Available at: <https://doi.org/10.30596/17379>.
- Huda, I.N. (2020) 'European Journal of Education Studies Overview of The Al-Munawwir Komplek L Islamic Boarding School Curriculum in Shaping The Nation's Character', *European Journal of Education Studies*, 7(8), pp. 148–165. Available at: <https://doi.org/10.46827/ejes.v7i8.3194>.
- Husein, S. (2024) 'Legal Uncertainty Regarding the Status of Children Born Out of Wedlock in the Perspective of Hifdzu al-Nasl', *Jurnal Hukum*, 40(2), pp. 63-74. Available at: <http://dx.doi.org/10.26532/jh.40.2.63-74>
- Hutagaol, F.W. (2021) 'Pernikahan Adat Suku Batak Toba', *Jurnal Ilmu Komunikasi*, 2(2).
- Ibrahim, C. (2021) *Women and gender in the qur'an, Women and Gender in the Qur'an*. Tufts

- University, United States: Oxford University Press. Available at: <https://doi.org/10.1093/oso/9780190063818.001.0001>.
- Ihsan, M. (2019) 'Kawin Paksa Perspektif Gender (Studi terhadap Hak Memilih Calon Suami Oleh Perempuan)', *Jurnal Saree*, 1(1), pp. 53–69.
- Ikbāl, M. (2024), personal interview in Kampung Ulu Gedong, 20 August.
- Ilham (2024), personal interview in Kampung Ulu Gedong, 20 August.
- Irawan, N. (2020) 'Pernikahan Paksa (Studi Kasus “ Tangkebban ” Ditinjau Dari Segi Psikologi Pernikahan Di Desa Pragaan Daya Kecamatan Pragaan Kabupaten Sumenep)', *Hudan Lin Naas: Jurnal Ilmu Sosial dan Humaniora*, 1(2), pp. 101–114.
- Kartika, N.Y., Darwin, M. and Sukamdi, S. (2020) 'Determinan Perempuan Keluar dari Praktik Kawin Anum Suku Banjar', *Populasi*, 27(2), p. 56. Available at: <https://doi.org/10.22146/jp.55149>.
- Khalid Shahu, I. (2024) 'Marriage in Islam: Definition, Significance & Purpose', in *Muslim Community of Knoxville*, p. 5.
- Khatun, M., Islam, M. A., & Latif, A.A. (2022) 'The Multifaceted Significance Of Marriage: Exploring Its Role In Religion, Family Dynamics, Social Cohesion, And Economic Context', *International Journal of Social Sciences & Humanities (IJSSH)*, 7(1), pp. 55–70.
- Liu, S. (2024) 'Social spaces: from Georg Simmel to Erving Goffman', *Journal of Chinese Sociology*, 11(1). Available at: <https://doi.org/10.1186/s40711-024-00217-9>.
- Madina, D.D., Ali, Z.Z. and Puspita, M. (2023) 'Aligning Islamic Law and Customary Law: Legal Dialectics in The Tradition of Forced Marriage in Jambi', *Justicia Islamica*, 20(1), pp. 1–16. Available at: <https://doi.org/10.21154/justicia.v20i1.4720>.
- Mahendra, M. & V. Maisuri (2022) 'Early Marriage in Indonesia Islamic Family Law Perspective', *MilRev: Metro Islamic Law Review*, 1(2), pp. 282-293. Available at: <https://doi.org/10.32332/milrev.v1i2.6215>
- Mahfudin, A. and Musyarrofah, S. (2019) 'Dampak Kawin Paksa Terhadap Keharmonisan Keluarga', *Jurnal Hukum Keluarga Islam*, 4(1), pp. 75–93.
- Mahsun (2022) 'Fiqh Sosial: Perspektif Masyarakat Tradisional (Telaah Awal)', *Launul Ilmi*, 1(1), pp. 15–28.
