

Submissions



Endogamous Marriage of Prophet's Descendants on the Perspective of Sociology of Islamic Law

Fauzan, Abdul Qodir Zailani, M. Ha...

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[al-Ihkam] Editor Decision	2023-02-27 09:23 AM
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[al-Ihkam] Editor Decision	2023-05-06 10:09 PM
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▶  25145-1	Article Text, Revisi-Endogamous Marriage of Syarifah.docx	March 22, 2023	Article Text
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Our decision is to: Revisions required

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Endogenous Marriage of Prosopit's Descendants on the Perspective of Sociology of Islamic Law

Abstract

This study aims to comprehensively describe endogenous marriage of the prosopit (Prosopit's descendants) from the perspective of sociology of Islamic law. The research method used is qualitative method. In this study are required to carry the procedure from social research, where only Endogenous marriage will be applied totally.

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Endogamous Marriage of Sunan Giri On Sociological Islamic Law Perspective

Abstract: This study aims to understand the endogamous marriage concept with the context of the application of the principle of Shari'ah. Endogamous marriage with the concept of Sunan Giri is a marriage between individuals from the same tribe and religion. This study aims to understand the concept of endogamous marriage in the context of Shari'ah law and its application in the context of Sunan Giri. The study uses a qualitative approach with a descriptive method. The data source is primary data obtained through interviews with experts in the field of Islamic law and sociology. The data analysis technique used is content analysis. The results of the study show that endogamous marriage is a marriage between individuals from the same tribe and religion. This study aims to understand the concept of endogamous marriage in the context of Shari'ah law and its application in the context of Sunan Giri. The study uses a qualitative approach with a descriptive method. The data source is primary data obtained through interviews with experts in the field of Islamic law and sociology. The data analysis technique used is content analysis. The results of the study show that endogamous marriage is a marriage between individuals from the same tribe and religion.


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2. Article length must be between 6500-7000 words in total	Almost, but some need to be deleted and others need to be added more detail explanation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. The similarity must be under 20 % by Turnitin Plagiarism Checker	Yes	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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<p>(state of the art) as the basic of the brand-new research question, statements of the brand-new scientific article, main research problems, hypothesis, and purpose(s) of the article.</p>	<p>Overall, researchers have major trouble with the elaboration in introduction, so please consider about the track change</p>	
<p>ORIGINALITY Originality of the subject matter would be of interest to the scholar of Islamic Jurisprudence, Law and social sciences concerning plurality and living values specifically in Indonesia</p>	<p>The theme is quite good, but please revise it and look at the author guideline and template</p>	<p>1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/></p>
<p>RESEARCH METHOD It should contain enough information to enable the readers to understand methods used in obtaining and analyzing the data.</p>	<p>The research method is unclear, what is the research subject, how to validate the data, how to analyze the data, etc. Moreover, research method must be in the different sub (it is not included in the background)</p>	<p>1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/></p>
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<p>CONCLUSION Conclusion is the answer of the</p>	<p>Please make this part inline with your research question by restate clearly and briefly about</p>	<p>1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/></p>

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LANGUAGE ASPECT The article's content must be grammatically correct in English or Arabic style	Your English translation is quite bad. Please use the real translator rather than google translate	1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>
Additional comment for the author; Is the article qualified for publication?	Please follow the suggestion in the track changes	1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/>

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, 2023
Reviewer

Endogamous Marriage Of Syarifah Clan On Sociological Islamic Law Perspective

Abstract: This study aims to comprehensively explain endogamous marriages carried out by syarifah from the perspective of the sociology of Islamic law. Endogamy marriage will be explored holistically by clarifying the reciprocal relationship between social change and the placement of Islamic law in endogamous marriage among syarifah. This study is empirical legal research that examines the application of law in the reality of society. This study uses a sociological approach to Islamic law to reveal the real facts about endogamous marriage among syarifah. The place of this research is Bangil Pasuruan. Data collection techniques used in this study were interviews and documentation. While the analysis technique used is the descriptive technique. After conducting in-depth research, a conclusion was found that endogamous marriage among syarifah in Bangil is a form of obedience to customs passed down from generation to generation from their ancestors, namely the tradition of marrying those who are *sekufu* (equivalent in position). Endogamy marriages among shari'ah are maintained and sustainable until now because they are based on religion, the Sayyid breed's sacredness, and the community's solid social conditions to preserve the custom of endogamous marriage. If this custom is studied in depth, it does not conflict with the *shorih dalil*; even the endogamy marriage custom substantially strengthens the wisdom of marriage. The surrounding community has also understood the phenomenon of endogamous marriage; even they are very supportive of this custom. Syarifah, family, and the surrounding community provide social sanctions if a syarifah does not marry a sayyid.

Keywords: Endogamous, Islamic, Law, Marriage, Sociology, Syarifah.

Introduction

In Islam, marriage is a sacred agreement, worshiping Allah, following the Sunnah of the Prophet, and carrying out based on sincerity, responsibility, and following legal provisions that must be carried out. Marriage is carried out with the intention that humans have a legitimate family to achieve a happy life in this world and the hereafter.¹ In addition to the rules in Islam to help achieve this goal of marriage in certain tribal clans, several additional rules are made. One of the rules made is not allowed to marry other people who are of different ethnicity or clan from their tribe. This rule is known as endogamous marriage.

Endogamous marriage requires people to find a mate in their social environment, for example, in the family, social class, or residential setting.² Sunarto said that endogamy is a marriage between ethnicity, clan, tribe, or kinship in the same environment. In the endogamy system, a person must find a mate in his social environment, for example, in a kinship, clan, social class environment, or neighborhood. Endogamous marriages are usually carried out to

¹ Aisyah Ayu Musyafah, "Perkawinan Dalam Perspektif Filosofis Hukum Islam," *CREPIDO* 2, no. 2 (November 29, 2020): 111, <https://doi.org/10.14710/crepido.2.2.111-122>.

² Duwi Nuryani, Setiajid, and Puji Lestari, "Latar Belakang Dan Dampak Perkawinan Endogami Di Desa Sidigde Kabupaten Jepara," *Unnes Civic Education Journal* 1, no. 2 (2015): 9, <https://journal.unnes.ac.id/sju/index.php/ucej/article/view/1011>.

Comment [1]: No capital!

Comment [2]: Idem!

Comment [3]: Please fit to the template Do you want to conduct a research in Indonesia or Bangil? So please add the locus because you have already differentiate the locus in your previous research!

Comment [4]: Describe?

Comment [5]: Please explain a little bit about this term because not every reader understands it. Make sure also whether it is in KBBI already. If not, make it italic.

Comment [6]: Before jump to this, perhaps you can describe about Syarifah marriage in Bangil!

Comment [7]: Or enforcement/enactment?

Comment [8]: Consider to replace this with another more suitable and readable diction.

Comment [9]: Is it common?

Comment [10]: ?

Comment [11]: Please make this concise.

Comment [12]: You have not told readers what is your differences among all researchs about syarifah in some regions! If you have Bangil as your locus, please state about that in the introduction Moreover, please provide your researcg gaps. Why do you have to conduct a research about endogamous marriage among syarifah in Bangil?

keep wealth circulating among themselves, to strengthen the clan's defense from enemy attacks, to maintain bloodline (*nasab*), or for other motives that are more exclusive. Keesing stated that endogamous marriage has a positive impact; namely, it can strengthen group solidarity, while the negative effects that can be caused are that if the marriage ends in divorce, it can lead to stretching of kinship relations and even cause conflicts that cause a lack of security in family relationships, as well as disability physical or mental that occurs in offspring.³

This form or system of endogamous marriage is adopted by several ethnic groups, tribes, or community clans in Indonesia. We can find this endogamous marriage in one of Indonesia's ethnic groups or clans, namely the Syarifah clan. Syarifah performs endogamous marriages based on ethnicity or clan (descendants) of the Prophet Muhammad. The purpose of endogamy marriage among syarifah is to preserve the lineage of the Prophet Muhammad. This data is reinforced by research conducted by Fathur Rohman Azhari, entitled "Motivation of Endogamous Marriage in the Alawiyin Community in Martapura, Banjar Regency." The results of this study are endogamous marriages carried out by syarifahs aimed at preserving lineage. The indicators are; All informants stated that the purpose of syarifah's marriage with Habib was to preserve lineage. All informants in this study noted that the marriage of syarifah with *ahwal* (non-Habib) could result in the breakdown of the lineage; therefore, marriages among syarifah who were not in the same line (one clan) were strongly avoided as much as possible efforts were made to avoid inter-clan marriages. Seven informants stated that the marriage was rejected, two informants stated that the marriage was not approved, and one informant stated that the marriage was annulled.⁴

Khoirul Barriyati conducted another study titled "Social Construction of Endogamous Marriages Among Women of Arab Descendants (Studies on Women of Arab Descendants Throughout)." The results of this study indicate that the purpose of endogamous marriage for women of Arab descent from the Ba'alwi group tends to be socially oriented towards traditional values and actions. While the endogamy marriage of women of Arab descent from the Masyaikh group is more directed to rational instrumental action because, in the marriage relationship, the advantages of both parties are first considered, with the capital owned being a handsome and financial face on the part of the man. Arab women from the Masyaikh group who marry through arranged marriages with cousins on the father's side tend to act affectionately because of their emotional closeness to their family.⁵

Based on the data above, the research on endogamous marriage among syarifah only concerns the motivation and reasons for doing it. This is different from what researchers have done because it examines endogamous marriage among syarifah through a sociological

Comment [13]: Consider omitting this

Comment [14]: Do you mean merenggangnya? Is it also equivalent for this context?

Comment [15]: Don't repeat the same word in one single sentence!

Comment [16]: What do you mean?

Comment [17]: Give explanation about this term in the bracket!

Comment [18]: ...are that...

Comment [19]: Not everyone understands this

Comment [20]: This seems like disconnected from other parts of sentence. Do you miss one word or two?

Comment [21]: Which marriage?

Comment [22]: By whom?

Comment [23]: No capital!

Comment [24]: .. have done in this current research

³ Dewi PuspitasariSari, "Kajian Fenomena Perkawinan Endogami Di Kelurahan Condong Campur Kecamatan Pejawaran Kabupaten Banjarnegara," *E-Societas* 5, no. 5 (October 12, 2016): 3, <https://journal.student.uny.ac.id/ojs/index.php/societas/article/view/4003>.

⁴ Fathurrahman Azhari Zainal Muttaqien Sulaiman Kurdi, "Motivasi Perkawinan Endogami Pada Komunitas Alawiyin Di Martapura Kabupaten Banjar," *Mu'adalah: Jurnal Studi Gender Dan Anak* 1, no. 2 (February 14, 2013): 83, <https://doi.org/10.18592/jsga.v1i2.677>.

⁵ Khoirul Barriyati, "Konstruksi Sosial Pernikahan Endogami Di Kalangan Perempuan Keturunan Arab (Studi Pada Perempuan Keturunan Arab Di Sepanjang)," *Jurnal Komunitas* 6, no. 3 (2017): 17, [http://journal.unair.ac.id/Kmnts@konstruksi-sosial-pernikahan-endogami-di-kalangan-perempuan-keturunan-arab-\(studi-pada-perempuan-keturunan-arab-di-sepanjang\)-article-11971-media-135-category-8.html](http://journal.unair.ac.id/Kmnts@konstruksi-sosial-pernikahan-endogami-di-kalangan-perempuan-keturunan-arab-(studi-pada-perempuan-keturunan-arab-di-sepanjang)-article-11971-media-135-category-8.html).

approach to Islamic law. The novelty side of this research is that the endogamous marriage of the syarifah clan is seen holistically, not only in terms of motivation and reasons for marriage. Endogamy marriage will be explored holistically by explaining the reciprocal relationship between social change and the placement of Islamic law in endogamous marriage among syarifah. This study is empirical legal research that examines the application of law in the reality of society. This study uses a sociological approach to Islamic law to reveal the real facts about endogamous marriage among syarifah. The place of this research is Bangil City, Pasuruan. Many habaib and syarifah live in Bangil, so the data collected later can be varied and good. Data collection techniques used in this study were interviews and documentation. While the analysis technique used is the descriptive technique.

Result And Discussion

Profil Of Bangil City

Bangil City is a sub-district city and is the capital of Pasuruan Regency, East Java Province, Indonesia. The Bangil city is 35 km south of Surabaya and directly adjacent to the Madura Strait in the north.⁶ In the west, Bangil city is bordered by the Beji District, the north by the Sidoarjo Regency, the east by the Kraton District, and the south by the Rembang District. The area of Bangil City is 42.93 km². Bangil sub-district consists of fifteen villages, namely Kidul Dalem, Pogar, Gempeng, Kolursari, Kauman, Raci, Kersikan, Dermo, Bendomungal, Manaruwi, Kalirejo, Kalianyar, Tambakan, Latek, Masangan. The population in Bangil City is 84,640 people.⁷

Bangil city is famous as a *santri* city, and indeed most of the population is Muslim, so the people's daily activities reflect Islamic life; some even mention this Bangil city as the porch of the mecca of East Java province. In addition, the city of Bangil has earned its nickname as the city of *santri* because it represents a symbolic representation of Arab society, which is still strongly bound by Islamic religious values when compared to big cities, which tend to have a wider scope.⁸ Bangil is one of the cities inhabited by many great scholars to spread the religion of Islam. Not a few of them are still descendants of the Prophet Muhammad with the title *Habib, syarif, Sayyid or syarifah*. In Bangil, there is also a sizeable Islamic boarding school founded by Habib Hasan Bin Ahmad Baharun. This Islamic boarding school has thousands of students, many of whom are descended from the descendants of the Prophet Muhammad (*Habib and syarifah*).⁹ With so many *habibs* and *syarifahs* living in Bangil city, it is natural that social interaction among *habibs* and *syarifahs* is still maintained in accordance with the values inherited by their ancestors, not least in the matter of marriage. The marriages carried out by them still strictly adhere to the principles inherited by their ancestors, namely that *syarifah* can only marry *Habib* or *Sayyid* (endogamous marriage).

The Phenomenon of Endogamous Marriage in Syarifah Clan

⁶ "Bangil, Pasuruan," in *Wikipedia bahasa Indonesia, ensiklopedia bebas*, January 25, 2022, https://id.wikipedia.org/w/index.php?title=Bangil,_Pasuruan&oldid=21701907.

⁷ Pemkot Bangil, "Dokumen Pemerintahan Kota Bangil," 2021.

⁸ Fatimah Fatimah and Amirah Anis Thalib, "KONTESTASI PEREMPUAN ARAB MASA KHI BANGIL DALAM PERNIKAHAN ANTAR ETNIS," *Lakon: Jurnal Kajian Sastra Dan Budaya* 6, no. 1 (December 7, 2017): 48, <https://doi.org/10.20473/lakon.v6i1.6792>.

⁹ Dewi Masita, "PESANTREN DARUL LUGHO WA DAKWA (DALWA) DAN STRUKTUR SOSIAL DI ERA GLOBALISASI," *AL - IBRAH* 1, no. 2 (December 31, 2016): 93.

Comment [25]: What's for you do a research in sociological of islamic law? please elaborate this importance!

Comment [26]: What other things that you discuss here except those two?

Comment [27]: Plis be more specific!

Comment [28]: !

Comment [29]: Please consider about the template, the method must be in different sub! Please make a detail about the subject, how many? Who are they? How to chose them? How to analyze using sdescriptive technique?

Comment [30]: ... And the Life of Rasulullah's Descendants (?)

Comment [31]: No need to include this in the research result!

Comment [32]: ?

Comment [33]: it

Comment [34]: Explain this!

Comment [35]: Is in generally or in Bangil? Give us more info about it! i.e the phenomenonin Bangil!

The phenomenon of endogamous marriage carried out by the syarifah is a unique tradition, even different from other ethnicities. This marriage tradition consists of several stages, including: The first, visiting the prospective wife's parents' home to ask for information about her daughter's status and notify them that there is a coming man who wants to marry her. Second, the intermediary and the prospective man, along with his parents, visited the residence of the prospective wife, then brought together the families of the prospective husband and the prospective wife with the intention of marrying the prospective wife to serve as his wife and son-in-law, as well as bringing together the two prospective husbands and prospective wives. Third, for four to seven days, the prospective husband waits for an answer from the prospective wife. On the sidelines of these four to seven days, the future wife's parents investigate the situation, as well as the morals of the future husband of their child. Fourth, the prospective wife's family provides answers to the intermediary to be conveyed to the prospective husband's family. Fifth, set the date of engagement between the prospective husband and the prospective wife. Sixth, carrying out the engagement of the prospective husband's family, but the prospective husband is not allowed to participate in the event, the prospective husband's parents bring offerings of coffee, sugar, chocolate, flowers, and rings. The mother of the prospective husband pairs the call to the finger of the future wife of his child, then the future wife kisses the hand of the prospective in-laws, and after that, determines the date of application. Seventh, carrying out the application of the prospective husband's family without the prospective husband returning with jewelry tools, make-up tools, toiletries, cloth, sandals, bags, and money to be presented to the future wife. And a set of jewelry tools are put on the prospective wife by the prospective husband's mother after determining the marriage date a month later.

Comment [36]: Can you provide a flow chart/diagram to illustrate this process? Then you can add more explanation about it! Is that any refusal?

Comment [37]: Is it common term?

Comment [38]: Reference plis

Eighth, pre-wedding preparation begins with seclusion; the prospective wife is not allowed to meet the prospective husband until the wedding day; then, H-2, the prospective wife uses henna to decorate her hands and feet as is customary for Arabs when they want to do a wedding, after that they do self-care both prospective husbands and prospective wives, the night before the wedding ceremony begins at the residence of the prospective wife, they hold a *burdahan* which is attended by friends of the prospective wife to pray for the smoothness of the marriage. Ninth, the wedding ceremony is carried out, namely the marriage contract (*walimahan*), which is only attended by Muslims and is carried out in the afternoon after the noon prayer; the prospective husband, accompanied by his family, is present at the prospective wife's residence to say the consent *qabul*, before it begins with a wedding sermon and chanting verses the holy Qur'an, and continued by saying the consent *qabul* using Arabic, the prospective husband holds the hand of the father of the prospective wife. After saying the *ijab qabul*, they are both legally husband and wife, and it ends with the reading of prayers for the bride and groom and serving for the invitees, then the husband and wife meet and sit side by side on the aisle. Tenth, in the evening, the peak event arrived; namely, a wedding reception attended only for Muslim women filled with welcome, hospitality, and dourprise events to entertain the invitees until the event was over.¹⁰

Comment [39]: Is the phenomenon only covering the stages? If so, better for you to change the name of subheading

¹⁰ Muhammad Khusna Amal and Nawirah Ali Hajjaj, "Pernikahan Nasbiyah Sayyid Dan Syarifah (Studi Living Hadits Di Kampung Arab)," *Al-Manar: Jurnal Kajian Alquran Dan Hadis* 7, no. 1 (November 4, 2021): 24, <https://al-manar.iain-jember.ac.id/index.php/al-manar/article/view/5>.

The Reasons for Endogamous Marriage of Syarifah Clan

Islam has made a legal marriage bond based on the Qur'an and the hadith. Marriage is the only means to fulfill the demands of very basic human instincts and a means to build an Islamic family. Islam's respect for the marriage bond is so great that it is set in proportion to half of the religions. According to most scholars, marriage is a sunnah; according to the Dzahiri school, it is obligatory, and according to the Maliki school, marriage is obligatory for some people, and sunnah for some people, and permissible for some people.¹¹

The purpose of marriage is to form a *sakinah* family, *mawaddah warohmah*, happy in this world and the hereafter.¹² The goal of this marriage will be easily achieved if the marriage is built on a solid foundation; between husband and wife, there is *kafā'ah* (harmony). Kafa'ah is similar and likeness, whereas *kufu* is an equal and commensurate person. In another definition, it is stated that *kafa'ah* is balance and harmony between the prospective wife and husband so that each candidate does not find it difficult to get married.

The meaning of *kafa'ah* in marriage is that the husband is only an equal to his wife, meaning that he has the same and commensurate position as his wife regarding social, moral, and economic levels. There is no doubt that the more equal the status of men with the quality of women, the more successful the life of husband and wife will be and the more protected from failure. This *kufu'* is not a condition for marriage, but a marriage guardian may refuse the proposal of a man who does not agree with his daughter. A stronger opinion in terms of reasons, *kufu'* only applies to religion, both regarding the subject of religion, such as Islam and not Islam, as well as its perfection, such as good (obedient) people, it does not agree with evil people and disobedient people.

In this case, the scholars differ on whether *kafa'ah* is one of the legal requirements in marriage or not. There are two opinions; namely: The first opinion, *kafa'ah* is not a legal requirement in marriage. This is the opinion of Jumhur ulama; among them are Abu Hanifah, Malik, As-Syafi'i, and Ahmad in a narration from him. Umar and Ibn Mas'ud narrate this opinion. Most scholars argue that *kafa'ah* is considered very important in the continuation of a marriage, although it is not a legal requirement in a marriage. The second opinion is that *kafa'ah* is a legal condition of marriage. This is according to Imam Ahmad, Ats-Tsauri, and some Hanafiah.¹³

The term *kafa'ah* is also known among the Syarifah in Bangil Pasuruan. Habaib circles determine special criteria to see someone as worthy to accompany her daughter in the future. This eligibility is a benchmark for whether or not the person is compatible with his daughter. In the application of the concept of *kafa'ah* among Syarifah in Bangil Pasuruan, there are some Syarifah who argue that it is included in the pillars of marriage, and there are also those who

Comment [40]: Are you sure kafa'ah means harmony?

Comment [41]: Use reliable references like authoritative Arabic dictionary

Comment [42]: Make italic this word!

Comment [43]: Who says so? Do all people believe in it?

Comment [44]:

Comment [45]: WHAT DO YOU MEAN?

Comment [46]: ?

Comment [47]: Do you miss one or two words here?

Comment [48]: Reference plis

Comment [49]: How is

Comment [50]: Explain. Not everybody understands

¹¹ Ravika Revira Ginting, Muhammad Hasan, and Ardiansyah Ardiansyah, "Proses Pernikahan Syarif-Syarifah Keturunan Keraton Kadriah Pontianak," *Al-Usroh* 1, no. 1 (July 31, 2021): 67.

¹² Budi Juliandi, Zulfikar Zulfikar, and Syarifah Mudrika, "Syarifah Sungai Raya Aceh Timur: Marriage and the Struggle to Find Identity," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 274, <https://doi.org/10.22373/sjhk.v6i1.9149>.

¹³ Nadiyah Nadiyah, Norlaila Norlaila, and Anwar Hafidzi, "Does Kafa'ah Apply To The Descendants Of The Prophet Muhammad. Examine The Concept Of Kafaah Towards The Alawites In Martapura, Banjar," *Journal Of Islamic And Law Studies* 5, no. 3 (January 12, 2022): 381, <https://doi.org/10.18592/jils.v5i3.5985>.

say that kafa'ah is only limited to the validity of the marriage, which of course is in line with the fiqh scholars who are embraced by society in general.¹⁴

Table 1. Reasons for Endogamous Marriage in Syarifah Clan

No	Reasons for Endogamous Marriage in Syarifah Clan	
	From a legal perspective	From the side of <i>Nasab</i>
1	Meets the conditions for a valid marriage, namely <i>kafa'ah</i> (Sharifah is only <i>sekufu</i> /equivalent to sayid)	Maintaining the purity of the lineage of the Prophet Muhammad
2	The scholars' fatwa regarding the prohibition of syarifah marriage with non-sayyid men is found in Mugnil Muhtaj Sarhi Minhaj, Bughyatul Musytarsyidin and other books.	<i>Nasab</i> Children born from syarifah marriages with non-sayyid men will cause the disconnection of <i>nasab</i> from the Prophet Muhammad

Comment [51]: Your table needs introduction or connector between narration and the table

Comment [52]: was the data got from Bangil? Is there any fact about this? You should provide the fact/data first rather than conclude it into table!
Do you want to compare two things, Nasab views and legal perspective? Table's title does not match to your aims in performing data!

Comment [53]: How many respondents come with this reasons? How (based on what factor) do you arrange the numbering?

Comment [54]: Overall, this table needs reference and explanation

According to Islamic law, marriage is valid if it meets the requirements and pillars of marriage. However, other rules must be fulfilled according to the literature of classical fiqh books, namely the concept of kafâ'ah, namely the equivalence of the male side to the female side in various matters that have been agreed upon by the majority of Ulama', including religion, lineage, occupation, and independent. Kafa'ah status in marriage is considered and recommended for someone before entering the level of marriage; *kafa'ah* status will turn into a marriage condition when there is no blessing from the guardian. This concept gave birth to the law prohibiting marriage between Syarifah and non-sayyid men. This data is reinforced by the results of an interview with Habib Abdulloh,

Comment [55]: What books?

*In the tradition of the habaib group, the marriage of a syarifah with a non-sayyid (ahwal/ajam) is not allowed; the legal basis for the prohibition is already in the book of the salaf scholars. The purpose of this prohibition is to protect the descendants of the Prophet so that the lineage of the descendants of the Prophet can be identified, which are the descendants and which are not the descendants of the Prophet.*¹⁵

Comment [56]: !

The prohibition can be viewed from two factors: first, a Syarifah is considered not *sekufu* and destroys or breaks the lineage of the Prophet's descendants if he marries a non-sayyid man, and second, there is no *pleasure* from the guardian when his daughter marries a man who is not a *qual (sekufu)*.¹⁶

Comment [57]: !

Comment [58]: Blessing?

The Impact of Endogamous Marriage on Syarifah Clan

The marriage of a syarifah, a woman of noble descent from the Prophet Muhammad, with a sayyid man who is also a descendant of the Prophet Muhammad is not a debate. However, syarifah marriages with non-sayyid men cause many differences of opinion. The first opinion is that a syarifah is prohibited from marrying non-sayyid men. This opinion is the opinion of the majority and is supported by many habaib, one of which is Habib Idrus,

Comment [59]: Who is he? Why does his opinion become considerable?

¹⁴ Aba Fahmi Roby, "Konsep Kafa'ah: Studi Pandangan Habaib Di Kabupaten Jember," *Rechtenstudent Journal UIN KHAS Jember* 1, no. 3 (2020): 294, <https://doi.org/10.35719/rch.v1i3.38>.

¹⁵ Habib Abdulloh, Interview, 2022.

¹⁶ Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Nonsayyid: Perspektif Jam'iyah Rabithah Alawiyah Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 6, no. 2 (February 5, 2021): 129.

In our group, as a syarifah, she must keep our lineage. That is, a syarifah must marry a sayyid. If a syarifah is married to someone other than a sayyid, it means that she does not have a sense of ta'dhim (glorify) and respect for the Prophet because the marriage broke the kinship relationship with the Prophet.¹⁷

Comment [60]: Are you sure? Ta'dhim is sort of gerund, while glorify is the verb

Habib Idrus added that the prohibition of marriage between syarifah and ajam/ahwal (not a sayyid) has its rules in the book Mugnil Muhtaj Sardi Minhaj and the book Bughyatul Musytarsyidin.

Comment [61]: Plis explore about these books a little bit

If a syarifah marries an ajam, his lineage will automatically be cut off, and he will no longer be recognized in his family. You can see this prohibition Mugnil Muhtaj Sardi Minhaj and the book Bughyatul Musytarsyidin.¹⁸

Comment [62]: !

This prohibition of marriage is because some scholars state that the two are not sekufu' (equal). Most of the descendants of the Prophet Muhammad are relatively strong in maintaining their traditions, one of which is choosing a partner. They tend to marry fellow descendants of the Prophet. However, it is not uncommon for men from the descendants of the Prophet to marry 'ajami' women (not from the syarifah). This has happened many times, and there is no debate over legal issues. However, even though this marriage did not cause a break in the lineage (because the son was related to the father), the other habaib did not want to attend the wedding, and the habaib still thought this marriage was not sekufu'.¹⁹ However, if an Arab woman (especially syarifah) marries a non-sayyid man, there will be a lot of debate and conflict.²⁰ Syarifah, who is the perpetrator of endogamy marriages, has the responsibility to maintain the custom to continue to be maintained until their offspring.

Comment [63]: Because?

The second opinion says that a Syarifah is allowed to marry an ajam/ahwal man; this opinion is weak and is followed by only a small number of habaib. One of them who followed this opinion was Habib Hasan,

Comment [64]: !

Comment [65]: What is this? Give explanation in a bracket!

Comment [66]: Why is it weak?

There is no difference between syarif and syarifah and Ajam/ahwal people. All humans before Allah are equal, except for their piety to Allah. So differences in lineage, clan, education, and property will not be a problem in marriage between fellow Muslims. Because no one can guarantee the marriage of a fellow syarif/syarifah will bring blessings in his marriage.²¹

Habaib, who allows this marriage requires the ridho (approval) of the guardian and the syarifah's family. This argument is based on the facts of an interview with Syarifah Khadijah,

At first, my marriage to an ordinary person (ajam) was rejected and opposed by my extended family, but my father agreed, and finally, my extended family accepted this marriage.²²

Ridho or this agreement is an absolute requirement because the right of kafa'ah lies with the syarifah and her guardian. If they agree to relinquish their rights, then there is no problem,

Comment [67]: !

¹⁷ Habib Idrus, Interview, 2022.

¹⁸ Habib Idrus, Wawancara, 2022.

¹⁹ Habib Idrus, Wawancara, 2022.

²⁰ Masruroh, "Pernikahan Syarifah Dengan Non-Sayyid Di Patokan Kraksaan Probolinggo Perspektif Imam Malik Dan Imam Syafi'i," *Al-Hukama'* 4, no. 1 (June 1, 2014): 121, <https://doi.org/10.15642/al-hukama.2014.4.1.83-121>.

²¹ Habib Hasan, Interview, 2022.

²² Syarifah Khotijah, Interview, 2022.

but if they refuse their requests and continue to demand the existence of kafa'ah, this marriage cannot occur.

A small proportion of the Syarifah group who married non-Sayyid men was caused by contamination or influence by the culture of other groups. Another reason syarifah does not carry out endogamous marriages is from education and social and economic factors. Violation of this custom, for Syarifah, is not easy because she knows that the marriage she did with someone other than Sayyid is not a custom or habit of her group. So, when a Syarifah dares to marry outside his tradition, he must also be ready with all the values and assumptions of other Syarifah and his group towards him. The marriage system adopted by the habaib community is an endogamous marriage system in which marriage can only be carried out between ethnic, clan, tribe, or kinship within the same environment, especially syarifah women who, if married to someone outside their circle, will have an impact on offspring (nasab). In contrast to men from the habaib circles, they are freer to choose outside their community; this is because if a syarifah woman marries an ordinary man who is not from the habaib, the lineage line will be cut off, while from the man, it is not cut off.²³

As a result of the violation of these customs, two effects are very felt for Syarifah, who violates the endogamy marriage custom, namely the psychological and sociological impacts. Both of these impacts arise due to the feelings that arise from Syarifah, who does not follow the endogamy marriage custom. Discomfort arises from feeling different from other Syarifah. So from the psychological impact that is felt by Syarifah, namely the discomfort after having an exogamous marriage, there is also a sociological impact for her.²⁴ This sociological impact looks like data in interviews,

*What is the impact of syarifah marrying an azam man? He replied that his syarifah status would be lost, and he would be exiled from his family, even if he was not recognized as a family that had a lineage until the Messenger of Allah because he was considered to have cut off kinship relations so that it did not reach the Messenger of Allah.*²⁵

Once the syarifah violated the marriage tradition, she would be ostracized by her extended family and relatives. A Sayid said that there is no even the most effective medicine as an antidote to the pain caused by insulting the pride of the Syarifah family who violated the tradition. Syarifah will lose kinship with her family indefinitely. Violating the kafā'ah tradition is considered a violation that most tarnishes Sayid's family's dignity. It can be said that there is nothing more valuable to protect Sayid's extended family in this world other than maintaining the tradition of marriage. This is also what is instilled in the next generation as a process of maintaining the continuity of the identity of Sayid's extended family.²⁶

Table 2. Impact of Prohibition of Endogamous Marriage on Syarifah Clan

²³ Muhammad Ridwan and Hamzah Hasan, "Perkawinan Sekufu Wanita Syarifah dengan Laki-Laki Biasa Di Desa Pambusuang Kabupaten Polewali Mandar," *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum*, January 31, 2021, 178, <https://doi.org/10.24252/shautuna.v2i1.16837>.

²⁴ Fahmi Ridlol Uyun, "Perkawinan Endogamy Bagi Syarifah Perspektif Sosiologis Dan Maqashid Syari'ah (Study Kasus: Adat Perkawinan Endogamy Di Kampung Arab Kelurahan Kademangan Bondowoso)," *IJIL: Indonesian Journal of Islamic Law* 1, no. 2 (August 26, 2019): 9.

²⁵ Habib Zahir, Interview, 2022.

²⁶ Dewi Ulya Rifqiyati, "Dinamika Perkawinan Endogami Pada Keturunan Arab Di Yogyakarta," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 2, no. 1 (January 29, 2020): 32, <https://doi.org/10.56593/khuluqiyya.v2i1.38>.

Comment [68]: Is it your statement? Complete it with agumentation and further academic evident

Comment [69]: What are they? Plis be clear!

Comment [70]: For syarifah who do not ...

Comment [71]: Show any example!

Comment [72]: Who does this difference occur?

Comment [73]: The breaker?

Comment [74]: !

Comment [75]: Or she?

Comment [76]: Do you refer to men/women?

Comment [77]: Move to the end of sentence with adding at beforeward

Comment [78]: Endogamous one?

Comment [79]: Please mention about table/graph title before you perform it!

Comment [80]: Again, your table needs a sort of connecting sentence

Comment [81]: Performing table is not appropriate in this case! Please find another form of visualization! You can use graph and then explain it!

No	Impact of Prohibition of Endogamous Marriage on Syarifah Clan	
	Sociological impact	Psychological Impact
1	Syarifah's status will be lost and no longer recognized	Syarifah will feel inferior and uncomfortable because he has violated the endogamous marriage
2	The nasab status of the children born from the marriage cannot be continued with the Prophet Muhammad (the child does not have the status of a syarif or syarifah)	Children born from these marriages will feel inferior because they have lost their status as syarif or syarifah.
3	Syarifah will be excommunicated from his extended family and relatives	The big syarifah family will feel that their self-esteem and dignity have been tarnished and damaged

To maintain offspring using *sekufu'* marriage, people of Arab descent often form a group or community of fellow Arabs to establish their kinship ties and to find a mate for their child. The mothers formed an *arisan* group of mothers of Arab descent who initially aimed to develop brotherly relations among groups. Another example is that young women of Arab descent gather to form groups to conduct recitation activities, discuss religion, and discuss *sekufu'* marriages frequently. With the rapid development of the times and the existence of modernization everywhere, the Arab community, especially in Indonesia, does not seem to have collapsed by the current modernity. The tradition of *sekufu'* marriage is maintained in their way.²⁷

Analysis of Endogamous Marriage of Syarifah Clan on Sociological Islamic Law Perspective

Marriages carried out by a syarifah have special rules in forming family institutions that are *sakinah mawadah warohmah*. In this group, *sekufu* marriages are only marriages based on nasab or lineage. Adjustment or *kafa'ah*, especially in the case of marriage, becomes something that has a very strong binding force on its members. A woman (syarifah) from the Alawiyyin (*habaib*) group is not said to be equal/*sekufu* if she is not married to a man (Sayyid). Applying this principle of *kafa'ah* in a marriage is not aimed at discriminating between one Muslim and another but protecting the future wife and her family from "shame" because they are juxtaposed with a husband who is not comparable to him. In terms of *maqasid ash-syariah*, this marriage prohibition contains *maslahat*, namely maintaining offspring (*hifdzu an-nasal*). *Kafaah* nasab is a consideration for syarifah to marry; if they are not married to Sayyid, the child born cannot be attributed to the Prophet.²⁸

Indeed, in front of Allah, the noblest human being is pious, but because this marriage is not only seen from the side of worship, it must also be seen from the social side of humanity. Considering the *kafa'ah* lineage in marriage is one way to maintain household harmony. However, the stipulation of lineage *kafa'ah* in this marriage should be responded to wisely and

Comment [82]: Please mention the title of table/graph then give general trend about it! After all, explain it!

Comment [83]: Plis DO CONSIDER to use this word repeatedly!

Comment [84]: Are syarifah a part of Arab? Plis be clear and consistent on your research subject; Arabian or syarifah.

Comment [85]: !

Comment [86]: Reference plis

Comment [87]: !

Comment [88]: Have been?

Comment [89]: What do you mean?

Comment [90]: Plis explain every foreign term like this

Comment [91]: !

Comment [92]: From the same group?

Comment [93]: No ned

²⁷ Jihan Surayoh, "Mixed Marriage in the Arab Community (Study on Family Acceptance of Arab Women Against Mixed Marriages Across" (journal.unair.ac.id, 2015), 3.

²⁸ Haya Zabidi and Rifky Noor, "Tinjauan Maqasid Asy-Syari'Ah Asy-Syatibi Terhadap Larangan Perkawinan Syarifah Dengan Laki-Laki Non Sayyid," *Syariah Darussalam : Jurnal Ilmiah Kesyarahan Dan Sosial Masyarakat* 5, no. 1 (2020): 101, <http://ojs.iai-darussalam.ac.id/index.php/syariahdrs/article/view/101/68>.

responsibly to determine the attitude in considering kafa'ah in marriage so that the principle of lineage kafa'ah in this marriage can bring benefits in building a household, not even bring joy.²⁹

Internal rules among *alawiyyin* (habaib) do not allow a daughter (syarifah) to marry outside the Alawiyyin family. This rule adheres to an endogamous marriage system, especially for girls, whose violation will impact the expulsion of the person from the lineage (nasab). The sanction for this violation is the exclusion of the person from his relatives, the ban on marriage outside the family is certainly a phenomenon. The habaib community itself is divided into two groups in responding to this phenomenon,

Table. 3 The Habaib's Attitude Towards Syarifah's Marriage Not With Sayyid.

No	The attitude of the Habaib	Opinion Group
1	Total Reject	Majority Opinion and Strong Opinion
2	Allow With Conditions	Minority Opinion and Weak Opinion

This internal rule among *alawiyyin* (habaib) has become a separate social phenomenon, where marriage, in the view of society in general, is allowed to marry anyone in terms of religion and formal law. However, in Islam *fam Alawiyyin* (habaib), a Syarifah woman can only marry *Alawiyyin* or *Sayyid* circles. The *Sayyid* descendant community believes they should not marry people outside their community, especially women. This belief was then held from generation to generation. Therefore, this rule has become the culture of *Sayyid*'s descendants in determining their daughter's mate. The *Alawiyyin* community still holds firmly to the sacredness and existence of *Sayyid* descendants. This is very visible and strongly embedded in everyday social and cultural life. One of them is how the efforts of the *Alawiyyin* clump to maintain the marriage pattern or the selection of a mate they have believed in since their ancestors. This marriage pattern is strongly influenced by culture, daily social life, and especially beliefs which are the main basis for the existence of a community called *Sayyid*.³⁰

There are basic requirements in marriage, and there are secondary requirements. An example of a secondary requirement is kafa'ah because the law is not obligatory. Imam Syafi'i said kafa'ah is a matter of religion. Because ancient times were different from today, in ancient times, even though they had other religions, those with different religions were indeed people of the book. At the same time, the main thing in terms of marriage is kafa'ah syarifah because taqwa and lineage, if not kafa'ah, then the lineage is cut off.

If syarifah only relies on lineage without taqwa, then it will be in vain. Kafa'ah for syarifah is obligatory. Because the Prophet himself said otherwise, my intercession will be cut off on the Day of Qiyamat. The Mufti of Makkah al-Mukarramah, *Sayyid Alwi bin Ahmad al-Saqqaf*, explained in his phenomenal writing "*Tarsyid al-Mustafidin Khasiyah Fath al-Mu'in*" that it was stated in the books of *al-Tuhfah* and *al-Nihayah* that there was no one except the descendants of Bani Hasyim who are equal (sekufu') with children who are descendants of *Sayyidah Fatima*. This is due to the specificity of the Prophet Muhammad SAW because the descendants of his daughter (Siti Fatimah) have lined up with him in other kafa'ah matters. The argument

Comment [94]: WHAT DO YOU MEAN? Plis mind your words!

Comment [95]: You have said this many times

Comment [96]: Plis continue this to accentuate sociological islamic law touch

Comment [97]: Plis be clear. In responding the phenomenon of marrying outside clan, for instance

Comment [98]: Your title does not match to your head of table? What do you want actually in performing this table? Comparing?

Comment [99]: Allowing

Comment [100]: !

Comment [101]: Repetition!

Comment [102]: Repetition. It also needs reference.

Comment [103]: Is it your assumption? You are not writing an opinion. Instead, it is a scientific manuscript which should be either data or arugmentation.

Comment [104]: Otherwise what?

Comment [105]: Plis put the oject

²⁹ Said Syaripuddin and Andi Banna, "Kafa'ah Nasab Sebagai Syarat Utama Bagi Pernikahan Wanita Syarifah Di Kecamatan Lau," *Al-Tafaqquh: Journal of Islamic Law* 3, no. 2 (July 31, 2022): 74, <https://doi.org/10.33096/altafaqquh.v3i2.171>.

³⁰ Abd Asis, "Pola Perkawinan Islam Alawiyyin Di Kabupaten Maros," *Gema Kampus IISIP YAPIS Biak* 12, no. 2 (October 30, 2017): 75, <https://doi.org/10.52049/gemakampus.v12i2.46>.

mentioned by Sayyid Alwi bin Ahmad al-Saqqaf can be translated into that our daughters (syarifah) marry our sons (sayyid/syarif), marry our daughters (syarifah). Based on the opinion or views of Rabithah Alawiyah, it is clear that the basis for the implementation of *kafa'ah* is carried out by the Alawite families, exemplified by the Prophet Muhammad in marrying his daughter Fatima to Ali bin Abi Talib.³¹

Many hadiths state that *kafa'ah*, including the virtue of *kafa'ah* for syarifah, is like the virtue of pious youth over Muslim women, but every pious man who proposed to Fatimah in his time was rejected by the Messenger of Allah subtly. Even Abu Bakr, Umar, and friends who were so righteous and pious by the Apostle's side were politely dismissed. "God has not determined about Fatimah" is what the Prophet continued to say because Fatima (syarifah) was still not commensurate with them. When Imam Ali proposed at the instigation of another friend, the Prophet accepted because of friendship, Imam Ali was a friend and cousin of the Apostle, but Imam Ali's *kaffah* aspect was equivalent.

Kafa'ah is not only in the descendants of Alawiyyin, but there are many other descendants, for example, the descendants of the sultanate, Kiagus, Kemas, and Raden; they do not allow marriage to other than them because their lineage will be cut off. Likewise, the descendants of Alawiyyin are very careful about their family; *Kafa'ah*, some are sentenced to Nuzum (must) but do not cancel the marriage if it is not as *kufu'*. Then some scholars say it is a condition for a valid marriage. So, if they are not equal, there must be an agreement from the guardian or not, then the marriage is void, meaning that the marriage is invalid in the end it can be said to be like adultery because Alawiyyin took the opinion of *kafa'ah* as a condition for the validity of the marriage. *Kafa'ah* is seen from two angles: the guardian and the woman; both must agree.³² *Kafa'ah* is the right of the wife and the right of a guardian. A guardian may not marry off his daughter to a man who is not *sekufu*. Likewise, if a woman asks or demands from her guardian to be married to a man who is not *sekufu*, then the guardian may refuse it because there is no *kafa'ah*. The scholars view the importance of having *kafa'ah* only for men, not women because men are different from women if they marry women lower in rank than themselves.³³

There are several reasons why these *syarifahs* accept endogamous marriage. First, because most of these *syarifahs* live or are in the environment of the Alawiyyin family group, they can indirectly understand and accept endogamous marriages. Second, the pattern of religious education from internal families, especially parents who teach, ensures that endogamous marriage is a tradition that should not be taboo to be violated. Third, external influences such as relatives and friends who continue to provide education and support to those who are perpetrators of endogamous marriages. Fourth, there is respect for parents and close relatives, so there is a concern if they want to get out of the values of a *qual* marriage.

Comment [106]: Should marry?

Comment [107]: What do you mean?

Comment [108]: Who or what it is?

Comment [109]: Verb should not be here

Comment [110]: Verb should be here

Comment [111]: The question is actually whether this argument is what your research subject believe to maintain the tradition. It's not about what should be, it has to about how it comes in reality.

Comment [112]: Plis do explain them!

Comment [113]: What is it?

Comment [114]: !

Comment [115]: Who are both?

Comment [116]: This is too Indonesian!

Comment [117]: Plis show the evidence/example

³¹ Mustika Sari Wulandari et al., "Cucu Nabi Muhammad Menikah dengan Orang Makassar : Studi Pernikahan Perempuan Islam Sayyid di Cikoang, Takalar," *Jurnal Tamaddun : Jurnal Sejarah dan Kebudayaan Islam* 7, no. 2 (2019): 282, <https://doi.org/10.24235/tamaddun.v7i2.5499>.

³² Izmawanti, "Fenomenologi Pernikahan Se-Kufu Pada Masyarakat Palembang Komunitas `Alawiyyin Dalam Perspektif Surah Al-Hujarat: 13," *Jurnal Semiotika-Q: Kajian Ilmu al-Quran Dan Tafsir* 1, no. 1 (June 29, 2021): 7, <https://doi.org/10.19109/jsq.v0i0.7447>.

³³ Fashihuddin Arafat, "Potret Kafa'ah Dalam Pernikahan Kaum Alawiyyin Gresik (Pandangan Al Habib Husein Abdullah Assegaf)," *MIYAH : Jurnal Studi Islam* 15, no. 2 (September 15, 2019): 216.