- Masruh, A. (2020) 'Obeying to Kyai for Marriage: A Tradition in Maqāsid Shari'ah

- Perspective', *Shakhsyah Burhaniyah: Jurnal Penelitian Hukum Islam*, 5(2). Available at: <https://doi.org/10.33752/sbjphi.v5i2.1632>.
- Misbachul, M. and Zumrotun, S. (2023) 'The Position of Ijbar Rights in Perspective Islamic Law and Human Rights', *El-Usrah: Jurnal Hukum Keluarga*, 5(2), pp. 89–95.
- Moh. Muhtador (2014) 'Studi Living Qur ' an di PP Al-Munawwir Krapyak Komplek Al-Kandiyas', *Jurnal Penelitian*, 8(1), pp. 93–112.
- Mohd, A. and Kadir, N.A. (2020) 'The Theory of Compulsion (Ijbar) in Marriage Under Islamic Law: Incorporation of the Hanafis View on Compulsory Consent in Marriage Under the Islamic Family Law (Federal Territories) Act 1984', *Advances in Social Science, Education and Humanities Research*, 24(2), pp. 51–55. Available at: <https://doi.org/10.2991/assehr.k.200306.180>.
- Mubarik, M., AM, S. and Ulum, B. (2024) 'Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law', *International Journal of Multidisciplinary Approach Research and Science*, 2(03), pp. 1371–1390. Available at: <https://doi.org/10.59653/ijmars.v2i03.1106>.
- Mustafid, M., et al (2024) 'Alternative Legal Strategies and Ninik Mamak Authority: Dual Administration of Malay Marriage in Koto Kampar Hulu, Riau', *JURNAL OF ISLAMIC LAW*, 5(1), pp. 1-18 <https://doi.org/10.24260/jil.v5i1.1972>.
- Muthoifin, Al-Gifari, Afiyah, I., Geraldine, E., & Affandi, M. T. (2024) 'The Practice of Paneta Mawinne in The Sumbanese Tribe of East Nusa Tenggara Perspective of Islamic Law', *International Journal of Law and Society (IJLS)*, 3(3), 238–254. Available at: <https://doi.org/10.59683/ijls.v3i3.138>
- Muttaqin, M. N. & Nur Fadhilah (2020) 'Hak Ijbar Wali Tinjauan Maqashid Syari'ah dan Antropologi Hukum Islam', *De Jure: Jurnal Hukum dan Syar'iah*, 12(1), pp. 102-119. Available at: <https://doi.org/10.18860/j-fsh.v12i1.7923>
- Naimah, F.U., et al (2024) 'Internalization of Local Traditions in Child Marriage from the Perspective of Maqasid Al-Usrah', *El-Mashlahah*, 14(2), pp. 237-258. <https://doi.org/10.23971/el-mashlahah.v14i2.7942>
- Nasrullah, M., Indarti, F. and Ghufrani, A. (2024) 'Family Resilience Strategies in the Contemporary Era : A Comparative Analysis of Al-Azhar and Ibn Kats ir ' s Tafsir

- on Surah', *International Journal of Quranic and Islamic Studies*, 2(2), pp. 115–137.
- Ningrum, D.W., Wahyuni, A. and Ramli, S. (2025) 'The Tradition of Engagement in Traditional Marriage in Pelayangan Sub-District', *HISTORIA*, 13(2), pp. 741–750. Available at: <https://doi.org/10.24127/hj.v13i2.10799>.
- Ningsih, A.P. et al. (2020) 'Analisis Sosial Budaya terkait Pernikahan Usia Dini di Kepulauan Selayar', *Perilaku dan Promosi Kesehatan: Indonesian Journal of Health Promotion and Behavior*, 2(2). Available at: <https://doi.org/10.47034/ppk.v2i2.4127>.
- Nuruddin, N., et al (2023) 'Evaluating the Effectiveness of Age Restriction on Marriage in Indonesia', *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi*, 6(2), pp. 313–330. Available at: <https://doi.org/10.24090/volksgeist.v6i2.9844>
- Octavia, E.P. (2016) 'Interaksi Sosial Dalam Novel Suti Karya Sapardi Djoko Damono (Teori Georg Simmel)', *Jurnal Sosiologi*, 1(1), pp. 11–21.