Meanwhile, those who reject endogamous marriage have several causes, namely, the pattern of settlement or residence scattered and not settled in the Alawiyyin community. Second, the design of modern education blends in with the general public. Third, lack of socialization or teaching about the values of marriage from the family, especially parents. Fourth, there is a less external influence, especially from the Alawiyyin study center institution, which routinely provides education through social media and other activities related to the development of the Alawiyyin family, especially by the younger generation.³⁴

Those who reject the internal rules in alawiyyin use the argument of verse al hujarat verse 13. Lineage matters are very important, but the Qur'an and Hadith explain that the glory of a servant is not measured by his lineage but by his piety and deeds.³⁵ God said,

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ

Meaning: " Surely the noblest of you, in Allah's sight, is the one who is most pious of you." (Surat al-Hujarat: 13).

The group that rejects this argument argues that kafa'ah is only in religion, not in nasab matters, so it is permissible to marry someone who is not habaib. This opinion is also reinforced by the hadith of the Prophet,

إِذَا خَاطَبَ إِلَيْكُمْ مَنْ تَرَضَّوْنَ دِينَهُ وَخُلِقَهُ فَرَّوْجُوهُ، إِلَّا تَفَعَّلُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ

Meaning: When a person comes to you whom you can accept religion and morality (to marry your daughters), then marry him. Because if this is not done, it will surely become a fitnah on earth and become heavy damage. (HR. Tirmidhi)

Table 4. Endogamous Marriage in Syarifah Clan

No	Endogamous Marriage in Syarifah Clan	
	Reason for Receiving	Reason for Rejecting
1	Syarifah lives in the community of <i>Alawiyyin</i> family groups, so they can indirectly understand and accept the endogamous marriage.	Syarifah does not live in the Alawiyyin community and gets a modern education that prioritizes exogamous marriage.
2	Religious education from parents who teach endogamous marriage is a tradition that should not be violated	Syarifah lacks socialization and support from family about the importance of endogamous marriage
3	The influence of relatives and friends who continue to provide education and support to endogamous marriages	Syarifah argues that the benchmark of a servant's glory is not measured by his lineage but by his piety and deeds.
4	Respect for parents and close relatives	Syarifah argues that the concept of kafa'ah is only in religion, not nasab matters.

Very few groups do not follow the internal rules of endogamous marriage among the shari'ah. Most habaib (alawiyyin) support and adhere to this internal rule. The regulations of endogamous marriage profoundly impact Muslim society in general. Endogamy marriage provides certainty and clarity to the descendants of the Prophet Muhammad so that the

³⁴ Asis, "Pola Perkawinan Islam Alawiyyin Di Kabupaten Maros," 76.

³⁵ Abu Yazid Adnan Quthny and Ahmad Muzakki, "Urgensi Nasab Dalam Islam Dan Silsilah Nasab Habaib Di Indonesia," *Asy-Syari'ah: Jurnal Hukum Islam* 7, no. 2 (June 25, 2021): 148, <https://doi.org/10.55210/assyariah.v7i2.592>.

Comment [118]: Does it happen globally or specifically at your research locus?

Comment [119]: Again, is it what your research subjects believe? Plis adjust the reference.

Comment [120]: Generally or in Bangil?

Comment [121]: Your table needs introductory sentences

Comment [122]: This is refusal here, so in which part this refusal happens?

Comment [123]: How much is the percentage?

Muslim community, in general, will more easily recognize and glorify the descendants of this Prophet Muhammad.

Conclusion

Endogamy marriage among the syarifah in Bangil is a form of obedience to the traditions passed down from generation to generation from their ancestors, namely the custom of marrying those who are sekufu' (equivalent in position). Endogamy marriages among shari'ah are maintained and sustainable until now because they are based on religion, the Sayyid breed's sacredness, and the community's solid social conditions to preserve the custom of endogamous marriage. If this custom is studied in depth, it does not conflict with the shorih texts; even the endogamy marriage custom substantially strengthens the wisdom of marriage. The surrounding community has also understood the phenomenon of endogamous marriage; even they are very supportive of this custom. Syarifah, family, and the surrounding community provide social sanctions if a syarifah does not marry a sayyid. Community support for this endogamous marriage contains benefits in the form of *hifdun naseh* (keeping children born still able to be attributed to the Prophet). However, there is still a small group of habaib groups who allow syarifah's marriage to men who are not sayyid, but they require that there must be *ridho* (approval) of the syarifah's guardian and family. *Ridho* or this agreement is an absolute requirement because the right of kafa'ah lies with the syarifah and her guardian. If they agree to relinquish their rights, then there is no problem, but if they refuse their requests and continue to demand the existence of kafa'ah, this marriage cannot occur. The habaib groups which allow this marriage are only a minority and include weak opinions.

Comment [124]: Plis avoid to repeat the same sentence from the the other part to this section. Comply with the journal template to show what the conclusion part should consist of

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Comment [125]: Pls mind of your translation!

Endogamous Marriage of Syarifah Clan at Bangil City on Sociological Islamic Law Perspective

Abstract: This study is aimed at comprehensively describing the endogamous marriages of *Syarifah* (a noblewoman, the designation for a woman descended from the Prophet Muhammad) in Bangil city from a sociological Islamic law perspective. *Syarifah* endogamous marriage requires them to marry with the prospective from *Sayyid* groups only. Endogamy marriage will be explored holistically by clarifying the reciprocal relationship between social change and the placement of Islamic law in endogamous marriage among *syarifah*. This study was field research that examines the enactment of the law in the reality of society. It used a sociological juridical approach to Islamic law to reveal the facts about endogamous marriage among *syarifah*. The place of this research is Bangil, Pasuruan. Data collection techniques used in this study were interviews and documentation. At the same time, the analysis technique used is the Miles dan Huberman analysis technique. After conducting in-depth research, a conclusion was found that endogamous marriage among *Syarifah* in Bangil is a form of obedience to customs passed down from generation to generation from their ancestors, namely the tradition of marrying someone of equal lineage. The endogamous marriages have endured to this day due to religious teachings, the spirit of protecting the family of the Prophet Muhammad, and the social conditions of the people that support the preservation of this endogamous marriage.

Keywords: endogamous; Islamic law; marriage; sociological; Syarifah.

Introduction

In Islam, Marriage is a sacred agreement, worship of Allah, a sunnah of the Prophet, and measures based on sincerity and responsibility.¹ Marriage is carried out with the intention that humans have a legitimate family to achieve a happy life in this world and the hereafter.² In addition to the rules in Islam to help achieve this goal of Marriage in certain tribal clans, several additional rules are made. One of the rules is not to marry other people of different ethnicity or family from their tribe. This rule is known as endogamous marriage.³

Endogamous marriage requires people to find a mate in their social environment, for example, in the family, social class, or residential setting.⁴ Sunarto said that endogamy is a marriage between ethnicity, clan, tribe, or kinship in the same environment. In the endogamy

¹ M. Anwar Nawawi et al., "Harmonization of Islam and Human Rights: Judges' Legal Arguments in Rejecting Child Marriage Dispensation in Sukadana, Indonesia," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (September 1, 2022): 126, <https://doi.org/10.18326/ijtihad.v22i1.117-134>.

² Aisyah Ayu Musyafah, "Perkawinan Dalam Perspektif Filosofis Hukum Islam," *CREPIDO* 2, no. 2 (November 29, 2020): 111, <https://doi.org/10.14710/crepido.2.2.111-122>.

³ Muhammad Rizwan Safdar et al., "Socioeconomic Determinants of Caste-Based Endogamy: A Qualitative Study," *Journal of Ethnic and Cultural Studies* 8, no. 2 (February 10, 2021): 39, <https://doi.org/10.29333/ejecs/697>.

⁴ Duwi Nuryani, Setiajid, and Puji Lestari, "Latar Belakang Dan Dampak Perkawinan Endogami Di Desa Sidigde Kabupaten Jepara," *Unnes Civic Education Journal* 1, no. 2 (2015): 9, <https://journal.unnes.ac.id/sju/index.php/ucej/article/view/1011>.

Comment [Ma1]: Is there more general term referring to the descendant of Prophet without tending to discriminate the sex? Syarifah only means for women, right?

Comment [MOU2]: 1.Please shorten the number of words, it must be 7000 words at most!
2.Please pay attention the author guideline and template, how to write abstract, what it is consist of, how many language must be used, what kind of font will be used etc!
3.Please check, some of your footnotes have not been used Mendeley yet!

Comment [Ma3]: Why does it have been capitalized?

Comment [Ma4]: Equivalent term plis!

Comment [MOU5]: Italic

Comment [MOU6]: Double "to"?

Comment [Ma7]: Why?

Comment [Ma8]: Do you mean maintained?

Comment [Ma9]: Why capital?

Comment [Ma10]: !

system, a person must find a mate in his social environment, for example, in a kinship, clan, social class environment, or neighborhood. Endogamous marriages are usually carried out to keep wealth circulating among themselves, strengthen the clan's defense from enemy attacks, maintain bloodline, or for other more exclusive motives. Keesing revealed that endogamous Marriage has a positive impact. It can strengthen group solidarity, while the adverse effects are if the marriage ends in divorce. This can also cause strained kinship and generate physical or mental defects in offspring if endogamous marriages violate the Shari'a, such as marrying an aunt.⁵

This form or system of endogamous marriage is adopted by several ethnic groups, tribes, or community clans in Indonesia. Endogamous marriage in one ethnic group in Indonesia is *Syarifah* (a woman descended from the Prophet Muhammad).⁶ *Syarifah* performs endogamous marriages based on ethnicity or clan (descendants) of the Prophet Muhammad. The purpose of endogamy marriage among them is to preserve the lineage of the Prophet Muhammad. This data is reinforced by research conducted by Fathur Rohman Azhari, entitled "Motivation of Endogamous marriage in the *Alawiyin* Community in Martapura, Banjar Regency." The results of this study are that endogamous marriages carried out by syarifah(s) aim to preserve lineage. The indicators are; All informants stated that syarifah's Marriage with Habib (lover; call to people with the title *sayid*) was to preserve lineage.⁷ All informants in this study noted that the Marriage of a *syarifah* with *ahwal* (non-*Habib*) could break the lineage. Hence, the marriage of Sharifah with someone who is not a Sayyid is strictly avoided, and every effort is made to prevent the marriage. Seven informants in this study stated that their families rejected Syarifah's marriage to a man who was not a sayyid. Two informants stated that Syarifah's marriage to a man who was not a Sayyid was not sanctioned by their parents, and one informant stated that Syarifah's Marriage to a man who was not a *Sayyid* was canceled.⁸

Khoirul Barriyati conducted another study titled "Social Construction of Endogamous marriages among Women of Arab Descendants (Studies on Women of Arab Descendants Throughout)." The results of this study indicate that the purpose of endogamous marriage for women of Arab descent from the Ba'alwi group tends to be socially oriented toward traditional values and actions. While the endogamy marriage of women of Arab descent from the *Masyaikh* group is more directed to rational instrumental action because, in the marriage relationship, the advantages of both parties are first considered, with the capital owned being a handsome and financial face on the part of the man. Arab women from the *Masyaikh* group

Comment [MOU11]: This seems so strange sentence, please fix it.

Comment [Ma12]: Do you mean incest?

Comment [Ma13]:

Comment [Ma14]: Is this the definition of syarifah? Come on, write this sentece.

Comment [MOU15]: Italic and make it consistence, sayid or sayyid?

Comment [Ma16]: And what is sayid?

Comment [Ma17]: What do you mean?

Comment [Ma18]:

Comment [Ma19]: What do you mean?

Comment [Ma20]: Reference plis

Comment [MOU21]: Italic?

⁵ Dewi PuspitasariSari, "Kajian Fenomena Perkawinan Endogami Di Kelurahan Condong Campur Kecamatan Pejawaran Kabupaten Banjarnegara," *E-Societas* 5, no. 5 (October 12, 2016): 3, <https://journal.student.uny.ac.id/ojs/index.php/societas/article/view/4003>.

⁶ "Arti Kata Syarifah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 2, 2023, <https://kbbi.web.id/syarifah>.

⁷ "Arti Kata Habib - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 2, 2023, <https://kbbi.web.id/habib>.

⁸ Fathurrahman Azhari Zainal Muttaqien Sulaiman Kurdi, "Motivasi Perkawinan Endogami Pada Komunitas Alawiyin Di Martapura Kabupaten Banjar," *Mu'adalah: Jurnal Studi Gender Dan Anak* 1, no. 2 (February 14, 2013): 83, <https://doi.org/10.18592/jsga.v1i2.677>.

who marry through arranged marriages with cousins on the father's side tend to act affectionately because of their emotional closeness to their family.⁹

Based on the literature review, The research on the endogamous marriage of Sharifah has been conducted only concerns the motivation and reasons for this Marriage. It differs from what researchers have done in this present research because it examines endogamous marriage among *syarifah* through a sociological approach to Islamic law so that the conclusions obtained can describe social facts related to the practice of endogamous marriage not only from a legal standpoint but from a societal standpoint (a practice that occurs). The next difference is that the researcher chose Bangil as the place of research, where Bangil has been a gathering center for *habaib*, Sayyid, and Sharifah from ancient times to the present. Bangil is also a place for the thoughts of Habib and Sharifah, both Sunni and Shi'a wingers. The novelty side of this research is that the endogamous Marriage of the Syarifah clan is seen holistically, not only in terms of motivation and reasons for Marriage. The researcher will also examine aspects of the causes of sharifah's endogamous marriage, which are still sustainable today; the researcher will also discuss the response of the surrounding community to this endogamous marriage. In addition, we will explore endogamy marriage holistically by explaining the reciprocal relationship between social change (The stigma of being married can be with anyone from the same religion and belief) and the placement of Islamic law in endogamous marriage among Syarifah.

Methods

This study is field research, which is descriptive and qualitative. Data collection techniques used in this study were interviews and documentation. Informants in this study numbered fifty people, namely Habib, Sayyid, Sharifah, religious leaders, traditional leaders, community leaders, and Bangil town residents. In determining informants, researchers used a purposive sampling technique; the goal is that the data obtained is more accurate and on target. The criteria for deciding informants understood the endogamy of Syarifah marriage, having participated in at least two times the endogamy of Syarifah marriage, being a Habib, Sayyid, Syarifah, or a member of the community who lives in the city of Bangil. The approach used in this study is a sociological juridical approach because this study is a legal study that looks at social reality.¹⁰ This sociological juridical approach is used to find out and describe facts related to the endogamy of Syarifah marriage that occurred in Bangil; then, these facts will be analyzed using the sociological theory of Islamic law. The techniques of data analysis used various stages, including data reduction, data presentation, and conclusion.¹¹ At the same time, the data validity technique used in this study is source triangulation.¹²

Comment [Ma22]: Why capital?

Comment [Ma23]: previous

Comment [Ma24]: omit

Comment [Ma25]: this type of marriage

Comment [MOU26]: What do you mean by "to" here?

Comment [MOU27]: Be consistence!

Comment [Ma28]: Show any evidence/references/

Comment [Ma29]: Are they your research questions? If so, Plis mention it explicitly.

Comment [Ma30]: Plis explain a little bit

Comment [Ma31]: What documents are you engaged in?

Comment [Ma32]: Plis rewrite this. It has big grammatical error.

Comment [Ma33]: As who/what?

Comment [Ma34]: What is it?

Comment [Ma35]: Plis explain technically

⁹ Khoirul Bariyati, "Konstruksi Sosial Pernikahan Endogami Di Kalangan Perempuan Keturunan Arab (Studi Pada Perempuan Keturunan Arab Di Sepanjang)," *Jurnal Komunitas* 6, no. 3 (2017): 17, [http://journal.unair.ac.id/Kmnts@konstruksi-sosial-pernikahan-endogami-di-kalangan-perempuan-keturunan-arab-\(studi-pada-perempuan-keturunan-arab-di-sepanjang\)-article-11971-media-135-category-8.html](http://journal.unair.ac.id/Kmnts@konstruksi-sosial-pernikahan-endogami-di-kalangan-perempuan-keturunan-arab-(studi-pada-perempuan-keturunan-arab-di-sepanjang)-article-11971-media-135-category-8.html).

¹⁰ Muhammad Chairul Huda, *METODE PENELITIAN HUKUM (Pendekatan Yuridis Sosiologis)* (Semarang: The Mahfud Ridwan Institute, 2022), <http://e-repository.perpus.iainsalatiga.ac.id/14262/>.

¹¹ Matthew B Miles and A. Michael Huberman, *Analisis Data Kualitatif : Buku Sumber Tentang Metode-Metode Baru* (Jakarta: Universitas Indonesia Press, 2014).

¹² Lexy J Moleong, *Metodologi Penelitian Kualitatif* (Bandung: PT. Remaja Rosdakarya, 2018).

Result And Discussion

Profile Of Bangil City and the Life of the Prophet's Descendants

Bangil is a sub-district city, the capital of Pasuruan Regency, East Java Province, Indonesia. Bangil is located 35 km south of Surabaya and directly adjacent to the Madura Strait in the north.¹³ In the west, Bangil is bordered by the Beji District, the north by the Sidoarjo Regency, the east by the Kraton District, and the south by the Rembang District. The area of Bangil is 42.93 km². Bangil sub-district comprises fifteen villages, namely Kidul Dalem, Pogar, Gempeng, Kolursari, Kauman, Raci, Kersikan, Dermo, Bendomungal, Manaruwi, Kalirejo, Kalianyar, Tambakan, Latek, and Masangan. The population of Bangil City is 84,640 people.¹⁴

Bangil is famous as a *santri* city, and most of the population is Muslim. The people's daily activities reflect Islamic life; some even mention it as the porch of the Mecca of East Java province. In addition, the city of Bangil has earned its nickname as the city of *santri* because it represents a symbolic representation of Arab society, which is still firmly bound by Islamic religious values compared to big cities, which tend to have a broader scope.¹⁵ Bangil is one of the cities inhabited by many great scholars to spread the religion of Islam. Few are descendants of the Prophet Muhammad with Habib, Syarif, Sayyid, or Syarifah. The descendants of the Prophet have a special place in Muslim society. They are sworn in as rulers and priests by being given the title Syarif for men and Syarifah for women. Apart from that, some provide the title Sayyid and Sayyidah, or Habib, to signify that those given this title are still considered to have blood and family ties with the Prophet Muhammad. In the field of education, Habaib Bangil founded several Islamic boarding schools, including Pencangaan Islamic Boarding School, Darul Ulum, Riyadul Ulum, Tanwirul Hijah, an Islamic boarding school of Salafiyah, Datuk Kalampayan, an Islamic boarding school of Salafiyah Diwet, Nurul Dholam, an Islamic boarding school of KH. A. Wahid Hasyim, Darul Ihya'liulumudhin, Nurul Iman, an Islamic boarding school of Salafiyah Al-Azhar Sidowayah, Dzunurain Kalikunting, Nurul Madina Kalirejo, Darul Tauhid Gempeng. Ahmad Mudhirul Haq, from PC. RMI Pasuruan City: "because of the strong Aswaja sect held by the habaib and masyayikh in Bangil, Bangil is known as the city of *Ahlussunnah wal Jamaah*."¹⁶ Bangil also has a sizeable Islamic boarding school founded by Habib Hasan Bin Ahmad Baharun. This Islamic boarding school has thousands of students, many of whom are descended from the descendants of the Prophet Muhammad (Habib and syarifah).¹⁷ With so many habibs and syarifahs living in Bangil city, it is natural that social interaction among habibs and syarifahs is still maintained following the values inherited by their ancestors in the matter of Marriage.

Comment [Ma36]: If this was not a part of your Research Question, better to blend it at the introduction part (with some adjustment)

Comment [Ma37]: You havent mentioned what the terms mean. Plis do it at the first mention.

Comment [Ma38]: Explain that this is the plural form of habib because not everybody knows.

Comment [Ma39]: Reference if possible.

Comment [Ma40]: Not everybody knows this. Come on.

Comment [Ma41]: City mentioned as follows:

Comment [Ma42]: Again, not everybody knows this.

¹³ "Bangil, Pasuruan," in *Wikipedia bahasa Indonesia, ensiklopedia bebas*, January 25, 2022, https://id.wikipedia.org/w/index.php?title=Bangil,_Pasuruan&oldid=21701907.

¹⁴ Pemkot Bangil, "Dokumen Pemerintahan Kota Bangil," 2021.

¹⁵ Fatimah Fatimah and Amirah Anis Thalib, "Kontestasi Perempuan Arab Masaik Bangil Dalam Pernikahan Antar Etnis," *Lakon: Jurnal Kajian Sastra Dan Budaya* 6, no. 1 (December 7, 2017): 48, <https://doi.org/10.20473/lakon.v6i1.6792>.

¹⁶ Arsyad Sobby Kesuma, Abdul Halim, and Nur Syam, "The Religious Politics of Habaib in Surabaya and Bangil East Java: A Socio-Religio-Political Approach," *QIJS (Qudus International Journal of Islamic Studies)* 10, no. 2 (December 20, 2022): 299, <https://doi.org/10.21043/qijis.v10i2.12090>.

¹⁷ Dewi Masita, "Pesantren Darul Lugho Wa Dakwa (Dalwa) Dan Struktur Sosial Di Era Globalisasi," *AL - IBRAH* 1, no. 2 (December 31, 2016): 93.

Their marriages still adhere to the principles inherited by their ancestors, syarifah can only marry Habib or Sayyid (endogamous marriage).

Comment [Ma43]: ..namely/which

Comment [Ma44]: This is too long sentence btw.

The Stages of Syarifah's Endogamous Marriage Process at Bangil City

Endogamous marriages carried out by syarifah in Bangil City have several stages, almost the same as the stages of Marriage in general. Suppose there are differences only in terms of variations, not the substance of the marriage. An example of this difference is on the long side of the syarifah endogamous wedding procession compared to general wedding processions, which are more straightforward and concise. The cause of the long march of the endogamous Syarifah marriage is practicing Islamic teachings as a whole than shown as data below.

Comment [Ma45]: !

Comment [Ma46]: The differences are only in terms of

Comment [Ma47]: Steps?

Comment [Ma48]: ...series...

Comment [Ma49]: For this mention and others, please make it italic!

Comment [Ma50]: What do you mean?

Comment [Ma51]: Do not use number unless you have, at least, 2 numbers.

Comment [Ma52]: It ranges from

Comment [Ma53]: Look or search?