- Olim, O. and Meir Khan, S. (2025) 'Prosperous Family - The Foundation of A Stable Society', *Int J Med Net*, 2(3), p. 2024.
- Prastio, A.D. and Lubis, F. (2023) 'Differences in the Application of the Right of Ijbar Based on Fiqh and Law No. 39/1999 on Human Rights', *Law Development Journal* 5(4), 674–686, 5(225), pp. 674–686. Available at: https://scholar.google.com/citations?view_op=view_citation&hl=en&user=G54bwXMAAAAJ&cstart=100&pagesize=100&citation_for_view=G54bwXMAAAAJ:Tiz5es2fbqcC.
- Qohar, A. et al. (2022) 'Mut'ah Marriage Law in Perspective of Sayyid Husain Al-Thaba'thaba'i and Their Relevance with Family Law in Indonesia', *Al-Istinbath: Jurnal Hukum Islam*, 7(1), pp. 223–240. Available at: <https://doi.org/10.29240/jhi.v7i1.3714>.
- Rahman, F.F. (2024) 'Concept And Theory Of Legal Subjects In Islamic Law', *ISNU Nine-Star Multidisciplinary Journal (INS9MJ)*, 1(2), pp. 45–50.
- Rahman, R., et al. (2024) 'Nikah Muda: The Hijrah Movement of Anti-Dating Communities from Progressive to Conservative in Indonesia (A Critical Study of Hadith)', *Millah: Journal of Religious Studies*, 23(1), pp. 67–102. Available at: <https://doi.org/10.20885/millah.vol23.iss1.art3>
- Raibul Bugha, M. (1978) *At-Tadzhib Fi Adillati Matan Al-Ghoyatu Wat Taqrib*. Damsyik: Daar Imam Al-Bukhari.

- Rasyid, A., *et al* (2024) 'Dynamics of Childless Marriage Through the Lens of Maqasid Al-Shari'a', *Jurnal Ilmiah Peuradeun*, 12(2), pp. 763-786. Available at: <https://doi.org/10.26811/peuradeun.v12i2.1182>
- Razali Ibrahim, M.S. (2023) 'The Concept of Marriage from The Hasbi Ash-Shiddieqy Perspective: An Approach Maqasidi On Verses of Polygamy and Inter-religious Marriage Tafsir An-Nuur', *Miqot: Jurnal Ilmu-ilmu Keislaman*, 47(1), pp. 125–148. Available at: <https://doi.org/10.30821/miqot.v47i1.1078>.
- Redaksi, D. (2018) 'Dewan Redaksi', *Jurnal Manajemen & Bisnis Kreatif*, 4(1), pp. 1–9. Available at: <https://doi.org/10.36805/manajemen.v4i1.377>.
- Retnowulandari, W., *et al* (2024) 'The Prevalence Of Child Marriage: Comparative Study Of Indonesia And Other South Asian States', *Jambura Law Review*, 6(2), pp. 339-366. Available at: <https://doi.org/10.33756/jlr.v6i2.24257>
- Ridho, M. (2024), personal interview in Tanjung Johor, 21 August.
- Rohmadi (2024) 'Preventing Child Marriage in Lampung: An Analysis of the Community Embedded Implementation Process Adopted for the Provincial Regulation Number 55 of 2021 and its Harmonisation with Local Custom and Islamic Law', *Manchester Journal of Transnational Islamic Law and Practice*, 20(3), pp. 165–176. Available at: <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85211211853&partnerID=40&md5=9eef1ff7cc52cf9cb96f1b3b7cd5383e>.
- Rohman, H. & M. J. Rifqi (2024) 'When the State Tackles Family Law Issues: The Attitudes of Surabaya and Sidoarjo Religious Offices on Child Marriage, Sirri Marriage, and Domestic Violence', *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 17(2), 267-286. Available at: <https://doi.org/10.14421/ahwal.2024.17207>
- Sa'dan, M. (2015) 'Menakar Tradisi Kawin Paksa di Madura dengan Barometer HAM', *Musawa*, 14, pp. 143–155.