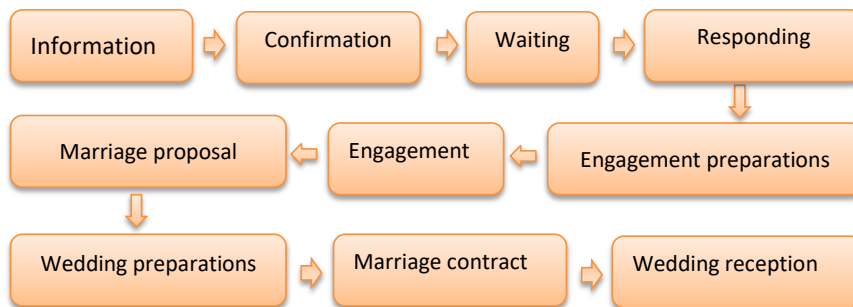
Comment [Ma54]: . or ;

Comment [Ma55]: Final stop then begin a new sentence

- (1) *Marriage is worship, and everyone should act perfectly. From exploring for a prospective wife, you must follow the teachings of the Prophet Muhammad, and in the following stages, you must follow the teachings of the Prophet Muhammad. The wedding reception must also follow the instructions of the Prophet Muhammad*¹⁸

These principles of Marriage are still held by the families of the descendants of the Prophet Muhammad SAW when marrying off their sons and daughters. The stages of endogamous syarifah marriage have ten steps, as shown in the chart below.

Chart 1. Stages of Syarifah's endogamous marriage process



Comment [MOU56]: Please pay attention how the template guide you in writing interview result!

Comment [MOU57]: "Shown in the Figure 1 below"!

Comment [MOU58]: Figure 1. Stages Syarifah's Endogamous Marriage Pprocess, this title and number must be written below the figure

Based on this chart, the syarifah endogamous marriage has several stages. The first visit to the prospective wife's parents' home to inquire about her daughter's status and let them know that a man is interested in marrying her daughter. Second, the intermediary and the prospective man, along with his parents, visited the residence of the future wife, then brought together the families of the prospective husband and the prospective wife with the intention of marrying the prospective wife to serve as his son's wife. Third, for four to seven days, the prospective husband waits for an answer from the prospective wife. On the sidelines of these four to seven days, the future wife's parents investigate the situation, as well as the morals of the future husband of their child. Fourth, the prospective wife's family provides answers to the intermediary to be conveyed to the prospective husband's family. Fifth, set the engagement date between the future husband and the prospective wife. Sixth, they carry out the engagement of the prospective husband's family, but the prospective husband is not allowed to participate in the event. The future husband's parents bring offerings of coffee, sugar, chocolate, flowers, and rings. The prospective husband's mother calls on the finger of her

Comment [MOU59]: Based on Figure 1 above, it can be said that ...

Comment [Ma60]: THE FIRST IS VISIT

Comment [Ma61]: How do you mention this stage at the chart? Information? Plis connect the narration with the chart.

Comment [Ma62]: When it is known that the girl is available, the intermediary blablabla.

Comment [Ma63]: daughter

Comment [Ma64]: if the proposal is accepted, they set

¹⁸ Habib Soleh, Interview, 2022.

child's future wife; then the future wife kisses the future in-law's hand and determines the date of the Marriage proposal. Seventh, the prospective husband's family (without the prospective husband) brings a set of jewelry tools, make-up tools, toiletries, cloth, sandals, bags, and money to present to the future wife. Then, a collection of jewelry is put on the prospective wife by the husband's mother, after which the wedding date is set a month later.¹⁹ According to Habib Soleh, the items given by the Sayyid are gifts that aim to foster a sense of mutual love.²⁰

Eighth, pre-wedding preparation begins with seclusion; the prospective wife is not allowed to meet the future husband until the wedding day; then, the future wife uses henna to decorate her hands and feet as is customary for Arabs when they want to do a wedding, after that, they do self-care both future husbands and prospective wives, the night before the wedding ceremony begins, at the residence of the prospective wife, they hold a *burdahan* which is attended by friends of the future wife to pray for the smoothness of the marriage. Ninth, the wedding ceremony is carried out, namely the marriage contract, which is only attended by Muslims and is carried out in the afternoon after the noon prayer; the prospective husband, accompanied by his family, is present at the future wife's residence to say the consent *qabul*, before it begins with a wedding sermon and chanting verses the holy Qur'an and continued by saying the consent *qabul* using Arabic, the prospective husband holds the hand of the father of the future wife. After telling the *ijab qabul*, they are both legally husband and wife, and it ends with the reading of prayers for the bride and groom and serving for the invitees, then the husband and wife meet and sit side by side on the aisle. Tenth, in the evening, the peak event arrived; namely, a wedding reception attended only for Muslim women filled with welcome, hospitality, and surprise events to entertain the invitees until the event was over.²¹ This relatively long stage of marriage is considered as a form of obedience and following the Shari'ah brought by the Prophet Muhammad.²²

Comment [Ma65]: son

Comment [Ma66]: !

Comment [Ma67]: Is it what you called as marriage proposal?

Comment [Ma68]: Italic!

Comment [Ma69]: Final stop then begin a new sentence.

Comment [Ma70]: Same as above!

Comment [Ma71]: At the night

Comment [Ma72]: Plis explain a little bit

Comment [Ma73]: Put akad nikah within brackets to explain this

Comment [Ma74]: Final stop then begin a new sentence.

Comment [Ma75]: Before the marriage contract declaration, there held a wedding sermon blabla

Comment [Ma76]: Reciting

Comment [Ma77]: Final stop then begin a new sentence.

Comment [Ma78]: Same as above

Comment [Ma79]: Plis mind of too long sentence like this.

Comment [Ma80]: Can you just simply turn this long data into more readable one, like table?

The Reasons for the Endogamous Marriage of Syarifah at Bangil City

Islam has made a legal marriage bond based on the Qur'an and the hadith. Marriage is the only means to fulfill the demands of fundamental human instincts and a means to build an Islamic family. Islam's respect for the marriage bond is so great that it is set proportionately to half of the religions.²³ According to most scholars, marriage is a sunnah; according to the Zahiri sect, it is obligatory, and according to the Maliki sect, marriage is compulsory, sunnah, and permissible for some people.²⁴

¹⁹ Muhammad Khusna Amal and Nawirah Ali Hajjaj, "Pernikahan Nasbiyah Sayyid Dan Syarifah (Studi Living Hadits Di Kampung Arab, Kademangan, Bondowoso)," *Al-Manar: Jurnal Kajian Alquran Dan Hadis* 7, no. 1 (November 4, 2021): 23, <https://doi.org/10.35719/amn.v7i1.5>.

²⁰ Habib Soleh, Interview, 2022.

²¹ Muhammad Khusna Amal and Nawirah Ali Hajjaj, "Pernikahan Nasbiyah Sayyid Dan Syarifah (Studi Living Hadits Di Kampung Arab)," *Al-Manar: Jurnal Kajian Alquran Dan Hadis* 7, no. 1 (November 4, 2021): 24, <https://al-manar.iain-jember.ac.id/index.php/al-manar/article/view/5>.

²² Habib Ridho Baraqbah, Interview, 2022.

²³ Wahyuzialuq Wahyu and Ahmad Azmi Perkasa Alam, "Interfaith Marriage Perspective of Fiqh Law and Positive Law," *NUSANTARA: Journal Of Law Studies* 1, no. 1 (December 16, 2022): 35.

²⁴ Ravika Revira Ginting, Muhammad Hasan, and Ardiansyah Ardiansyah, "Proses Pernikahan Syarif-Syarifah Keturunan Keraton Kadriah Pontianak," *Al-Usroh* 1, no. 1 (July 31, 2021): 67.

Marriage aims to form a *sakinah, mawaddah warohmah* family, happy in this world and the hereafter.²⁵ The goal of this marriage will be easily achieved if the marriage is built on a solid foundation; between husband and wife, there is *kafā'ah*.²⁶ In the Arabic dictionary, *kafā'ah* means comfort, commensurate and mate. Meanwhile, in the Indonesian dictionary, *kafā'ah* means balanced choosing a life partner. Men and women who will form a household should balance everything.²⁷

The meaning of *kafā'ah* in marriage is that the husband is only an equal to his wife, meaning that he has the same and proportional position as his wife regarding social, moral, and economic levels.²⁸ Dr. Hj. Rusdaya Basri, Lc., M.Ag believes that *Kafā'ah* in Marriage is a factor that can encourage the creation of husband and wife happiness and guarantee women's safety from failure or household turmoil. With more equal position of men with women's position, the successful husband and wife's life is increasingly secure and more maintained from loss.²⁹

This *kafā'ah* is not a condition for Marriage,³⁰ but the marriage guardian may reject the proposal of a man who is not equal (*kafā'ah*) to his daughter. According to a stronger opinion, *kafā'ah* only applies to matters of faith and religion, such as Muslims and infidels or pious people and evil people. In this case, the scholars differ on whether *kafā'ah* is one of the legal requirements in marriage or not. There are two opinions; namely: The first opinion, *kafā'ah* is not a legal requirement in marriage. It is the opinion of *Jumhur ulama*; among them are Abu Hanifah, Malik, and As-Syafi'i. Most scholars argue that *kafā'ah* is considered very important in the continuation of a marriage, although it is not a legal requirement in a marriage. The second opinion is that *kafā'ah* is a legal condition of marriage according to Imam Ahmad, Ats-Tsauri, and some Hanafiah.³¹

The term *kafā'ah* is also known among the *Syarifah* in Bangil Pasuruan. *Habaib* (calling for the descendants of Rasulullah) circles determine particular criteria to see someone as worthy to accompany her daughter in the future. This eligibility is a benchmark for whether or not the person is compatible with his daughter. In the application of the concept of *kafā'ah* among *Syarifah* in Bangil Pasuruan, there are some *Syarifah* who argue that it is included in the pillars of Marriage, and there are also those who say that *kafā'ah* is only limited to the validity of the

Comment [Ma81]: Instead of giving too general introduction like this, you better talk directly about your research subject, namely endogamous marriage among *syarifah* at Bangil then relate it to the concept of *kafa'ah* as the main reason for maintaining it.

Comment [Ma82]: Or *kufu'*?

Comment [Ma83]: Not everyone knows this.

Comment [Ma84]: What can you infer from this?

²⁵ Budi Juliandi, Zulfikar Zulfikar, and Syarifah Mudrika, "Syarifah Sungai Raya Aceh Timur: Marriage and the Struggle to Find Identity," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 274, <https://doi.org/10.22373/sjhk.v6i1.9149>.

²⁶ Anwar Hafidzi, Rusdiyah Rusdiyah, and Nurdin Nurdin, "Arranged Marriage: Adjusting *Kafa'ah* Can Reduce Trafficking of Women," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 2 November (November 30, 2020): 180, <https://doi.org/10.29240/jhi.v5i2.1991>.

²⁷ "Arti Kata *Kafaah* - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 3, 2023, <https://kbbi.web.id/kafaah>.

²⁸ Imam Subchi, "Kafa'ah among the Hadrami Arabs in the Malay World (Anthropology of Law Approach)," *Jurnal Cita Hukum* 8, no. 2 (August 1, 2020): 417, <https://doi.org/10.15408/jch.v8i2.16574>.

²⁹ Rusdaya Basri, *Fiqh Munakahat: 4 Mazhab Dan Kebijakan Pemerintah* (Parepare: CV. *Kafaah Learnig Center*, 2019), 64.

³⁰ Syukron Mahbub, "Menakar *Kafa'ah* (Praktek Perkawinan Kyai Di Madura)," *Jurnal Al-Ihkam* 6, no. 2 (2011): 233.

³¹ Nadiyah Nadiyah, Norlaila Norlaila, and Anwar Hafidzi, "Does *Kafa'ah* Apply To The Descendants Of The Prophet Muhammad. Examine The Concept Of *Kafaah* Towards The Alawites In Martapura, Banjar," *Journal Of Islamic And Law Studies* 5, no. 3 (January 12, 2022): 381, <https://doi.org/10.18592/jils.v5i3.5985>.

Marriage, which of course is in line with the *fiqh* scholars who are embraced by society in general.³² Witness the results of interviews data below!

- (2) *We are responsible for protecting our descendants' lineage so that it continues with the origin of the Prophet Muhammad. If we marry ahwal (non-sayyid), our children will no longer be related to the Prophet Muhammad.*³³
- (3) *Endogamy marriages among Syarifah are not only at Bangil but worldwide; syarifah can only marry with sayyids. Every Sayyid who wants to apply for a Syarifah will be tested first to see if the Sayyid is valid through the Robitoh Alawiyyin institution (in Indonesia). If the sayyid status has been proven genuine, there will be talking about Marriage. The purpose of this endogamous Marriage is to maintain the sanctity of the origin of our children and grandchildren so that it continues in its lineage with the Prophet Muhammad SAW.*³⁴
- (4) *So far, many people think that endogamous Marriage among sharifs has no legal basis, even though there is a legal basis; please just read the book Mugni al-Muhtâj, Syarh Minhâj, Bughyah al-Musyatarsyidîn and other books. We cannot make rules for endogamous marriage without a legal basis. Syarifah's endogamy marriage is to carry out the teachings of Islam itself. The estuary of this rule lies in the concept of kafâ'ah.*³⁵
- (5) *Kafâ'ah is very important in Syarifah's Marriage. The Syarifah is only equal (şekufu') with Sayyid because if Syarifah marries a non-Sayyid, then her child cannot be called Syarifah or Sayyid.*³⁶

Based on interview data, it can be seen that there are several reasons for the occurrence of an endogamous Syarifah marriage, including to keep the lineage continuing with the Prophet Muhammad,³⁷ Syarifah is only in the same league as Sayyid, and there is already legal standing in this endogamous Marriage. For more details, see the table below.

Table 1. Reasons for Endogamous Marriage in Syarifah Clan at Bangil City

Example:

No	Aspects	Legal standing	Nasab
1	Meeting condition	A valid marriage; namely <i>kafaah</i>	Purity of lineage of prophet Muhammad
2			
3	etc		

Comment [Ma85]: What can you infer from this?

Comment [Ma86]: It's uncommon to find sentence like this at the scientific article.

Comment [Ma87]: 2 as the beginning?

Comment [Ma88]: Daughter/son/children? Plis be specific!

Comment [Ma89]: Propose to marry to

Comment [Ma90]: he

Comment [Ma91]: Plis explain this a little bit.

Comment [Ma92]: Plis be consistent!

Comment [Ma93]: !

Comment [MOU94]: Your data performance is bad, please elaborate this by giving any differentiation among them, for example, **there are some interviews related this topic. The respondents are H, AB, MBY and In one side, H said that "We are responsible for protecting our descendants' lineage so that it continues with the origin of the Prophet Muhammad. If we marry ahwal (non-sayyid), our children will no longer be related to the Prophet Muhammad" (give the citation in footnotes) Meanwhile, AB said that "Endogamy marriages among Syarifah are not only at Bangil but worldwide; syarifah can only marry sayyids. Every Sayyid who wants to apply for a Syarifah will be tested first to see if the Sayyid is valid through the Robitoh Alawiyyin institution (in Indonesia). If the sayyid status has been proven genuine, there will be talking about Marriage. The purpose of this endogamous Marriage is to maintain the sanctity of the origin of our children and grandchildren so that it continues in its lineage with the Prophet Muhammad SAW."** Based on the interview above, it can be seen that

Comment [Ma95]: Does it happen the same to sayyid who

Comment [Ma96]: What are the others?

Comment [MOU97]: Table 1 below

Comment [MOU98]: Table must comparing apple-to-apple thins

Comment [Ma99]: This table makes no sense.

Comment [MOU100]: 1. Aspects to be compared must be exist! If there is no any aspect, it means that the use of table is unnecessary!
2.Please detail the aspects!

Comment [Ma101]: There must be intro for inserting a new table like this.

No Reasons for Endogamous Marriage in Syarifah Clan

³² Aba Fahmi Roby, "Konsep Kafâ'ah: Studi Pandangan Habaib Di Kabupaten Jember," *Rechtenstudent Journal UIN KHAS Jember* 1, no. 3 (2020): 294, <https://doi.org/10.35719/rch.v1i3.38>.

³³ Syarifah Hindun, Interview, 2022.

³⁴ Habib Muhammad Bin Yahya, Interview, 2022.

³⁵ Habib Abdulloh Baraqbah, Interview, 2022.

³⁶ Habib Ahmad, Interview, 2022.

³⁷ Budi Juliandi, Zulfikar Zulfikar, and Syarifah Mudrika, "Syarifah Sungai Raya Aceh Timur: Marriage and the Struggle to Find Identity," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 282, <https://doi.org/10.22373/sjkh.v6i1.9149>.

	From a legal Standing	From the side of <i>Nasab</i>
1	Meets the conditions for a valid marriage, namely <i>kafā'ah</i> (Sharifah is only equivalent to Sayid)	Maintaining the purity of the lineage of the Prophet Muhammad
2	The scholars' fatwa regarding the prohibition of syarifah marriage with non-sayyid men is found in <i>Bughyatul Musytarsyidin</i> . ³⁸	<i>Nasab</i> Children born from syarifah marriages with non-sayyid men will cause the disconnection of <i>nasab</i> from the Prophet Muhammad

Comment [Ma102]: Mind of paralellism. Meeting and maintaining.

Comment [MOU103]: After table, please explain about it by mentioning table number and title! "based on table 1 above, it can be seen that ..."

Comment [Ma104]: What is that?

Comment [Ma105]: or

Comment [Ma106]: or independence? In what aspect?

Comment [Ma107]: To comprehend you analysis, you can relate it to the relevant hadith.

Comment [Ma108]: furthermore

Comment [Ma109]: mind of numbering!

According to Islamic law, marriage is valid if it meets the requirements and pillars of marriage.³⁹ However, other rules must be suitable with *Fiqh Islam Wa Adilatuhu*, namely the concept of *kafā'ah*, namely the equivalence of the male side to the female side in various matters that have been agreed upon by the majority of Ulama', including religion, lineage, occupation, and independent. *Kafā'ah* status in Marriage is considered and recommended for someone before entering the level of Marriage; *kafā'ah* status will become a marriage condition when there is no blessing from the guardian.⁴⁰ This concept gave birth to the law prohibiting Marriage between Syarifah and non-sayyid. The results of an interview with Habib Abdulloh reinforce this data below.

(6) *In the tradition of the habaib group, the Marriage of a syarifah with a non-sayyid (ahwal/ajam) is not allowed; the legal basis for the prohibition is already in the book of the salaf scholars. The purpose of this prohibition is to protect the descendants of the Prophet so that we should identify the origin of the descendants of the Prophet, which are the descendants and which are not the descendants of the Prophet.*⁴¹

Comment [Ma110]: Which one?

Comment [MOU111]: Same as above!

The prohibition can be viewed from two factors: first, a Syarifah is considered not equal and destroys or breaks the lineage of the Prophet's descendants if he marries a non-sayyid, and second, there is no blessing from the guardian when his daughter marries a man who is not a qual.⁴²

Comment [Ma112]: !

Comment [Ma113]: Does it happen in every case?

The Impact of Endogamous Marriage on the Syarifah Clan at Bangil City

The Marriage of a syarifah, a woman of noble descent from the Prophet Muhammad, with a Sayyid man who is also a descendant of the Prophet Muhammad is not a debate. However, syarifah marriages with non-sayyid men cause many differences of opinion. The first opinion is that a syarifah is prohibited from marrying non-sayyid men. This opinion belongs to the majority, and it is supported by many *habaib* such as Habib Idrus (old Habib in bangil) as followed.

Comment [Ma114]: You don't talk about impact if endogamous, but more the impact of exogampus/violation of endogamous marriage rule!

Comment [Ma115]: Does it never been any anomaly/exceptional opinion from inside or outside their circle on it?

³⁸ Sayyid Abdurrahman bin Muhammad bin Muhammad bin Husein Al-Masyur, *Bugyatul Mustarsyidin* (Kediri: PP Hidayah at-Thullab, 1995), 132.

³⁹ Dri Santoso et al., "Harmony of Religion and Culture: Fiqh Munākahat Perspective on the Gayo Marriage Custom," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 2 (December 5, 2022): 202, <https://doi.org/10.18326/ijtihad.v22i2.199-218>.

⁴⁰ Wahbah Zuhaili, *Fiqh Islam Wa Adilatuhu* (Jakarta: Gema Insani, 2007), 223.

⁴¹ Habib Abdullah, Interview, 2022.

⁴² Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Nonsayyid: Perspektif Jam'iyah Rabithah Alawiyah Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 6, no. 2 (February 5, 2021): 129.

(7) *In our group, as a syarifah, she must keep our lineage. That is, a syarifah must marry a sayyid. If a syarifah is married to someone other than a sayyid, it means that she does not have a sense of ta'dhim (saluting) and respect for the Prophet because the Marriage broke the kinship relationship with the Prophet.*⁴³

Comment [MOU116]: Same as above

Habib Idrus added that the prohibition of Marriage between syarifah and *ajam/ahwal* (non-Sayyid) has its rules in the book *Mugnil Muhtaj Sarhi Minhaj* and the book *Bughyatul Musytarsyidin*.

Comment [Ma117]: Plis explain a little bit about the book, even in footnite, such as the author etc

(8) *If a syarifah marries an ajam, his lineage will automatically be cut off, and he will no longer be recognized in his family. You can see this prohibition of Mugnil Muhtaj Sardi Minhaj and the book Bughyatul Musytarsyidin.*⁴⁴

Comment [MOU118]: Same as above

Habib Idrus's opinion was based on the view of Mufti Tarim Sayyid Abdurrahman bin Muhammad bin Muhammad bin Husein Al-Masyur in the book *Bugyatul Mustarsyidin*, "I do not see the permissibility of marriage (between Syarifah and non-Sayyid) even though she (Syarifah) and the guardian are pleased with this matter, because the glory of *nasab* should not be polluted, and every close or distant relative has the right to the descendants of (Fatimah) Az-Zahra, that is, is the pleasure of what she (Syarifah) is doing."⁴⁵

This prohibition of Marriage is because some scholars state that the two are not equal (*sekufu*). Most of the descendants of the Prophet Muhammad are relatively strong in maintaining their traditions, one of which is choosing a marriage partner. They tend to marry fellow descendants of the Prophet. However, it is common for men from the descendants of the Prophet to marry '*ajami*' women (not from the syarifah). It has happened many times, and there is no debate over legal issues. However, even though this Marriage did not cause a break in the lineage (because the son was related to the father), the other *habaib* did not want to attend the wedding. The *habaib* still thought this Marriage was not equal (Sayyid should marry sharifah, not *ahwal* (non-Sharifah)).⁴⁶ However, if an Arab woman (especially syarifah) marries a non-sayyid man, there will be a lot of debate and conflict.⁴⁷ Syarifah, who is the perpetrator of endogamy marriages, has the responsibility to maintain the custom to continue to be held until their offspring.

Comment [Ma119]: !

Comment [Ma120]: Why does it happen? You can answer this to make your reasoning reasonable and manuscript more readable

Comment [Ma121]: Why?

The second opinion says that a Syarifah is allowed to marry an *ajam/ahwal* (men are not sayyids); this opinion is weak because *Jumhur* scholars think that *kafā'ah* is also found in lineages. The second opinion is followed by only a few *habaib*. One of them who followed this opinion was Habib Hasan; his idea is as follows:

Comment [Ma122]: Out of

Comment [Ma123]: !

Comment [Ma124]: Who are they?

(9) *There is no difference between syarif and syarifah and Ajam/ahwal people. All humans before Allah are equal, except for their piety to Allah. So differences in lineage, clan, education, and property will not be a problem in Marriage between fellow Muslims.*

⁴³ Habib Idrus, Interview, 2022.

⁴⁴ Habib Idrus, Wawancara, 2022.

⁴⁵ Al-Masyur, *Bugyatul Mustarsyidin*, 132.

⁴⁶ Habib Idrus, Wawancara, 2022.

⁴⁷ Masruroh, "Pernikahan Syarifah Dengan Non-Sayyid Di Patokan Kraksaan Probolinggo Perspektif Imam Malik Dan Imam Syafi'i," *Al-Hukama'* 4, no. 1 (June 1, 2014): 121, <https://doi.org/10.15642/al-hukama.2014.4.1.83-121>.

Because no one can guarantee that the Marriage of a fellow syarif/syarifah will bring blessings to his Marriage.⁴⁸

Habaib, who allows this Marriage requires the *ridho* (approval) of the guardian and the Syarifah's family. This argument is based on the facts of an interview with Syarifah Khadijah as follows:

(10) At first, my Marriage to an ordinary person (*ajam*) was rejected and opposed by my extended family, but my father agreed, and finally, my extended family accepted this marriage.⁴⁹

Based on the data above, *ridha* (approval) or this agreement is an absolute requirement because the right of *kafā'ah* lies with the syarifah and her guardian. If they agree to relinquish their rights, then there is no problem, but if they refuse their requests and continue to demand the existence of *kafā'ah*, this marriage cannot occur.

A small proportion of the Syarifah group who married non-Sayyid men was caused by contamination or influence by western culture. Another reason for syarifah who do not out endogamous marriages is from education and social and economic factors. Violation of this custom, for Syarifah, is not straightforward because she knows that what she did with someone other than Sayyid is not a custom or habit of her group. Hence, when Syarifah dares to marry outside his tradition, he must also be ready with all the values and assumptions of other Syarifah and his group towards him. A real example is the attitude of a large family that ostracizes *sharifah*, who is married to a non-sayyid. The *habaib* community adopted endogamous marriage as the marriage system. It can only be carried out between ethnic, clans, tribes, or kinships within the same environment, especially syarifah women who, if married to someone outside their circle, will impact offspring (*nasab*). In contrast to men from the *habaib* rings, they are freer to choose outside their community; this is because if a Syarifah woman marries an ordinary man who is not from the *habaib*, the lineage line will be cut off, while from the man, it is not cut off. This difference occurs because lineage is attached to men, not to women.⁵⁰

The Violation of endogamous marriages in Syarifah has psychological and sociological impacts. Both effects arise from Syarifah, who does not follow the endogamy marriage custom.⁵¹ The psychological impact that Syarifah feels is discomfort after an endogamous marriage, with sociological implications for her. This sociological impact looks like data from the interviews below:

(11) What is the impact of syarifah marrying non-habib? He replied that syarifah would lose the generation. She would be exiled from the family if she was not recognized as a family

⁴⁸ Habib Hasan, Interview, 2022.

⁴⁹ Syarifah Khotijah, Interview, 2022.

⁵⁰ Muhammad Ridwan and Hamzah Hasan, "Perkawinan Sekufu Wanita Syarifah dengan Laki-Laki Biasa Di Desa Pambusuang Kabupaten Polewali Mandar," *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum*, January 31, 2021, 178, <https://doi.org/10.24252/shautuna.v2i1.16837>.

⁵¹ Fahmi Ridlol Uyun, "Perkawinan Endogamy Bagi Syarifah Perspektif Sosiologis Dan Maqashid Syari'ah (Study Kasus: Adat Perkawinan Endogamy Di Kampung Arab Kelurahan Kademangan Bondowoso)," *IJIL: Indonesian Journal of Islamic Law* 1, no. 2 (August 26, 2019): 9.

Comment [MOU125]: Same as above

Comment [MOU126]: Interview result

Comment [Ma127]: Is kafa'ah a right instead of an aspect/account to consider in looking for prospective marriage partner?

Comment [Ma128]: In the context of it is specific for prophet descendants or in the context of syarifah, instead of sayyid/groom?

Comment [Ma129]: They who?

Comment [Ma130]: To what does it refer to?

Comment [Ma131]: ?>

Comment [Ma132]: Or her? COME ON!

Comment [Ma133]: Be consistent in spelling!

Comment [Ma134]: Please provide a real example of this rare case in the context of Bangil!

Comment [Ma135]: Better to omit this. You have mentioned from the beginning. No need to repeat it here.

Comment [Ma136]: Why capital?

Comment [Ma137]: Exo?

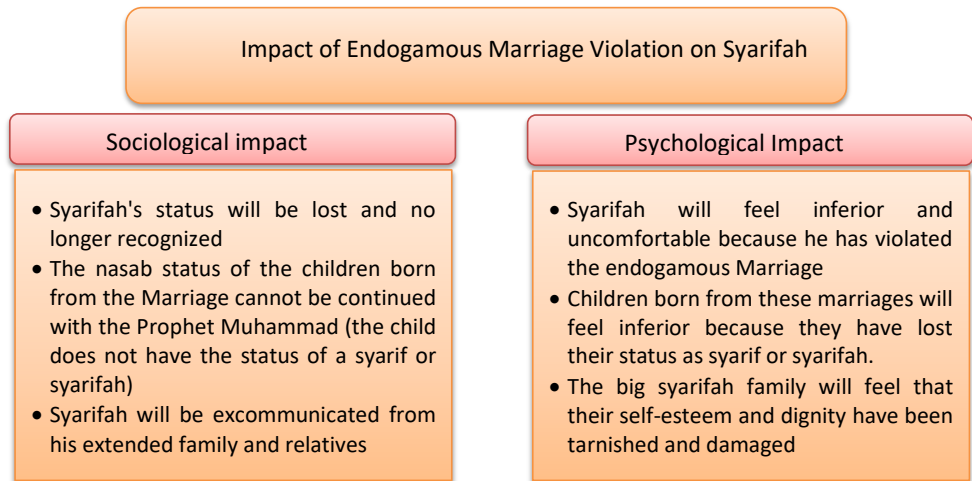
Comment [Ma138]: Since/because/as soon as?

with the lineage of Muhammad Saw. She was considered to have cut off kinship relations, so they did not reach the Messenger of Allah.⁵²

Once the Syarifah violated the marriage tradition, she would be ostracized by her extended family and relatives. A Sayid said that there is not even the most effective medicine as an antidote to the pain caused by insulting the pride of the family whose daughter violated the tradition. The syarifah will lose kinship with her family indefinitely. Breaking the *kafā'ah* tradition is considered a violation that tarnishes Sayid's family's dignity at most. It can be said that there is nothing more valuable to protect Sayid's extended family in this world other than maintaining the tradition of endogamous Marriage. This is the meaning for the next generation as a process of preserving the continuity of the identity of Sayid's extended family.⁵³

Based on the data above, it was concluded that the violation of endogamous marriage in Syarifah has several impacts. The impact can be seen in the chart below.

Chart 2. The Impact of Endogamous Marriage Violation On Syarifah



The psychological and sociological impacts are felt by all sharifs, whether they live in Bangil city or other areas. This sanction is indeed given to all sharifs who violate the provisions of endogamous marriages. Endogamous marriage rules are made to keep the lineage continuing with the Prophet Muhammad. In addition to endogamous marriage, they form groups or communities of fellow descendants of the Prophet Muhammad to establish kinship and find a mate for their children. The women usually undertake an *arisan* (regular social gathering) that consists of Syarifah(s) whose initial aim was to strengthen kinship ties among groups. Another example is that young women descended from the Prophet Muhammad gather to form groups to conduct recitation activities, discuss religion, and discuss endogamous Marriage. With the rapid development of the times and modernization everywhere, the Habib community,

Comment [Ma139]: What do you mean?

Comment [MOU140]: 1.Same as above "Figure"! 2.Suggestion, better use table that compare 3 aspects!

Comment [Ma141]: Provide relevant/real cases happening in Bangil!

Comment [Ma142]: Strengthen?

⁵² Habib Zahir, Interview, 2022.

⁵³ Dewi Ulya Rifqiyati, "Dinamika Perkawinan Endogami Pada Keturunan Arab Di Yogyakarta," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 2, no. 1 (January 29, 2020): 32, <https://doi.org/10.56593/khuluqiyya.v2i1.38>.

especially in Indonesia, has not collapsed by the current modernity. The tradition of endogamous Marriage is maintained in their way.⁵⁴

Analysis of Endogamous Marriage of Syarifah Clan on Sociological Islamic Law Perspective

Marriages by a Syarifah have special rules for forming a family; weddings are based on descent or lineage. Equality or *kafā'ah*, especially in the case of Marriage, has a powerful binding force on Syarifah. Syarifah is not said to be equal if she is unmarried to Sayyid. Applying this principle of *kafā'ah* in a marriage is not aimed at discriminating between one Muslim and another but protecting the future wife and her family from "shame" because they are juxtaposed with a husband who is not comparable to him. Regarding with *maqāsid ash-Syarī'ah*, this marriage prohibition contains *maslāhat*, namely maintaining offspring (*hifzu an-nasal*). *Kafā'ah* in descent is a consideration for syarifah to marry; if they are not married to Sayyid, the child born cannot be attributed to the Prophet.⁵⁵

Indeed, in front of Allah, the noblest human being is pious, but because this Marriage is not only seen from the side of worship, it must also be seen from the social side of humanity. Considering the equality of lineage in Marriage is one way to maintain household harmony. However, the stipulation of such equality in this marriage should be responded wisely and responsibly to determine the attitude in considering *kafā'ah* in Marriage so that the principle of lineage *kafā'ah* in this Marriage can bring benefits in building a household.⁵⁶

Endogamous marriages among Syarifah have boycotts if they are disregarded. The offence will impact the person's expulsion from the lineage. The following sanction for this Violation excludes the person from his relatives; the ban on Marriage outside the family is undoubtedly a phenomenon. The results of interviews reinforce this data below.

(12) *It was clear that addressing the endogamous marriage phenomenon among Syarifah should be applied wisely. Sanctions for violating endogamous marriages must also be addressed wisely, not used as a reason for debate and hostility. The purpose of sanctions is actually to protect the rights of the syarifah itself, but sometimes she does not understand.*⁵⁷

The habaib community is divided into two groups responding to this phenomenon. Most Habib and Syarifah support endogamous marriages, while the minority do not like that. The results of the interviews strengthen the following data. The majority of syarifah agree with endogamy marriage on the basis that equality in the lineage is fundamental because it is part of preserving the descendants of the Prophet Muhammad. Most scholars also argue that *kafā'ah*

Comment [Ma143]: You need to reinforce sociological Islamic law theoretically and practically!

Comment [Ma144]: You have mentioned it many times and more

Comment [Ma145]: Then what/why?

Comment [Ma146]: What do you mean?

Comment [Ma147]: From what?

Comment [Ma148]: Or her?

Comment [Ma149]: Then what/why/how?

Comment [Ma150]: Plural or singular?

Comment [Ma151]: omit

Comment [MOU152]: Same as above!

Comment [MOU153]: Habaib or habib? Be consistent, which word you used in this manuscript!

Comment [Ma154]: What is the different between this and the one you mentioned at the last paragraph in the page 9?

⁵⁴ Jihan Surayoh, "Mixed Marriage in the Arab Community (Study on Family Acceptance of Arab Women Against Mixed Marriages Across)" (journal.unair.ac.id, 2015), 3.

⁵⁵ Haya Zabidi and Rifky Noor, "Tinjauan Maqasid Asy-Syari'ah Asy-Syatibi Terhadap Larangan Perkawinan Syarifah Dengan Laki-Laki Non Sayyid," *Syariah Darussalam : Jurnal Ilmiah Kesyarifan Dan Sosial Masyarakat* 5, no. 1 (2020): 101, <http://ojs.iai-darussalam.ac.id/index.php/syariahdrs/article/view/101/68>.

⁵⁶ Said Syaripuddin and Andi Banna, "Kafā'ah Nasab Sebagai Syarat Utama Bagi Pernikahan Wanita Syarifah Di Kecamatan Lau," *Al-Tafaqquh: Journal of Islamic Law* 3, no. 2 (July 31, 2022): 74, <https://doi.org/10.33096/altafaqquh.v3i2.171>.

⁵⁷ Habib Jakfar, Interview, 2022.

is a legal requirement for Marriage. Kafā'ah will minimize the potential for quarrels in the family.⁵⁸

The next interview data showed that:

(13) *In judging something, if a difference of opinion is found among the scholars, then it is better to follow the idea of most scholars. In endogamous marriages, the most potent argument of many Islamic scholars supported such endogamous marriage. The legal basis is also clear which leads to the concept of kafā'ah.*⁵⁹

Meanwhile, the group that disagrees with endogamy marriage argues that kafā'ah is not required for a valid marriage. Kafā'ah is a right owned by a Syarifah and her guardian. The results of interviews reinforce this data.

(14) *Kafā'ah is a right, not an obligation, so if the guardian and Syarifah want to accept Ahwal as her husband, then the Marriage is considered valid because the terms and pillars of Marriage have been fulfilled.*⁶⁰

The Marriage of a Syarifah with ahwal split the Habib and Syarifah into two groups; the majority rejected this Marriage, but a small group supported it. The response to this Marriage showed as below:

Table 2. The Respond of Syarifah's Marriage With Non-Sayyid.

No	The Respond	Explanation
1	Total Reject	This group totally rejects the Marriage of a Syarifah with an Ahwal (non-Sayyid). This group argues that kafā'ah is a condition for a valid marriage. This group follows the opinion of most scholars and is a strong opinion.
2	Allowing With Conditions	This group does not wholly reject the Marriage of a syarifah with an ahwal on the condition that the guardian and his family are satisfied with the Marriage. This group argues that kafā'ah is the right of the guardian and Syarifah. This group follows the opinion of a minority of scholars and is of a weak opinion.

This internal rule among Alawiyyin has become a separate social phenomenon, where marriage, in the view of society in general, is allowed to marry anyone in terms of religion and ceremonial law. Nevertheless, in Alawiyyin, a Syarifah woman can only marry a Sayyid. This belief is held from generation to generation. Therefore, this rule has become the culture of Sayyid's descendants in determining their daughter's mate. The Alawiyyin community still holds firmly to the sacredness and existence of Sayyid descendants. It is apparent and firmly embedded in everyday social and cultural life. One of them is the effort of the Alawiyyin clump to maintain the marriage pattern or the selection of a mate they have believed in since their

⁵⁸ Syarifah Umi Kulsum, Interview, 2022.

⁵⁹ Habib Muhammad Bin Tohir, Interview, 2022.

⁶⁰ Syarifah Maiymunah, Interview, 2022.

Comment [Ma155]: Again, this is a real repetition!

Comment [Ma156]: Is of?

Comment [Ma157]: Strong in what way?

Comment [Ma158]: Don't mind?

Comment [Ma159]: ?

Comment [Ma160]: Different/distinct

ancestors. This marriage is an agreement ceremony influenced by culture, daily social life, and especially beliefs which are the primary basis for the existence of a community called Sayyid.⁶¹

If Syarifah only relies on lineage and is not pious to Allah, then she will be worthless. Kafā'ah for syarifah is obligatory. The argument is that the Prophet advised that a Syarifah married to a non-sayyid would not get his intercession at the end of the day.⁶² The Mufti of Makkah al-Mukarramah, Sayyid Alwi bin Ahmad al-Saqqaf, explained the issue of kafā'ah in his phenomenal writing "*Tarsyid al-Mustafidin Khasiyah Fath al-Mu'in*". He added in the books of al-Tuhfah and al-Nihayah that there was no one except the descendants of Bani Hasyim, who are equal (sekufu) with children who are descendants of Sayyidah Fatima. It is due to the specificity of the Prophet Muhammad SAW because the descendants of his daughter (Siti Fatimah) have lined up with him in other kafā'ah matters. Sayyid Alwi bin Ahmad al-Saqqaf revealed that our daughters (syarifah) should marry our sons (sayyid/syarif). Based on the opinion or views of Rabithah Alawiyah, it is clear that the Alawite families carry out the basis for the implementation of kafā'ah, which should be exemplified by the Prophet Muhammad in marrying his daughter Fatima to Ali bin Abi Talib.⁶³

With a strong hadith basis, there should be no more opposition or rejection of Syarifah endogamous marriages. However, some people still question this endogamous marriage's legal standing. The next problem is many people need help to reject endogamous unions. Kafā'ah is not only in the descendants of Alawiyyin, but there are many other descendants, for example, the descendants of the sultanate, Kiagus, Kemas, and Raden; they do not allow marriage to those other than them because their lineage will be cut off. If their daughter married a commoner, she would lose royal blood, and they would not be recognized as part of a noble family. Likewise, the descendants of Alawiyyin are very careful about their family; Kafā'ah, some are sentenced to *luzum* (must) but do not cancel the marriage if it is not equal.

Then some scholars say it is a condition for a valid marriage. Hence, if they are not identical, there must be an agreement from the guardian or not, then the marriage is good, meaning that the marriage is invalid in the end. It can be said to be like adultery because Alawiyyin took the opinion equal as a condition for the validity of the wedding. Kafā'ah is seen from two angles: the guardian and Syarifah must agree.⁶⁴ Kafā'ah is the right of the syarifah and the right of a guardian. A guardian may not marry off his daughter to a man who is not equal. Likewise, if syarifah asks or demands from her guardian to marry a man who is not identical, the guardian may refuse it because there is no equal. The scholars view the importance of having kafā'ah

⁶¹ Abd Asis, "Pola Perkawinan Islam Alawiyyin Di Kabupaten Maros," *Gema Kampus IISIP YAPIS Biak* 12, no. 2 (October 30, 2017): 75, <https://doi.org/10.52049/gemakampus.v12i2.46>.

⁶² Izmawanti and Jurnal Semiotika Quran, "Fenomenologi Pernikahan Se-Kufu Pada Masyarakat Palembang Komunitas `Alawiyyin Dalam Perspektif Surah Al-Hujarat: 13," *Jurnal Semiotika-Q: Kajian Ilmu al-Quran Dan Tafsir* 1, no. 1 (June 29, 2021): 6, <https://doi.org/10.19109/jsq.v0i0.7447>.

⁶³ Mustika Sari Wulandari et al., "Cucu Nabi Muhammad Menikah dengan Orang Makassar : Studi Pernikahan Perempuan Islam Sayyid di Cikoang, Takalar," *Jurnal Tamaddun : Jurnal Sejarah dan Kebudayaan Islam* 7, no. 2 (2019): 282, <https://doi.org/10.24235/tamaddun.v7i2.5499>.

⁶⁴ Izmawanti, "Fenomenologi Pernikahan Se-Kufu Pada Masyarakat Palembang Komunitas `Alawiyyin Dalam Perspektif Surah Al-Hujarat: 13," *Jurnal Semiotika-Q: Kajian Ilmu al-Quran Dan Tafsir* 1, no. 1 (June 29, 2021): 7, <https://doi.org/10.19109/jsq.v0i0.7447>.

Comment [Ma161]: Piety?

Comment [Ma162]: According to who? This is too subjective.

Comment [Ma163]: Plis mention the hadit/more reliable source!

Comment [Ma164]: ?

Comment [Ma165]: What did he say?

Comment [Ma166]: !

Comment [Ma167]: What does it imply?

Comment [Ma168]: What about other daughters of prophet?

Comment [Ma169]: Why?

Comment [Ma170]: Marriage?

Comment [Ma171]: Who are they?

Comment [Ma172]: Who are they? Identical in what aspect? In the opinion about endogamous marriage?

Comment [Ma173]: Plis rewrite this!

Comment [Ma174]: This is contradictory to other sentences!

Comment [Ma175]: The agreement of a syarifah and her guardian? Agreement on what?

Comment [Ma176]: You need to clarify this; how could kafa'ah becomes right? It seems as a part of consideration in looking for prospective spouse instead of right. If it is a right, please explain!

Comment [Ma177]: Identical is the same. You can say, for instance, coming from the same clan/group

only for Sayyid, not syarifah. If Sayyid marries ahwal, his child's lineage continues with the Prophet Muhammad, and it does continue if Syarifah matches ahwal.⁶⁵

Comment [Ma178]: DOES NOT!

There are several reasons why these Syarifahs accept endogamous marriage. Most of these Syarifahs live or are in the environment of the Alawiyyin family group; they can indirectly understand and accept endogamous marriages. The pattern of religious education came from internal families, especially parents who teach and ensure that endogamous marriage is a tradition that should not be taboo to be violated. External influences, such as relatives and friends, continue to educate and support perpetrators of endogamous marriages. There is respect for parents and close relatives, so there is a concern if they want to get out of the values of a qual marriage. The results of the interviews reinforce the following data.

Comment [Ma179]: omit

(15) *The critical success of such marriage with Sharifah is inculcating Islamic and ancestral teachings to keep offspring. They remain related to the Prophet Muhammad. Ensuring that the Syarifah are in a suitable environment (the habaib community) is very important so that they are not polluted by western thoughts emphasizing freedom in marriage.*⁶⁶

Comment [Ma180]: !

Comment [Ma181]: !

(16) *Family, relatives and friends of syarifah play an important role in instilling noble values so that they always protect the lineage of the Prophet Muhammad so that it does not break. An explanation about the importance of protecting lineage must be conveyed frequently, so it sticks in the heart of the syarifah.*⁶⁷

Meanwhile, those who reject endogamous Marriage have several causes, namely, the pattern of settlement or residence scattered and not settled in the Alawiyyin community. Second, influenced by modern westernized education. Third, lack of socialization or teaching about the values of Marriage from the family, especially parents. Fourth, there is less external influence, especially from the Alawiyyin study center institution, which routinely provides education through social media and other activities related to the development of the Alawiyyin family, especially by the younger generation. Witness the interviews below!

Comment [Ma182]: How do you know this? Is it mentioned by your informant or based on your observation result? Plis be clear

(17) *Syarifah, who is married ahwal, usually has minimal religious knowledge and is influenced by modern westernized education. The essential religion and teachings of the Alawiyin ancestors were not firmly entrenched in her heart, so she was easily influenced by the currents of modern thought.*⁶⁸

Comment [Ma183]: Same as the first point

Comment [Ma184]: !

(18) *Gatherings among Syarifahs are significant for transferring religious knowledge, especially marriage knowledge and chapter kafā'ah. One of the reasons why Syarifah dares to marry Ahwal is because of the wrong association. Syarifah rarely associates with fellow Syarifahs and the Habib community. He associates a lot with modern society, which promotes freedom in marriage.*⁶⁹

⁶⁵ Fashihuddin Arafat, "Potret Kafā'ah Dalam Pernikahan Kaum Alawiyyin Gresik (Pandangan Al Habib Husein Abdullah Assegaf)," *MIYAH : Jurnal Studi Islam* 15, no. 2 (September 15, 2019): 216.

⁶⁶ Bin Yahya, Interview, 2022.

⁶⁷ Syarifah Barsiyah, Interview, 2022.

⁶⁸ Barsiyah, Interview, 2022.

⁶⁹ Bin Tohir, Interview, 2022.