- Saimun, S., Hanafi, H. and Nuansari, I.R. (2023) 'The Influence of Islamic Family Parenting Patterns on the Social Development of Children in West Nusa Tenggara', *AL-ISHLAH: Jurnal Pendidikan*, 15(4), pp. 6160–6171. Available at: <https://doi.org/10.35445/alishlah.v15i4.3270>.
- Saiin, A, et al (2023) 'The Property Rights Regulation, Semenda Marriage, and Exploring

- the Determinants in ASEAN Countries', *Journal of Human Rights, Culture and Legal System*, 3(2), 134-159. Available at: <https://doi.org/10.53955/jhcls.v3i2.68>
- Sallom, D.S. and Kholil Syu'aib (2022) 'Matchmaking in Pesantren: The Role of Wali Mujbir in Matchmaking with Maqasid Sharia Perspectives', *Al-Risalah: Forum Kajian Hukum dan Sosial Kemasyarakatan*, 22(1), pp. 78-91. Available at: <https://doi.org/10.30631/alrisalah.v22i1.1073>
- Santoso, D. and Jafar, W.A. (2022) 'Harmony of religion and culture : fiqh munākahat perspective on the Gayo marriage custom', 22(2), pp. 199–218. Available at: <https://doi.org/10.18326/ijtihad.v22i2.199-218>.
- Scholes, L. et al. (2021) 'Family management and family guardianship: Governance effects on family firm innovation strategy', *Journal of Family Business Strategy*, 12(4). Available at: <https://doi.org/10.1016/j.jfbs.2020.100389>.
- Setiyawan, D., et al. (2024) 'Exploring Abhakalan Culture (Early Marriage) in Madura: A Dialogue of Customary Law, Religion, and The State', *Abkam: Jurnal Ilmu Syariah*, 24(2), pp. 345-364. Available at: <https://doi.org/10.15408/ajis.v24i2.36070>
- Shidiq, G. et al. (2023) 'Maqashid al-syari'ah Dalam Hukum Islam', *Sultan Agung*, 44(118), pp. 117–130.
- Sholeh, A.N., Saputra, N. and Manurung, A.H. (2021) 'The Awareness of Islamic Law as a Spiritual Factor in Family Resilience and Parenting Quality During the Covid-19 Era', *Journal of Indonesian Islam*, 15(2), pp. 329–358. Available at: <https://doi.org/10.15642/JIIS.2021.15.2.329-358>
- Sholihuddin, Muh., et.al. (2024), 'Remarriage in The 'Iddah Perspective of Maqāsid Al-Ushrah: Study in Wedoro Waru, Sidoarjo, Indonesia', *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 8(2), pp. 726-749. Avialable at: <https://doi.org/10.22373/sjhk.v8i2.15061>
- Siregar, R. S., et al (2023) 'The Role of Marriage Guardian of the Same Clan in the Traditional Marriage of Batak Toba Muslims in Samosir Regency in the Perspective of Islamic Law', *Al-Manahij*, 17(1), pp. 41-52. Available at: <https://doi.org/10.24090/mnh.v17i1.6750>
- Solichah, B. (2021) 'Variasi Leksikon Ranah Ngaji di Pondok Pesantren Al- Munawwir

- Krappyak Yogyakarta: Kajian Linguistik Antropologis', *Deskripsi Bahasa*, 4(1), pp. 1–12.
- Staudacher, C. (2023) 'Simmel's sociology of time: On temporal coordination and acceleration', *Time and Society*, 32(2), pp. 210–231. Available at: <https://doi.org/10.1177/0961463X231161401>.
- Stevens, A.O. and He, Y. (2022) 'Allosterism in the PDZ Family', *International Journal of Molecular Sciences*. Available at: <https://doi.org/10.3390/ijms23031454>.