Those who reject the internal rules in Alawiyyin use the argument of verse al-Hujarat: 13. Clan matters are crucial, but the Qur'an and Hadith exemplify that the glory of a servant is not measured by his lineage but by his piety and deeds.⁷⁰ Allah stated:

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَنْتَأَمُّ

" Indeed, the most noble of you in the sight of Allah is the most righteous of you"

The group that rejects this argument argues that *kafā'ah* is only in religion, not in *descent* matters, so it is permissible to marry someone who is not *habaib*. The hadith of the Prophet also reinforce this opinion.

إِذَا خَاطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ، إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ
 "When a person comes to you whom you can accept religion and morality (to marry your daughters), then marry him. Because if this is not done, it will indeed become a fitnah on earth and become heavy damage".

Comment [Ma185]: Plis mention the origin of the hadith

The following interview strengthened the Quranic verse above.

(19) *I agree that the barometer of kafā'ah is only in faith and holiness. The measure of a person's glory is not in his lineage but in his faith and piety. So what is more appropriate is that a syarifah may marry an ahwal; the important thing is that the ahwal has faith and fears Allah. In addition, the Marriage must obtain the consent of both parents. The parents' blessing is essential so that the Marriage can be blessed.*⁷¹

Based on the data above, the endogamous Marriage of the Syarifah at Bangil is not entirely accepted by the Syarifah themselves. Some Syarifah disagrees with this endogamy marriage. To know the message, a table of the reasons for accepting or rejecting endogamy marriage can be seen in the table below.

Table 3. Endogamous Marriage in Syarifah Clan at Bangil

Comment [MOU186]: ? same as above, attention AG and template!

Comment [MOU187]: You need certain aspect to be compared if you use table! As example above!

No	Reason for Receiving	Reason for Rejecting
1	Syarifah lives in the community of <i>Alawiyyin</i> family groups, so they can indirectly understand and accept the endogamous Marriage.	Syarifah does not live in the Alawiyyin community and gets a modern education Prioritizing exogamous Marriage.
2	Religious education from parents who teach endogamous Marriage is a tradition that should not be violated	Syarifah lacks socialization and support from her family regarding the importance of endogamous Marriage
3	The influence of relatives and friends who continue to provide education and support to endogamous marriages	Syarifah argues that the benchmark of a servant's glory is not measured by his lineage but by his piety and deeds.
4	Respect for parents and close relatives	Syarifah argues that the concept of <i>kafā'ah</i>

⁷⁰ Abu Yazid Adnan Quthny and Ahmad Muzakki, "Urgensi Nasab Dalam Islam Dan Silsilah Nasab Habaib Di Indonesia," *Asy-Syari'ah: Jurnal Hukum Islam* 7, no. 2 (June 25, 2021): 148, <https://doi.org/10.55210/assyariah.v7i2.592>.

⁷¹ Syarifah Rahmah, Interview, 2022.

is only in religion, not descent matters.

Only some groups follow the internal rules of endogamous Marriage among the Syarifah. The results of interviews strengthen this data.

(20) *Not more than ten percent break the rules of endogamous Marriage. Sometimes these violations occur due to ignorance that one is a Syarifah or lack of religious knowledge.*⁷²

Most Habib (alawiyyin) support and adhere to this internal rule. The regulations of endogamous Marriage profoundly impact Muslim society in general. Endogamy marriage provides certainty and clarity to the descendants of the Prophet Muhammad so that the Muslim community, in general, will more easily recognize and glorify the descendants of this Prophet Muhammad.

Conclusion

The endogamous marriage with Sharifah in Bangil City was maintained by choosing a husband dropped from the Prophet Muhammad. This marriage is based on *kafā'ah* descent between Syarifah and Sayyid. This endogamous marriage occurs on her own accord without any coercion; this happens because the process of instilling the importance of protecting the lineage of the Prophet Muhammad has been born since Syarifah was small and continues to be taught until she grows up. The Syarifah have been taught that if she marries an *ahwal* (non-Muhammad descent), the lineage of her children born from that marriage will be cut off from the Prophet Muhammad. If the Syarifah violates an endogamous marriage, a sanction will be given. Still, the sanctions here are only a form of prevention and safeguarding the lineage so that it does not break. Two impacts are felt by Syarifah, who violates the provisions of endogamy marriage: sociological and psychological. Syarifah and her family are divided into two groups in response to this endogamy marriage provision. The first group supports this endogamous Marriage because Syarifah only equals the Sayyid. The opinion of the first group is followed by the majority of the Syarifah and is a strong opinion.

Meanwhile, the second group allows Syarifah to marry *ahwal* because she thinks that *kafā'ah* is the right of Syarifah and her guardian. The marriage is valid when a guardian and Syarifah are pleased to match *ahwal*. The opinion of this second group is followed by a small number of syarifah and is a weak opinion. The Muslim community itself responds positively to this Syarifah endogamy marriage. The majority of the Muslim community follows the idea of scholars who support Syarifah's endogamous marriage. This study is limited to analyzing only one area, so it does not provide a comprehensive insight into Syarifah endogamy marriage. Due to these limitations, this study suggests further research that accommodates anthropological and ethnographic aspects of Syarifah endogamy marriages and relies on more varied data to obtain a more comprehensive understanding.

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⁷² Baraqbah, Interview, 2022.

Comment [Ma188]: Most of

Comment [Ma189]: Have you verified this on your effort?

Comment [MOU190]: You should mention this equivalent term in early you mentioned this term (alawiyyin)! Be consistency with the writing, Awaliyyin or Awaliyin?

Comment [Ma191]: What about in the context of Bangil?

Comment [Ma192]: !

Comment [Ma193]: Plis refer to journal's template and author guidelines to know what conclusion should consist of. More importantly, this should not be a space of any repetition from the content!

Comment [Ma194]: Descendant?

Comment [Ma195]: They!

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Endogamous Marriage of Prophet's Descendants on the Perspective of Sociology of Islamic Law

Abstract:

This study aims to comprehensively describe endogamous marriages of the prophet (Muhammad)'s descendants from the perspective of sociology of Islamic law. The marriage mainly occurs in *syarifah* (the female descendants); in which they are required to marry the prospectives from *sayyid* (male descendants) groups only. Endogamous marriage will be explored holistically by clarifying the reciprocal relationship between social change and Islamic law among *syarifah*. This field research examines the enactment of the law in social life. It used sociological Islamic law approach to reveal the facts about endogamous marriage in Bangil, East Java, Indonesia, because many of the Prophet's descendants live there. Data collection techniques were interviews and **documentation**, while the analysis technique used is the Miles dan Huberman's analytical procedure. After conducting in-depth research, a conclusion was found that endogamous marriage among *syarifah* in Bangil is a form of obedience to customs passed down across generation since their ancestors, namely the tradition of marrying someone of equal lineage. Endogamous marriages have been maintained to this day due to religious teachings, the spirit of protecting the family of the Prophet, and social conditions of those who support its preservation.

Keywords:

Endogamous; Islamic law; Marriage; Sociological; Prophet's descendants.

Abstrak:

Penelitian ini bertujuan memberi deskripsi komprehensif terhadap perkawinan endogami pada keturunan Nabi Muhammad dalam perspektif sosiologi hukum Islam. Perkawinan tersebut utamanya terjadi pada *syarifah* (keturunan perempuan); mereka diharuskan menikah

Comment [Ma1]: What document were you observing?

dengan *sayyid* (keturunan laki-laki). Perkawinan endogami ditelaah secara holistik dengan memperjelas hubungan timbal balik antara perubahan sosial dan hukum Islam di kalangan *syarifah*. Penelitian lapangan ini, dengan demikian, mengkaji berlakunya hukum dalam realita masyarakat. Pendekatan yang digunakan adalah sosiologi hukum Islam untuk mengungkap fakta pernikahan endogami di kalangan *syarifah* yang tinggal di Bangil, Jawa Timur, Indonesia, karena banyaknya keturunan nabi di kota tersebut. Teknik pengumpulan data adalah wawancara dan dokumentasi, sedangkan teknik analisis datanya adalah teknik analisis Miles dan Huberman. Setelah dilakukan penelitian secara mendalam, didapatkan kesimpulan bahwa pernikahan endogami di kalangan syarifah di Bangil merupakan bentuk ketaatan terhadap adat yang diturunkan secara turun-temurun dari nenek moyang mereka, yaitu tradisi menikah dengan seseorang dari garis keturunan yang sama. Perkawinan endogami masih dipertahankan hingga saat ini karena didasari oleh ajaran agama, semangat menjaga keluarga Nabi Muhammad, dan kondisi sosial masyarakat yang mendukung terpeliharanya perkawinan endogami tersebut.

Kata kunci:

Endogami; Hukum Islam; Keturunan Nabi; Pernikahan; Sosiologi.

Introduction

In Islam, marriage is a sacred agreement, a worship to Allah, a *sunna* of the Prophet, and **measures** based on sincerity and responsibility.¹ Marriage is carried out with the intention that humans have a legitimate family to achieve a happy life in this world and the hereafter.² In addition to the rules in Islam to help achieve

Comment [Ma2]: Have you mentioned the research problems here?

Comment [Ma3]: What do you mean?

¹ M. Anwar Nawawi et al., "Harmonization of Islam and Human Rights: Judges' Legal Arguments in Rejecting Child Marriage Dispensation in Sukadana, Indonesia," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 1 (September 1, 2022): 126, <https://doi.org/10.18326/ijtihad.v22i1.117-134>.

² Aisyah Ayu Musyafah, "Perkawinan Dalam Perspektif Filosofis Hukum Islam," *CREPIDO* 2, no. 2 (November 29, 2020): 111-22, <https://doi.org/10.14710/crepido.2.2.111-122>.

this goal of marriage, several additional rules are made, let alone among certain tribal clans. One of the rules is not to marry other people of different ethnicity or family out of the inner tribe. This rule is known as endogamous marriage.³

Endogamous marriage requires people to find a mate in their inner social environment, for example, in the family, social class, or residential setting.⁴ Sunarto said that it is a marriage between ethnicity, clan, tribe, or kinship in the same environment. It is usually carried out to keep wealth circulating among themselves, strengthen the clan's defense from enemy attacks, maintain bloodline, or for other more exclusive motives.⁵

This form or system of endogamous marriage is adopted by several ethnic groups, tribes, or community clans in Indonesia; one of which is among *syarifah*. *Syarifah* is a woman descended from the Prophet Muhammad.⁶ *Syarifah* generally perform endogamous marriages based on ethnicity or clan (descendants) of the Prophet Muhammad. The purpose of this is to preserve the lineage of the Prophet Muhammad. A research conducted by Fathur Rohman Azhari entitled "Motivation of Endogamous Marriage in the *Alawiyyin* Community in Martapura, Banjar Regency," shows that endogamous marriages carried out by *syarifah*(s) aim to preserve lineage.⁷

On the other hand, Khoirul Barriyati conducted another study titled "Social Construction of Endogamous Marriages among Women of Arab Descendants (Studies on Women of Arab Descendants

³ Muhammad Rizwan Safdar et al., "Socioeconomic Determinants of Caste-Based Endogamy: A Qualitative Study," *Journal of Ethnic and Cultural Studies* 8, no. 2 (February 10, 2021): 39, <https://doi.org/10.29333/ejecs/697>.

⁴ Duwi Nuryani, Setiajidi, and Puji Lestari, "Latar Belakang Dan Dampak Perkawinan Endogami Di Desa Sidigde Kabupaten Jepara," *Unnes Civic Education Journal* 1, no. 2 (2015), <https://doi.org/10.15294/ucej.v1i2.1011>.

⁵ Dewi Puspitasari Sari, "Kajian Fenomena Perkawinan Endogami Di Kelurahan Condong Campur Kecamatan Pejawaran Kabupaten Banjarnegara," *E-Societas* 5, no. 5 (October 12, 2016), <https://journal.student.uny.ac.id/ojs/index.php/societas/article/view/4003>.

⁶ "Arti Kata Syarifah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 2, 2023, <https://kbbi.web.id/syarifah>.

⁷ Fathurrahman Azhari Zainal Muttaqien Sulaiman Kurdi, "Motivasi Perkawinan Endogami Pada Komunitas Alawiyyin Di Martapura Kabupaten Banjar," *Muadalah* 1, no. 2 (February 14, 2013), <https://doi.org/10.18592/jsga.v1i2.677>.

Throughout).⁸ The results of this study indicate that the purpose of endogamous marriage for women of Arab descent from the Ba'alwi group tends to be socially oriented toward traditional values and actions.⁸

Based on the literature review above, the previous researches on the endogamous marriage of *syarifah* mainly concern with the motivation and reasons for this type of marriage. It differs from what we have done in this present research because this examines endogamous marriage among *syarifah* through a sociological Islamic law approach so that the conclusions obtained describe social facts related to the practice not only from a legal standpoint but also from a societal standpoint or a practice that occurs.

The next difference is that the researcher chose Bangil as the place of research, where many of the Prophet's descendants live there. Bangil is also a place for the thoughts of *habib* and *syarifah*, both *Sunni* and *Shi'a* wingers.⁹ It is furthermore known as the city of *Ahlussunnah wal Jamaah*.¹⁰ With so many *habibs* and *syarifahs* living in Bangil, it is natural that social interaction among *habibs* and *syarifahs* is still maintained following the values inherited by their ancestors, let alone in the matter of marriage. Their marriages still adhere to the principles inherited by their ancestors, which is an internal-circle marriage with *habib* or *sayyid*.

Therefore, novelty side of this research is that the endogamous marriage of the Prophet's descendants is seen holistically, not only in terms of motivation and reasons beyond, but also legal aspects and causes of *syarifah's* endogamous marriage, which are still sustainable today. Additionally, we will also discuss the response of the surrounding community to this endogamous marriage.

Methods

This study was a field research. Data collection techniques used interviews and literature search (relevant scientific books and

⁸ Khoirul Bariyati, "Konstruksi Sosial Pernikahan Endogami Di Kalangan Perempuan Keturunan Arab (Studi Pada Perempuan Keturunan Arab Di Sepanjang," *Jurnal Komunitas* 6, no. 3 (2017), <http://journal.unair.ac.id>.

⁹ Habib Ahmad, Interview, 2022.

¹⁰ Arsyad Sobby Kesuma, Abdul Halim, and Nur Syam, "The Religious Politics of Habaib in Surabaya and Bangil East Java: A Socio-Religio-Political Approach," *QIJS (Qudus International Journal of Islamic Studies)* 10, no. 2 (December 20, 2022): 299, <https://doi.org/10.21043/qijis.v10i2.12090>.

Comment [Ma4]: What do you mean?

journals). Informants in this study numbered fifty people, namely *habib*, *sayyid*, *syarifah*, religious leaders, traditional leaders, community leaders, and Bangil town residents. In determining informants, researchers used a purposive sampling technique; the goal is that the data obtained is more accurate and on target. The criteria for informants were those who understand the endogamy of *syarifah's* marriage, have participated in at least two times the endogamy of *syarifah* marriage, *habib*, *sayyid*, *syarifah*, or a member of the community who lives in the city of Bangil.

The approach used in this study is a sociological juridical approach because this study is a legal study that looks at social reality.¹¹ This sociological juridical approach is used to find out and describe facts related to the endogamy of *syarifah* marriage in Bangil. The data analysis techniques used various stages, including data reduction, presentation, and conclusion.¹² At the same time, the data validity technique used in this study is source triangulation, namely comparing data obtained from several sources or informants.¹³

Result And Discussion

Kafa'ah as Reason for *Syarifah's* Endogamous Marriage at Bangil and its Stages of Process

Marriage aims to form a *sakīmah*, *mawaddah*, and *rahmah* family, in this world and the hereafter.¹⁴ The goal of marriage will be easily achieved if the marriage is built on a solid foundation; one of which is the existence of *kafā'ah* between husband and wife.¹⁵ In the Arabic dictionary, *kafā'ah* means comfort, commensurate and mate.

¹¹ Muhammad Chairul Huda, *METODE PENELITIAN HUKUM (Pendekatan Yuridis Sosiologis)* (Semarang: The Mahfud Ridwan Institute, 2022), <http://e-repository.perpus.iainsalatiga.ac.id/14262/>.

¹² Matthew B Miles and A. Michael Huberman, *Analisis Data Kualitatif: Buku Sumber Tentang Metode-Metode Baru* (Jakarta: Universitas Indonesia Press, 2014).

¹³ Lexy J Moleong, *Metodologi Penelitian Kualitatif* (Bandung: PT. Remaja Rosdakarya, 2018).

¹⁴ Budi Juliandi, Zulfikar Zulfikar, and Syarifah Mudrika, "Syarifah Sungai Raya Aceh Timur: Marriage and the Struggle to Find Identity," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 273–88, <https://doi.org/10.22373/sjhk.v6i1.9149>.

¹⁵ Anwar Hafidzi, Rusdiyah Rusdiyah, and Nurdin Nurdin, "Arranged Marriage: Adjusting *Kafa'ah* Can Reduce Trafficking of Women," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 2 November (November 30, 2020): 180, <https://doi.org/10.29240/jhi.v5i2.1991>.

Comment [Ma5]: What kind of participation?

Comment [Ma6]: The wedding day?

Meanwhile, in the Indonesian dictionary, *kafaah* means balanced in choosing a life partner. It means that men and women who will form a household should get balanced in everything.¹⁶

Furthermore, it implies that a husband is equal to his wife, meaning that he has the same and proportional position as his wife regarding social, moral, and economic levels.¹⁷ Rusdaya Basri believes that *kafā'ah* in marriage is a factor that can encourage happiness of the wedded couple and guarantee women's safety from failure or household turmoil. With more equal positions of men with women, the successful husband and wife's life is increasingly secure and more maintained from any loss.¹⁸

Apart of it, *kafā'ah* is not a condition for marriage,¹⁹ although the marriage guardian (*walī*) may reject the proposal of a man who is not equal (*kufū'*) to his daughter. According to the stronger opinion, *kafā'ah* only applies to matters of faith and religion, such as Muslims and infidels or pious people and evil people. In this case, the scholars differ on whether *kafā'ah* is one of the legal requirements in marriage or not. The first opinion puts *kafā'ah* as not a legal requirement in marriage. It is the opinion of most scholars; among them are Abu Hanifah, Malik, and As-Syafi'i. They argue that *kafā'ah* is considered very important in the continuation of a marriage, although it is not one of its legal requirements. The second opinion assumes that *kafā'ah* is a legal condition of marriage. This is according to Imam Ahmad, Ats-Tsauri, and some *Hanafiah* scholars.²⁰

The term *kafā'ah* is also known among the *Syarifah* in Bangil Pasuruan. *Habaib* (plural form of *habib*, also the calling for the descendants of Rasulullah) circles determine particular criteria to see

¹⁶ "Arti Kata Kafaah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 3, 2023, <https://kbbi.web.id/kafaah>.

¹⁷ Imam Subchi, "Kafa'ah among the Hadrami Arabs in the Malay World (Anthropology of Law Approach)," *Jurnal Cita Hukum* 8, no. 2 (August 1, 2020): 417, <https://doi.org/10.15408/jch.v8i2.16574>.

¹⁸ Rusdaya Basri, *Fiqh Munakahat: 4 Mazhab Dan Kebijakan Pemerintah* (Parepare: CV. Kafaah Learnig Center, 2019), 64.

¹⁹ Syukron Mahbub, "Menakar Kafa'ah (Praktek Perkawinan Kyai Di Madura)," *Jurnal Al-Ihkam* 6, no. 2 (2011): 233.

²⁰ Nadiyah Nadiyah, Norlaila Norlaila, and Anwar Hafidzi, "Does Kafa'ah Apply To The Descendants Of The Prophet Muhammad. Examine The Concept Of Kafaah Towards The Alawites In Martapura, Banjar," *JOURNAL OF ISLAMIC AND LAW STUDIES* 5, no. 2 (January 12, 2022), <https://doi.org/10.18592/jils.v5i3.5985>.

someone as worthy to accompany her daughter in the future.²¹ This eligibility is a benchmark for whether or not the person is compatible with the daughter. In the implementation of the *kafā'ah* concept among *syarifah* in Bangil, Pasuruan, there are some *syarifah(s)* who argue that it is included in the pillars of marriage. There are also those who say that *kafā'ah* is only limited to the validity of the marriage.²² The results of following interviews strengthen this.

In one side, *Syarifah* Hindun said as follow:

*"We are responsible for protecting our descendants' lineage so that it continues with the origin of the Prophet Muhammad. If we marry ahwal (non-sayyid), our children will no longer be related to the Prophet Muhammad".*²³

Meanwhile, *Habib* Muhammad said so:

*"Endogamous marriages among syarifah are not only at Bangil but worldwide; Syarifah can only marry sayyids. Every sayyid who wants to propose to marry a syarifah will be tested first to see if his lineage status is valid through the Râbiṭah 'Alawiyyin Institution (institution for the registrar of the Prophet Muhammad's lineage in Indonesia). If the sayyid status has been proven genuine, there will be discussion about marriage. The purpose of this endogamous marriage is to maintain the sanctity of the origin of our children and grandchildren so that it continues in its lineage with the Prophet Muhammad SAW."*²⁴

Based on two interviews above, it can be seen that the reason for endogamous marriage among *syarifah* is to keep the lineage in the Prophet Muhammad's line. *Syarifah* is deemed only in the same league as *sayyid*, and there is already legal standing for this type of marriage. According to Islamic law, marriage is valid if it meets the

Comment [Ma7]: Arent they contradictory each others?

²¹ Wahyuiaulaq Wahyu and Ahmad Azmi Perkasa Alam, "Interfaith Marriage Perspective of Fiqh Law and Positive Law," *NUSANTARA: Journal Of Law Studies* 1, no. 1 (December 16, 2022): 35.

²² Aba Fahmi Roby, "Konsep Kafa'ah: Studi Pandangan Habaib Di Kabupaten Jember," *Rechtenstudent Journal UIN KHAS Jember* 1, no. 3 (2020): 293–301, <https://doi.org/10.35719/rch.v1i3.38>.

²³ *Syarifah* Hindun, Interview, 2022.

²⁴ *Habib* Muhammad Bin Yahya, Interview, 2022.

requirements and pillars.²⁵ However, other rules require the concept of *kafā'ah* or the equivalence between males and females in various matters. In this context, there are mainly two consequences for breaking the rule. First, a *syarifah* is considered destroying or breaking the lineage of the Prophet's descendants and second, there is generally no blessing from the guardian when a *syarifah* marries a man outside *sayyid* circle.²⁶

In a broader context, *kafā'ah* concept is actually not only found in the descendants of *Alawiyyin*, but also in other groups, for example, the descendants of the sultanate, *Kiagus*, *Kemas*, and *Raden*; they do not allow marriage to those other than them because their lineage will be cut off. If their daughter married a commoner, she would lose royal blood, and they would not be recognized as part of a noble family. Likewise, the descendants of *Alawiyyin* are very careful about their family although some consider it as *luzum* (must) without but do not cancel the marriage if it is not equal.

Endogamous marriages carried out by *syarifah* in the city of Bangil have several stages, almost the same as the stages of marriage in general. The differences are only in terms of steps, not the substance. An example of this difference is in the long series of the *syarifah* endogamous wedding procession compared to general one which are more straightforward and concise. The cause of the long march of the endogamous *syarifah* marriage is claimed as a form of practicing Islamic teachings as a whole. The results of following interview describe it well;

Marriage is a worship, and everyone should act perfectly. It ranges from looking for a prospective wife; you must follow the teachings of the Prophet Muhammad. In the following stages, you must still follow the teachings of the Prophet Muhammad. The wedding reception must

²⁵ Dri Santoso et al., "Harmony of Religion and Culture: Fiqh Munākahat Perspective on the Gayo Marriage Custom," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 2 (December 5, 2022): 202, <https://doi.org/10.18326/ijtihad.v22i2.199-218>.

²⁶ Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Nonsayyid: Perspektif Jam'iyah Rabithah Alawiyah Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 6, no. 2 (February 5, 2021): 129-44.

Comment [D8]: However, other rules must be suitable with the concept of *kafā'ah* or the equivalence of the male side to the female side in various matters. The prohibition can be viewed from two factors: first, a *syarifah* is considered not equal and destroys or breaks the lineage of the Prophet's descendants if she marries a non-*sayyid*, and second, there is no blessing from the guardian when his daughter marries a man who is not equal.¹

Comment [Ma9]: Reference or further explanation, plis.

Comment [Ma10]: What do you mean?

also follow the instructions of the Prophet Muhammad"

27

Those principles of marriage are still held by the families of the descendants of the Prophet Muhammad when marrying off their sons and daughters. Meanwhile, the stages of endogamous *syarifah* marriage have ten steps as shown in the Figure 1 below.

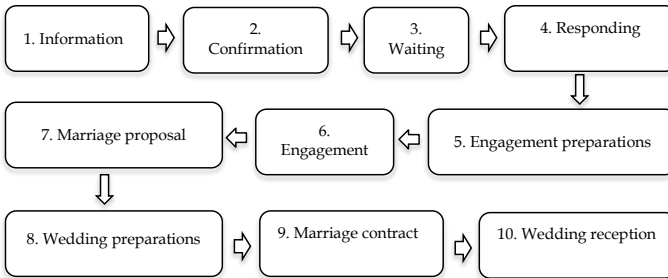


Figure 1. Stages of *Syarifah*'s Endogamous Marriage Process

Based on Figure 1 above, it can be known that the *syarifah* endogamous marriage has several stages as follow.

The *first* is a visit to the prospective wife parents' home to inquire about their daughter's status and let them know that a man is interested in marrying their daughter.

Second, when it is known that the girl is available, the intermediary and the prospective groom, along with his parents and relatives, visit the residence of the future wife aiming to propose her.

Third, for four to seven days, the prospective husband waits for an answer from the prospective wife. On the sidelines of these four to seven days, the future wife's parents investigate the situation as well as the morals of their son in law to be.

Fourth, the prospective wife's family provides answers to the intermediary to be conveyed to the prospective husband's family.

Fifth, if the proposal is accepted, both parties set the engagement date.

Sixth, they carry out the engagement but the prospective husband is not allowed to participate in the event. The future husband's parents bring offerings of coffee, sugar, chocolate, flowers, and rings.

²⁷ Habib Soleh, Interview, 2022.

The prospective husband's mother puts the ring at the finger of her son's future wife then the daughter in law to be kisses the future in-law mother's hand. Additionally, the date of the marriage proposal was determined at this stage.

Seventh, at the marriage proposal ceremony, the prospective husband's family (also without the presence of prospective husband) makes another visit bringing a set of jewelry tools, make-up tools, toiletries, cloth, sandals, bags, and money as present to the future wife. Then, a collection of jewelry is put on the prospective wife by the prospective husband's mother after deciding the wedding reception which usually takes place a month later.²⁸ According to *Habib Soleh*, the items given by the *sayyid* are gifts that aim to foster a sense of mutual love.²⁹

Eighth, pre-wedding preparation which begins with seclusion takes place; the prospective wife is not allowed to meet the future husband until the wedding day; then, the future wife uses *henna* to decorate her hands and feet as customary for Arabs when they want to do a wedding. After that, both future groom and bride do self-care. At the night before the wedding ceremony begins, at the residence of the prospective wife, they hold a *burdah* (reading the Prophet's *shalawat* together) which is attended by friends of the future wife to pray for the smoothness of the wedding ceremony and marriage life.

Ninth, the wedding ceremony is carried out, namely the marriage contract (*'aqd an-nikāh* or *ijab qabul*), which is only attended by Muslims and is carried out in the afternoon after the noon prayer. The prospective husband, accompanied by his family, is present at the future wife's residence to declare the marriage vow. Before the marriage contract declaration, there held a wedding sermon by reciting verses from the holy Quran. Declaration of marriage vow uses Arabic language in which the prospective husband holds the hand of his future father in law. After the *ijab qabul*, they are both legally husband and wife. It ends with reading prayers for the bride and groom and serving the invitees while the husband and wife meet and sit on the aisle.

²⁸ Muhammad Khusna Amal and Nawirah Ali Hajjaj, "Pernikahan Nasbiyah Sayyid Dan Syarifah (Studi Living Hadits Di Kampung Arab, Kademangan, Bondowoso)," *Al-Manar: Jurnal Kajian Alquran Dan Hadis* 7, no. 1 (November 4, 2021): 23, <https://doi.org/10.35719/amn.v7i1.5>.

²⁹ Habib Soleh, Interview, 2022.

Tenth, in the evening, the peak event arrived; namely, a wedding reception attended only for Muslim women filled with welcome, hospitality, and surprising events to entertain the invitees until the event was over.

[This relatively long marriage stage is considered a form of obedience and following the sharia brought by the Prophet Muhammad.³⁰

The Impact of Endogamous Marriage Violation among the Prophet's Descendants at Bangil City

The marriage of a *syarifah* with a *sayyid* as fellow descendant of the Prophet Muhammad is not a debate. However, *syarifah* marriages with *non-sayyid* or so called exogamous cause different opinion. The first opinion thinks that a *syarifah* is prohibited from marrying *non-sayyid*. This belongs to the majority and is supported by many *habaib*, one of which is *Habib Idrus* (an old *habib* in Bangil). *Habib Idrus*'s opinion was based on the view of Mufti Tarim *Sayyid Abdurrahman bin Muhammad bin Muhammad bin Husein Al-Masyur* in the book *Bugyatul Mustarsyidin* as follow: "I do not see the permissibility of marriage (between *syarifah* and *non-sayyid*) even though she and her guardian are pleased with this matter. This is because the glory of *nasab* (lineage) should not be polluted, and every close or distant relative has the right to the descendants of (Fatimah) Az-Zahra, that is, is the pleasure of what she (*syarifah*) is doing."³¹

The prohibition of exogamous marriage is mainly because assumption that the two are not equal (*kufū*). Most of the descendants of the Prophet Muhammad are relatively strong in maintaining their traditions, one of which is choosing a marriage partner from their inner circle. They tend to marry fellow descendants of the Prophet. However, it is common for *sayyid* to marry '*ajami*' women (not from the *syarifah*). It has happened many times, and there is no debate over legal issues. However, even though this marriage did not cause a break in the lineage (because the children were hereditarily related to their father), the other *habaib* did not want to attend the wedding. They think this marriage was

Comment [Ma11]: Moslem men are excluded?

Comment [Ma12]: Plis add a few more sentence.

Comment [Ma13]: Majority of ulema?

Comment [Ma14]: Do you mean senior or prominent?

Comment [Ma15]: Plis find another more suitable diction

Comment [Ma16]: To what does it refer to?

Comment [Ma17]: Because the children from marriage are still hereditary connected?

Comment [Ma18]: some

³⁰ Habib Ridho Baraqbah, Interview, 2022.

³¹ Sayyid Abdurrahman bin Muhammad bin Muhammad bin Husein Al-Masyur, *Bugyatul Mustarsyidin* (Kediri: PP Hidayah at-Thullab, 1995), 132.

unequal because *sayyid* should marry *syarifah*, not *ahwal*.³² However, if an Arab woman (especially *syarifah*) marries a non-sayyid man, there will be a lot of debate and conflict, because their child is still a descendant of the Prophet Muhammad.³³ *Syarifah*, therefore, is responsible for maintaining the custom across generation, let alone their offspring.

The second opinion says that a *syarifah* is allowed to marry an *ajam/ahwâl* (men out of *sayyids*). This is considered weak because most scholars think that *kafâ'ah* is also found in lineages. Only a few *habib* follow the second opinion. One of them who is *Habib Hasan* whose idea is as follows:

*There is no difference between syarif and syarifah and ajam/ahwal people. All humans before Allah are equal, except for their piety to Allah. So differences in lineage, clan, education, and property will not be a problem in marriage between fellow Muslims because no one can guarantee that the marriage of a fellow syarif/syarifah will bring blessings to the marriage afterward.*³⁴

Based on the interview result above, *ridha* (approval) or agreement is an absolute requirement because the right of *kafâ'ah* lies with the *syarifah* and her guardian. If they agree to relinquish their rights, there is no problem. However, if they refuse future husband's marriage proposal and continue to demand the existence of *kafâ'ah* in this account, the marriage will not occur.

A small proportion of the *syarifah* group who married non-sayyid men was caused by contamination or influence by western culture. Another reason is from education and social and economic factors. Violation of this custom, for *syarifah*, is not straightforward because she is supposed to know that what she chooses is not a custom or habit of her group. Hence, when *syarifah* dares to marry any 'ajam men, she must also be ready with all the assumptions of other *syarifah* in her inner circle. In contrast to men from the *habaib* rings, they are freer to choose wed couple outside their lineage community. If a *syarifah* woman marries an ordinary man who is not from the *habaib*

Comment [Ma19]: to avoid larger scope, better for you to just focus on syarifah, not the whole Arabic women.

Comment [Ma20]: So what is the problem? Are you sure there is no NOT in the phrase?

Comment [Ma21]: Reference plis

Comment [Ma22]: Is it the same as sayyid?

Comment [Ma23]: Approval or blessing? Plis be consistent!

Comment [Ma24]: For syarifah to choose exogamous marriage?

Comment [Ma25]: Is that so?

Comment [Ma26]: Plis expore more what culture do you mean?

Comment [Ma27]: This is very risky sentence unless you insert relevant proof/evidence/explanation.

Comment [Ma28]: Do you mean violation impact?

³² Habib Idrus, Interview, 2022.

³³ Masruroh, "Pernikahan Syarifah Dengan Non-Sayyid Di Patokan Kraksaan Probolinggo Perspektif Imam Malik Dan Imam Syafi'i," *AL-HUKAMA': The Indonesian Journal of Islamic Family Law* 4, no. 1 (June 1, 2014): 85-124, <https://doi.org/10.15642/al-hukama.2014.4.1.83-121>.

³⁴ Habib Hasan, Interview, 2022.

group, the lineage line will be cut off. However, if it is a man who does it, it is not cut off. This difference occurs because lineage is attached to men, not to women.

The violation of endogamous marriages rule in *syarifah* gives psychological and sociological impacts.³⁵ The psychological impact that *syarifah* feels is discomfort after an exogamous marriage along with other sociological implications. This is clear from the interview result below:

*The impact of syarifah marriage to non-habib is that her children would lose the hereditary lines. She would also be exiled from the family because she was not recognized as a family with the lineage of Muhammad saw anymore. She was even considered to have cut off kinship relations, so they did not reach the Messenger of Allah hereditarily.*³⁶

The interview result shows that once the *syarifah* violates the marriage tradition, she would be ostracized by her extended family and relatives. A *sayyid* even said that there is not even the most effective medicine as an antidote to the pain caused by insulting the pride of the family whose daughter violated this tradition. The *syarifah* will lose kinship with her family indefinitely because breaking the *kafā'ah* tradition is deemed violation that tarnishes her family's dignity at most. It can be said that there is nothing more valuable to protect *sayyid-syarifah's* extended family in this world other than maintaining the tradition of endogamous marriage.³⁷

The violation impacts of endogamous marriage among *syarifah* can be clearly seen in the Figure 2 below.

Comment [Ma29]: IT IS HIGHLY SUGGESTED THAT YOU INSERT INTERVIEW RESULT WITH THESE RULE VIOLATORS from both *syarifah* and *sayyid*.

³⁵ Fahmi Ridlol Uyun, "Perkawinan Endogamy Bagi Syarifah Perspektif Sosiologis Dan Maqashid Syari'ah (Study Kasus: Adat Perkawinan Endogamy Di Kampung Arab Kelurahan Kademangan Bondowoso)," *IJIL: Indonesian Journal of Islamic Law* 1, no. 2 (August 26, 2019): 1-15.

³⁶ Habib Zahir, Interview, 2022.

³⁷ Dewi Ulya Rifqiyati, "Dinamika Perkawinan Endogami Pada Keturunan Arab Di Yogyakarta," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 2, no. 1 (January 29, 2020): 25-44, <https://doi.org/10.56593/khuluqiyya.v2i1.38>.

Impact of Endogamous Marriage Violation on *Syarifah*

Sociological Impact

- *Syarifah*'s status will be lost and no longer recognized
- The *nasab* (lineage) status of the children born from the marriage cannot be hereditarily associated with the Prophet Muhammad (the child does not have the status as a *syarif* or *syarifah*)
- *Syarifah* will be excommunicated from his extended family and relatives

Psychological Impact

- *Syarifah* will feel inferior and uncomfortable because she has violated the endogamous marriage rule and tradition
- Children born from these marriages will feel inferior because they have lost their status as *syarif* or *syarifah*.
- The big *syarifah* family will feel that their self-esteem and dignity have been tarnished and damaged

Figure 2. The impact of endogamous marriage violation on *syarifah*

Figure 2 shows that... The same thing also happens among *syarifah* in other cities, not only in Bangil. An interview result strengthens this;

*My aunt married ahwal, and as a result, our extended family ostracized her. Actually, this punishment also occurs in other areas.*³⁸

This sanction is indeed given to all *syarifah* who violate the provisions of endogamous marriages. Endogamous marriage rules are made to keep the lineage continuing with the Prophet Muhammad. To maintain endogamous marriage tradition, they form groups or communities of fellow descendants of the Prophet Muhammad to strengthen kinship and find a mate for their children. The women usually undertake an *arisan* (regular social gathering) that consists of *syarifah*(s) whose initial aim was to strengthen kinship

³⁸ Syarifah Rahmah, Interview, 2022.

Comment [Ma30]: Plis continue this...

ties among their inner group. Meanwhile, young *syarifah* usually gather to conduct Qur'anic recitation activities and discuss religious issue, let alone endogamous marriage theme. With the rapid development of the times and modernization everywhere, the *habib* community, especially in Indonesia, tries not to be collapsed by the current modernity. The tradition of endogamous marriage is maintained in their way.³⁹

Endogamous Marriage of Prophet's Descendants on Sociological Islamic Law Perspective

Equality or *kafā'ah*, especially in the case of marriage, has a powerful binding force on *syarifah*. *Syarifah* is not said to be equal with her spouse if she marries to non-*sayyid*. For them, implementing this principle of *kafā'ah* in a marriage is not deemed as discriminating between one Muslim and another, but protecting the future wife and her family from 'shame' in their inner circle because of being juxtaposed with a husband who is deemed unequal. Regarding with *maqāsid ash-Syari'ah*, this marriage prohibition contains *maslāhat*, namely maintaining offspring (*hifzu an-nasal*).⁴⁰ The stipulation of such equality in this marriage should be responded wisely and responsibly so that the principle of *kafā'ah* in lineage can bring benefits while building a household.⁴¹

The majority of *syarifah* agree with endogamous marriage on the basis that equality in the lineage is fundamental because it is a part of preserving effort on the descendants of the Prophet Muhammad. Most scholars also argue that *kafā'ah* is a legal requirement for marriage. *Kafā'ah* will minimize the potential for quarrels and conflict in the family.⁴² The results of interview also reinforces this data.

³⁹ Jihan Suroyyah, "Pernikahan Campuran Dalam Komunitas Arab (Studi Tentang Penerimaan Keluarga Perempuan Arab Terhadap Pernikahan Campuran Di Sepanjang)" (skripsi, UNIVERSITAS AIRLANGGA, 2015), <http://www.lib.unair.ac.id>.

⁴⁰ Haya Zabidi and Rifky Noor, "Tinjauan Maqasid Asy-Syari' Ah Asy-Syatibi Terhadap Larangan Perkawinan Syarifah Dengan Laki-Laki Non Sayyid," *Syariah Darussalam : Jurnal Ilmiah Kesyarifan Dan Sosial Masyarakat* 5, no. 1 (January 9, 2020), <https://doi.org/10.58791/sydrs.v5i1.101>.

⁴¹ Said Syaripuddin and Andi Banna, "Kafa'ah Nasab Sebagai Syarat Utama Bagi Pernikahan Wanita Syarifah Di Kecamatan Lau," *Al-Tafaqquh: Journal of Islamic Law* 3, no. 2 (July 31, 2022): 73-87, <https://doi.org/10.33096/altafaqquh.v3i2.171>.

⁴² Syarifah Umi Kulsum, Interview, 2022.

In judging something, when differences of opinion is found among the scholars, then it is better to follow the idea of most scholars. In endogamous marriages, the most potent argument of many Islamic scholars supports it. The legal basis is also clear which leads to the concept of kafā'ah.⁴³

Meanwhile, the group that disagrees with endogamous marriage argues that *kafā'ah* is not required for a valid marriage. *Kafā'ah* is a right owned by a *syarifah* and her guardian so that it is free for them whether to fulfill it or not. The result of another interview reinforces this data.

Comment [Ma31]: Is that what you mean?

Kafā'ah is a right, not an obligation. If the guardian and syarifah want to accept ahwal as her husband, then the marriage is considered valid because the terms and pillars of marriage have been fulfilled.⁴⁴

For more details, the response to this sort of exogamous marriage of *syarifah* is showed on table 1 below:

Table 1. The Respond of *Syarifah*'s Marriage with Non-*Sayyid*.

No	The Respond	Explanation
1	Total Rejection	This group totally rejects the marriage of a <i>syarifah</i> with an <i>ahwal</i> . This group argues that <i>kafā'ah</i> is a condition for a valid marriage, including at the context of lineage. This group follows the opinion of most scholars and is of a strong opinion (<i>dalil</i>).
2	Allowing with Conditions	This group does not wholly reject the marriage of a <i>syarifah</i> with an <i>ahwal</i> on the condition that the guardian and her family don't mind with the marriage. This group argues that <i>kafā'ah</i> is the right of the guardian and <i>syarifah</i> following the opinion of a minority of scholars and is of a weak opinion.

Comment [Ma32]: You actually need to be responsible in using the term majority and minority as well as strong and weak.

⁴³ Habib Muhammad Bin Tohir, Interview, 2022.

⁴⁴ Syarifah Maiyminah, Interview, 2022.

The table 1 shows...

Comment [Ma33]: Plis continue this..

This internal rule among prophet's descendants has become a distinct social phenomenon where marriage, in the view of society in general, is allowed to with anyone in terms of religion and ceremonial law. Nevertheless, a *syarifah* woman can only marry to a *sayyid* according to their inner belief held from generation to generation. Therefore, this rule has become the culture among prophet's descendants in determining their daughter's spouse. The Prophet descendant's community still holds firmly to the sacredness and existence of this rule due to the effort to maintain lineage. It is apparent and firmly embedded in their everyday social and cultural life. One of them is their effort to maintain the marriage pattern through the selection of a future spouse through the system they believe in and use since their ancestors. This type of marriage is therefore an agreement influenced by culture, daily social life, and especially beliefs which are the primary basis for the existence of their community.⁴⁵

According to *Sayyid Alwi*, if *syarifah* only relies on lineage by ignoring piety to Allah, she will be worthless. *Kafā'ah* for *syarifah* is obligatory.⁴⁶ He says that no one is equal (*kufu'*) with the descendants of *sayyidah* Fatimah except the Hasyim clan. *Sayyid Alwi* revealed that their daughters (*syarifah*) should marry their sons (*sayyid/syarif*). Based on the opinion or views of *Rabithah Alawiyah*, it is clear that the *Alawite families* carry out the basis for the implementation of *kafā'ah*, which should be exemplified by the Prophet Muhammad in marrying his daughter Fatima to Ali bin Abi Talib. This excluded a fact that some of the Prophet's daughters were not married to the Hasyim clan.⁴⁷

Comment [Ma34]: These two sentences seem contradictory. Is Sayyid Alwi proponent of endogamous marriage or vice versa?

Comment [Ma35]: Another different term. Plis explain!

With a strong *hadith* basis, there should be no more opposition or rejection of *syarifah* endogamous marriages. However, some people

Comment [Ma36]: Which hadith?

⁴⁵ Abd Asis, "Pola Perkawinan Islam Alawiyin Di Kabupaten Maros," *Gema Kampus IISIP YAPIS Biak* 12, no. 2 (October 30, 2017): 74-80, <https://doi.org/10.52049/gemakampus.v12i2.46>.

⁴⁶ Iznawanti and Jurnal Semiotika Quran, "Fenomenologi Pernikahan Se-Kufu Pada Masyarakat Palembang Komunitas `Alawiyin Dalam Perspektif Surah Al-Hujarat: 13," *Jurnal Semiotika-Q: Kajian Ilmu al-Quran Dan Tafsir* 1, no. 1 (June 29, 2021): 6, <https://doi.org/10.19109/jsq.v0i0.7447>.

⁴⁷ Mustika Sari Wulandari et al., "Cucu Nabi Muhammad Menikah dengan Orang Makassar: Studi Pernikahan Perempuan Islam Sayyid di Cikoang, Takalar," *Jurnal Tamaddun: Jurnal Sejarah dan Kebudayaan Islam* 7, no. 2 (2019), <https://doi.org/10.24235/tamaddun.v7i2.5499>.

still question this endogamous marriage's legal standing because some of the prophet's daughters are not married to the Hasyim clan. The next problem is that many people need help to reject endogamous marriage.

Comment [Ma37]: What do you mean?

Comment [Ma38]: Plis explain this

On the contrary, there are several reasons why these *syarifahs* accept endogamous marriage. Most of them live or are in the environment of the *Alawiyyin* family group; they can indirectly understand and accept endogamous marriages. The pattern of religious education coming from internal families, especially parents who teach and ensure that endogamous marriage becomes tradition that should neither be omitted nor violated, also matters. External influences, such as fellow relatives and friends, continue to educate and support the strength of endogamous marriages. Respect for parents and close relatives make them reluctant to violate the rule. The result of another interview reinforces this;

*Family, relatives and friends of syarifah play an important role in instilling the noble value that they always protect the lineage of the Prophet Muhammad so that it does not break. An explanation about the importance of protecting lineage must be conveyed frequently, so it sticks in the heart of the syarifah.*⁴⁸

Meanwhile, according to informants, those who reject endogamous marriage have several causes. *Firstly*, the pattern of settlement or residence which is scattered and not settled in the *Alawiyyin* community. *Second*, being influenced by modern westernized education. *Third*, lack of socialization or teaching about the values of marriage from the family, especially parents. *Fourth*, there is less external influence, especially from the *Alawiyyin* study center institution which routinely provides education through social media and other activities related to the development of the *Alawiyyin* family, especially for younger generation. The results of these following interviews reinforce the following data.