- Syafingi, C. (2020) 'Larangan Perkawinan Ngalor-Ngulon dalam Adat Jawa di Desa Leses Kabupaten Klaten Perspektif Sadd Ad-dzariah', *MISYKAT: Jurnal Ilmu-ilmu Al-Quran, Hadist, Syari'ah dan Tarbiyah*, 5(2). Available at: <https://doi.org/10.33511/misykat.v5n2.99-114>.
- Takdir, T., et al (2024) 'Islamic Law and Local Traditions in Preventing Early Marriage in the Toraja Muslim Minority Community', *Jurnal Ilmiah Al-Syir'ah*, 22(2), pp. 274-287. Available at: <http://dx.doi.org/10.30984/jis.v22i2.2931>
- Tan, W. (2022) 'Child Marriage within the Sea Tribe of Kelumu Island: Issues and Problems', *Jurnal Media Hukum (JMH)*, 29(2), pp. 120-130. Available at: <https://doi.org/10.18196/jmh.v29i2.14027>
- Turmudzi, K. et al. (2025) 'Exploring The Epistemological Basis of Ushul Fiqh (Priority Fiqh By Yusuf Al-Qardawi)', *Journal of Islamic Education*, 2(2), pp. 1–20.
- Umam, F., Al Humaidy, M.A. and Amrulloh, M.A. (2024) 'Dialectics Between Islam and Local Culture in Wetu Telu Lombok Muslims' Merariq Tradition: An 'Urf Perspective', *Al-Ihkam: Jurnal Hukum dan Pranata Sosial*, 19(2), pp. 104–125. Available at: <https://doi.org/10.19105/al-lhkam.v19i1.10603>.
- Usman, M. and Jafar, M. (2024) 'The Role of Customary Law in Family Resilience and Divorce Prevention: Phenomenological Studies in Indonesia', *Al-Istinbath: Jurnal Hukum Islam*, 9(2), pp. 823–840. Available at: <https://doi.org/10.29240/jhi.v9i2.9685>.
- Vinabilah et al. (2024) 'Marriage Cancellation Due to Coercion from Marriage and Islamic Law Perspectives', *Alauddin Law Development Journal*, 6(3), pp. 582–92. Available at: <https://doi.org/https://doi.org/10.24252/aldev.v6i3.49175>.
- Yakub, H. (2020) 'Child Marriage: Parents' Lived Experience of Decision-Making Processes and Consequential Health Effects', *Walden Faculty and Staff Publications Fall*, 10, p. 731.

- Yasin, R. et al. (2024) 'Guardian'S Responsibility for the Welfare of Children in Marriage: a Study According To Islamic Law', *Malaysian Journal of Syariah and Law*, 12(3), pp. 778–789. Available at: <https://doi.org/10.33102/mjssl.vol12no3.765>.
- Young Lives (2018) 'Understanding Child Marriage: insights from Comparative Research', *Policy Brief*, 1(November), pp. 1–7.
- Yuliatin et al. (2023) 'Empowerment and Protection of the Elderly in Islamic Boarding Schools from A Social Fiqh Perspective', *Al-'Adalah*, 20(2), pp. 405–426. Available at: <https://doi.org/10.24042/adalah.v20i2.17913>.
- Yuliatin et al. (2025) 'Reciprocity and Debt in Marriage Traditions in Jambi: An Inheritance Calculation Analysis from The Perspective of Maqāṣid al-Sharī'ah', *Al-Istinbath: Jurnal Hukum Islam*, 10(1), pp. 154–171. Available at: <https://doi.org/10.29240/jhi.v10i1.11127>.
- Yusriana, F. (2024), personal interview in Ulu Gedong, 25 August.
- Zhang, Y. et al. (2022) 'Genome-Wide Characterization and Expression Analysis of KH Family Genes Response to ABA and SA in Arabidopsis thaliana', *International Journal of Molecular Sciences*, 23(1). Available at: <https://doi.org/10.3390/ijms23010511>.