Syarifah, who is married ahwal, usually has minimal religious knowledge and is influenced by modern westernized education. The essential religion and teachings of the Alawiyyin ancestors were not

⁴⁸ Syarifah Barsiyah, Interview, 2022.

*firmly entrenched in her heart, so she was easily influenced by the currents of modern thought.*⁴⁹

*Gatherings among syarifahs are significant for transferring religious knowledge, especially marriage knowledge and chapter kafa'ah. One of the reasons why Syarifah dares to marry ahwal is because of the wrong association. Syarifah rarely associates with fellow syarifahs and the habib community. Instead, they associate a lot with modern society which promotes freedom in marriage.*⁵⁰

Those who reject the internal rules in *Alawiyyin* use the argument of verse al-Hujarat: 13. They believe that clan matters are crucial, but the Quran and Hadith exemplify that the quality of a servant is not measured by his lineage but by his piety and deeds.⁵¹ The verse states so:

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ

"Indeed, the most noble of you in the sight of Allah is the most righteous of you"

They furthermore argue that *kafa'ah* is only in religion, not in descent matters, so it is permissible to marry someone who is not *habaib*. The following hadith of the Prophet also reinforces this opinion.

إِذَا خَاطَبَ الْبَيْتُكَ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرُوجُهُ، إِلَّا تَقَطَّعُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادَ عَرِيضٌ

"When a person comes to you whom you can accept religion and morality (to marry your daughters), then marry him (to your daughter). Because if this is not done, it will indeed become *fitna* on earth and become heavy damage"(HR. Tirmidzi).

Comment [Ma39]: Plis mention the authoritative source for this

The following interview result strengthened the Quranic verse above;

I agree that the barometer of kafa'ah is only in faith and piety. The measure of a person's quality is not in his lineage but in his faith and piety. So what is more appropriate is that a syarifah may marry an ahwal; the important thing is that the ahwal has faith and fears to

⁴⁹ Barsiyah, Interview, 2022.

⁵⁰ Bin Tohir, Interview, 2022.

⁵¹ Abu Yazid Adnan Quthny and Ahmad Muzakki, "Urgensi Nasab Dalam Islam Dan Silsilah Nasab Habaib Di Indonesia," *Asy-Syari'ah: Jurnal Hukum Islam* 7, no. 2 (June 25, 2021): 131–51, <https://doi.org/10.55210/assyariah.v7i2.592>.

Allah. In addition, the marriage must obtain the consent of both parents. The parents' blessing is essential so that the marriage can be blessed.⁵²

The data above implies that the endogamous marriage of the *syarifah* at Bangil is not entirely accepted by the *syarifah* themselves. Some *syarifah(s)* disagree with this type of marriage. To know the message, the reasons for accepting or rejecting endogamous marriage can be seen in Table 2 below.

Table 2. Endogamous Marriage in Prophet's Descendants at Bangil

No	Aspect	Reason for Receiving	Reason for Rejecting
1	Community	<i>Syarifah</i> lives in the community of <i>Alawiyyin</i> family groups, so they can indirectly understand and accept the endogamous marriage.	<i>Syarifah</i> does not live in the <i>Alawiyyin</i> community and gets a modern education then prioritize exogamous marriage.
2	Education	Religious education from parents who teach endogamous marriage as a tradition that should not be violated	<i>Syarifah</i> lacks education, socialization and support from her family regarding the importance of endogamous marriage
3	Friendship	The influence of relatives and friends who continue to provide education and support to maintain endogamous marriages	<i>Syarifah</i> was influenced by the opinion of her friends who believed that the measure of a servant's quality is not measured by lineage, but by piety and deeds.
4	Respecting	Respect for parents and close relatives	<i>Syarifah</i> does not respect her parents and relatives while believing that the concept of <i>kafa'ah</i> exists only in matters of religion, not in matters of

Comment [Ma40]: What message? Do you mean response/assumption?

Comment [Ma41]: Title of table doesn't describe what the title is about. Plis fix it

Comment [Ma42]: Respect and or believe?

⁵² Rahmah, Interview.

heredity.

Table 2 shows that...

However, it is known that most of *syarifah* follow the internal rules of endogamous marriage as shown by the following interview result:

*Not more than ten percent break the rules of endogamous marriage. Sometimes these violations occur due to ignorance that one is a syarifah or lack of religious knowledge.*⁵³

Most *habib* also support and adhere to this internal rule. The regulations of endogamous marriage profoundly impact Muslim society in general. This is because it provides certainty and clarity to the descendants of the Prophet Muhammad so that the Muslim community, in general, will more easily recognize and glorify the descendants of this Prophet Muhammad.

Conclusion

Endogamous marriages among the Prophet Muhammad's descendants aim to keep the lineage to remain sustainable and maintained. It is mainly based on *kafa'ah* consideration between *syarifah* and *sayyid* which is deemed necessary to be well-kept across generation. This tradition is particularly valid only for *syarifah*, because *sayyid* is still allowed to marry *ahwal* (not descendants of Muhammad). Consequently, if *syarifah* married an *ahwal*, the lineage of her children from that marriage would be cut off from the Prophet Muhammad along with other sociological and psycholocial sanctions. However, the sanctions are only a form of prevention and safeguarding lineages, so they do not break up the rule. This study was limited to analyzing only one area, so it does not provide a comprehensive insight into *syarifah* endogamy marriage in a broader locus. Due to these limitations, this study suggests further research that accommodates anthropological and ethnographic aspects of *syarifah* endogamous marriages and relies on more varied data to obtain a more comprehensive understanding.

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⁵³ Baraqbah, Interview.

Comment [Ma43]: Plis continue this...

Comment [Ma44]: What do you mean?

Comment [Ma45]: This issue could be your suggestion for further research

Comment [Ma46]: What do you mean? Do you want to say that the sanction is a fake?

Comment [Ma47]: Plis add another suggestion about the gender discrimination on the endogamous marriage rule as you mentioned at the beginning part of your conclusion.

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Mohon kerjasamanya gih, Pak. Beberapa catatan (mostly minor) masih kami layangkan demi perbaikan dan penyempurnaan naskah Jenengan.

Selain yang ada di track changes, ini beberapa point penting juga. Sebagian sudah ada di track change, tapi sebagian lagi belum

Kami juga berinisiatif langsung mengubah hal2 yang sekiranya tidak substansial (proofreading bahasa dan diksi, termasuk penggabungan subheadings), tetapi untuk yang esensial, seperti penyebutan rumusan masalah, kami masih menyerahkan pada Jenengan gih. Mohon perhatikan setiap detilnya gih, Pak.

1. Documentation di abstrak. Dokument apa yang diteliti?
2. Kalimat pertama di intro, measures based on sincerity. Maksudnya measure apa?
3. place for the thoughts di kalimat yang footnotenya nomor 9, Maksudnya apa?
4. Apa bedanya sayyid dan habib? Jika memang sama, sebaiknya konsisten dalam penggunaan. Jika memang berbeda (seperti tampak dalam bagian method), mind of the use dan jelaskan bedanya apa.
5. Rumusan masalah belum disebutkan secara eksplisit di dalam introduction
6. Literature review juga tergolong masih minim
7. Di bagian method, teknik pengumpulan data adalah wawancara dan literature search, bukan dokumentasi. Ini tidak sinkron dengan abstrak.
8. Masih di method, maksudnya berpartisipasi dalam sedikitnya dua kali pernikahan endogami itu maksudnya bagaimana? Pernah menikah endogami atau bantu2 dalam seremonial pernikahan?
9. Hlm. 7, result and discussion, apa dua hal ini bertentangan? there are some syarifah(s) who argue that it is included in the pillars of marriage. There are also those who say that kafā'ah is only limited to the validity of the marriage
10. Hlm. 8, perlu kiranya menjelaskan apa yang dimaksud dengan alawiyyin; asumsinya tidak semua pembaca paham. Penjelasan singkat saja di dalam kurang
11. Masih hlm 8, maksud dari without but do not cancel the marriage if it is not equal susah dipahami
12. Hlm 10 paragraph paling bawah, is it only for Moslem women?
13. Hlm 11, paragraph paling atas perlu penjelasan dan penjabaran lebih lanjut, termasuk penekanan analisis pada sosiologi hukum Islam.

14. Hlm 11, kalimat terakhir dari bawah; However, if an Arab woman marries a non-sayyid man, there will be a lot of debate and conflict, because their child is still a descendant of the Prophet Muhammad. ada dua hal mengganjal. Pertama, apakah cakupan Arab women include syarifah? Baiknya langsung focus ke syarifah saja. Kedua, apakah anak dari hasil pernikahan tersebut tetap tersambung secara keturunan dengan Nabi? Apa ada kata NOT yang tertinggal?

15. Tolong semua penyebutan kata2 asing disesuaikan dengan pedoman transliterasi yang dipakai.

16. Hlm. 12, di kutipan, ada penyebutan syarif. Apakah syarif sama dengan sayyid, habib, dan istilah2 lainnya? Tolong perhatikan konsistensi penggunaan istilah karena berkait dengan scope obyek material dan pemahaman pembaca.

17. Beberapa bagian juga seringkali mengatakan pendapat yang lebih kuat atau pendapat yang lebih lemah; pastikan ada argumentasi memadai atau referensi terkait pengunggulan semacam ini.

18.



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Endogamous Marriage of Prophet's Descendants on the Perspective of Sociology of Islamic Law

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Abstract:

This study aims to comprehensively describe the endogamous marriages of the Prophet Muhammad's descendants from the perspective of the sociology of Islamic law. The marriage mainly occurs in *syarifah* (the female descendants); they are required to marry the prospectives from *habib* (male descendants) groups only. Endogamous marriage will be explored holistically by clarifying the reciprocal relationship between social change and Islamic law among *syarifah*. This field research examines the enactment of the law in social life. It used a sociological Islamic law approach to reveal the facts

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about endogamous marriage in Bangil, East Java, Indonesia, because many of the Prophet's descendants live there. Data collection techniques were interviews and literature search, while the analysis technique used is Miles and Huberman's analytical procedure. After conducting in-depth research, a conclusion was found that endogamous marriage among *syarifah* in Bangil is a form of obedience to customs passed down across generations since their ancestors, namely the tradition of marrying someone of equal lineage. Endogamous marriages have been maintained to this day due to religious teachings, the spirit of protecting the Prophet's family, and the social conditions of those who support its preservation.

Keywords:

Endogamous; Islamic Law; Marriage; Sociological; Prophet's Descendants

Introduction

In Islam, marriage as a sacred agreement, worship to Allah, and a *sunna* of the Prophet is based on sincerity and responsibility.¹ It is carried out with the intention that humans have a legitimate family to achieve a happy life in this world and the hereafter.² In addition to the rules in Islam to help achieving this goal of marriage, there are other rules living in society, including not to marrying other people from different ethnicity or those out of the inner tribe. This rule is known as endogamous marriage.³

Endogamous marriage requires people to find a mate in their inner social environment, for example, in the same family line, social

¹ M. Anwar Nawawi et al., "Harmonization of Islam and Human Rights: Judges' Legal Arguments in Rejecting Child Marriage Dispensation in Sukadana, Indonesia," *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan* 22, no. 1 (September 1, 2022): 126, <https://doi.org/10.18326/ijtihad.v22i1.117-134>.

² Aisyah Ayu Musyafah, "Perkawinan dalam Perspektif Filosofis Hukum Islam," *CREPIDO* 2, no. 2 (November 29, 2020): 111-22, <https://doi.org/10.14710/crepido.2.2.111-122>.

³ Muhammad Rizwan Safdar et al., "Socioeconomic Determinants of Caste-Based Endogamy: A Qualitative Study," *Journal of Ethnic and Cultural Studies* 8, no. 2 (February 10, 2021): 39, <https://doi.org/10.29333/ejecs/697>.

class, or residential setting.⁴ Sunarto said that it is a marriage between ethnicity, clan, tribe, or kinship in the same environment. It is usually carried out to keep wealth circulating among themselves, strengthen the clan's defense from enemy attacks, maintain bloodline, or for other more exclusive motives.⁵

This form or system of endogamous marriage is adopted by several ethnic groups, tribes, or community clans in Indonesia; one of which is among *syarifah*. *Syarifah* refers to women descended from the Prophet Muhammad.⁶ They generally perform endogamous marriages based on ethnicity or clan of the Prophet. The purpose of this is to preserve the lineage of the Prophet as stated by research conducted by Fathur Rohman Azhari.⁷ It raises relevant questions on, for instance, whether an *ahwál* (non-descendent of the Prophet) man can marry a *syarifah*. Aren't all humans equal before God? Isn't a noble person before Allah the most pious one? Some of the questions are worth mentioning because there are several assumptions that *syarifah* may not marry an *ahwál* man in order to protect offspring. Meanwhile, A H Bittles conducted another study titled "Endogamy, Consanguinity and Community Genetics," which indicate that the purpose of endogamous marriage for women of Arab descent from the Ba'alwi group tends to be socially oriented toward traditional values and actions.⁸

Based on the literature review above, it is evident that previous research(es) on *syarifah*'s endogamous marriage mainly

⁴ Duwi Nuryani, Setiajid, and Puji Lestari, "Latar Belakang dan Dampak Perkawinan Endogami di Desa Sidigde Kabupaten Jepara," *Unnes Civic Education Journal* 1, no. 2 (2015), <https://doi.org/10.15294/ucej.v1i2.1011>.

⁵ Dewi Puspitasari Sari, "Kajian Fenomena Perkawinan Endogami di Kelurahan Condong Campur Kecamatan Pejawaran Kabupaten Banjarnegara," *E-Societas* 5, no. 5 (October 12, 2016), <https://journal.student.uny.ac.id/ojs/index.php/societas/article/view/4003>.

⁶ "Arti Kata Syarifah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 2, 2023, <https://kbbi.web.id/syarifah>.

⁷ Fathurrahman Azhari Zainal Muttaqien Sulaiman Kurdi, "Motivasi Perkawinan Endogami Pada Komunitas Alawiyyin dxi Martapura Kabupaten Banjar," *Muadalah* 1, no. 2 (February 14, 2013), <https://doi.org/10.18592/jsga.v1i2.677>.

⁸ A H Bittles, "Endogamy, Consanguinity and Community Genetics," *Journal of Genetics* 81, no. 3 (2002): 91-98, <https://doi.org/10.1007/BF02715905>.

concerned with the motivation and reasons beyond this type of marriage. This differs from what we have done in this present research because here, we also examine endogamous marriage among *syarifah* through sociological Islamic law approach. Therefore, the conclusions obtained are wished to describe social facts related to the practice not only from a legal standpoint but also from a societal standpoint or a practice that occurs. The next difference is that we chose Bangil as the place of research where many of the Prophet's descendants live there. Bangil is a city where *habībs* and *syarifahs*, who follow either Sunni or Shia sects,⁹ gather and often discuss Islamic issues in current phenomena. With so many *habībs* and *syarifahs* living in Bangil, it makes very much sense that social interaction among them is still maintained following the values inherited by their ancestors, let alone in the matter of marriage.

Therefore, the novelty side of this research is that the endogamous marriage of the Prophet's descendants is seen holistically, not only in terms of motivation and reasons beyond, but also the legal aspects and causes beyond *syarifah's* endogamous marriage along with the series of process. Furthermore, we also discuss impacts of endogamous marriage rule violation among *syarifah* then portray it using sociology of Islamic law through the explanation on the surrounding community's response to this type of marriage.

Method

This study was a field research. Data collection techniques used interviews and literature search (relevant scientific books and journals). The Informants consist of fifty people, including *habīb*, *syarifah*, religious leaders, traditional leaders, community leaders, and Bangil town residents. In determining informants, we used a purposive sampling technique to make the data more accurate and right on target. The criteria for informants were (1) those who understand the concept of *syarifah's* endogamy marriage; (2) those who have observed the series of endogamous *syarifah's* or *habīb's* wedding, and (3) those who live in the city of Bangil.

⁹ Habib Ahmad, Interview, 2022.

The approach used in this study is a sociological juridical approach because this is a legal study that looks at social reality.¹⁰ This approach is used to discover and describe facts related to the endogamy of *syarīfah* marriage in Bangil. The data analysis techniques used various stages, including data reduction, presentation, and conclusion.¹¹ At the same time, the data validity technique used in this study is source triangulation, namely comparing data obtained from several sources or informants.¹²

Result and Discussion

***Kafā'ah* as The Main Reason for *Syarīfah*'s Endogamous Marriage at Bangil and its Stages of Process**

The goal of marriage will be easily achieved if the marriage is built on a solid foundation; one of which is the existence of *kafā'ah* between husband and wife.¹³ *Kafā'ah* means comfort, commensurate, and mate. It means that men and women who will form a household should get balanced in everything.¹⁴ Furthermore, it implies that a husband is equal to his wife, meaning that he has the same and proportional position as his wife regarding social, moral, and economic levels.¹⁵ Rusdaya Basri believes that *kafā'ah* in marriage is a factor that can encourage the happiness of the wedded couple and guarantee women's safety from failure or household turmoil. With

¹⁰ Muhammad Chairul Huda, *Metode Penelitian Hukum (Pendekatan Yuridis Sosiologis)* (Semarang: The Mahfud Ridwan Institute, 2022), <http://e-repository.perpus.iainsalatiga.ac.id/14262/>.

¹¹ Matthew B Miles and A. Michael Huberman, *Analisis Data Kualitatif: Buku Sumber tentang Metode-Metode Baru* (Jakarta: Universitas Indonesia Press, 2014).

¹² Lexy J Moleong, *Metodologi Penelitian Kualitatif* (Bandung: PT. Remaja Rosdakarya, 2018).

¹³ Anwar Hafidzi, Rusdiyah Rusdiyah, and Nurdin Nurdin, "Arranged Marriage: Adjusting Kafa'ah Can Reduce Trafficking of Women," *Al-Istinbath: Jurnal Hukum Islam* 5, no. 2 November (November 30, 2020): 180, <https://doi.org/10.29240/jhi.v5i2.1991>.

¹⁴ "Arti Kata Kafaah - Kamus Besar Bahasa Indonesia (KBBI) Online," accessed March 3, 2023, <https://kbbi.web.id/kafaah>.

¹⁵ Imam Subchi, "Kafa'ah among the Hadrami Arabs in the Malay World (Anthropology of Law Approach)," *Jurnal Cita Hukum* 8, no. 2 (August 1, 2020): 417, <https://doi.org/10.15408/jch.v8i2.16574>.

more equal positions of men with women, the successful husband and wife's life is increasingly secure and more maintained from any loss.¹⁶

Apart from it, *kafā'ah* is not a condition for marriage,¹⁷ although the marriage guardian (*walī*) may reject the proposal of a man who is not equal (*kufū'*) to his daughter. According to the stronger opinion, *kafā'ah* only applies to matters of faith and religion, such as Muslims and infidels or pious and evil people. In this case, the scholars differ on whether *kafā'ah* is one of the legal requirements in marriage. The first opinion puts *kafā'ah* as not a legal requirement in marriage. It is the opinion of most scholars; among them are Abu Hanifah, Malik, and As-Syafi'i. They argue that *kafā'ah* is considered very important in the continuation of a marriage, although it is not one of its legal requirements. The second opinion assumes that *kafā'ah* is a legal condition of marriage. This is according to Imam Ahmad, Ats-Tsauri, and some *Hanafiyah* scholars.¹⁸

The term *kafā'ah* is also known among the *syarifah* in Bangil Pasuruan. *Habá'ib*, a plural word of *habīb*, like to make this lineage factor to determine particular criteria in seeing someone worthy to accompany their daughter in the future. This eligibility is a benchmark for whether or not the person is compatible with *syarifah*. In implementing the *kafā'ah* concept among *syarifah* in Bangil, Pasuruan, some *syarifah*(s) have argued that it is included in the pillars of marriage. Some said that *kafā'ah* is only limited to the validity of the marriage although mostly, *syarifah* agree to have *kafā'ah* for the reason beyond this type of marriage. The results of the following interviews strengthen this.

Syarifah Hindun said as follows:

¹⁶ Rusdaya Basri, *Fiqh Munakahat: 4 Mazhab Dan Kebijakan Pemerintah* (Parepare: CV. Kafaah Learnig Center, 2019), 64.

¹⁷ Syukron Mahbub, "Menakar Kafa'ah (Praktek Perkawinan Kyai Di Madura)," *Jurnal Al-Ihkam* 6, no. 2 (2011): 233. <http://ejournal.iainmadura.ac.id/index.php/alihkam/article/view/311>

¹⁸ Nadiyah Nadiyah, Norlaila Norlaila, and Anwar Hafidzi, "Does Kafa'ah Apply To The Descendants Of The Prophet Muhammad. Examine The Concept Of Kafaah Towards The Alawites In Martapura, Banjar," *JOURNAL OF ISLAMIC AND LAW STUDIES* 5, no. 2 (January 12, 2022), <https://doi.org/10.18592/jils.v5i3.5985>.

"We are responsible for protecting our descendants' lineage so that it continues with the origin of the Prophet Muhammad. If we marry ahwāl, our children will no longer be related to the Prophet Muhammad".¹⁹

Accordingly, Habīb Muhammad said so:

"Endogamous marriages among syarīfah are not only at Bangil but worldwide; Syarīfah can only marry habīb. Every habīb who wants to propose to marry a syarīfah will be tested first to see if his lineage status is valid through the Rabiṭah 'Alawiyah (institution for the registrar of the Prophet Muhammad's lineage in Indonesia). If the habīb status has been proven genuine, there will be the discussion about marriage. The purpose of this endogamous marriage is to maintain the sanctity of the origin of our children and grandchildren so that it continues in its lineage with the Prophet Muhammad SAW."

20

Based on the two interview results above, it can be seen that the reason for endogamous marriage among *syarīfah* is to keep the lineage in the Prophet Muhammad's line. *Syarīfah* is deemed only in the same league as *habīb*, and there is already legal standing for this type of marriage. According to Islamic law, marriage is valid if it meets the requirements and pillars.²¹ However, other rules require the concept of *kafā'ah* or the equivalence between males and females in various matters. In this context, there are mainly two consequences for breaking the rule. *First*, a *syarīfah* is considered to destroy or break the lineage of the Prophet's descendants and *second*, there is generally

¹⁹ Syarifah Hindun, Interview, 2022.

²⁰ Habib Muhammad Bin Yahya, Interview, 2022.

²¹ Dri Santoso et al., "Harmony of Religion and Culture: Fiqh Munākahat Perspective on the Gayo Marriage Custom," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 2 (December 5, 2022): 202, <https://doi.org/10.18326/ijtihad.v22i2.199-218>.

no blessing from the guardian when a *syarifah* marries a man outside *habīb* circle.²²

In a broader context, the concept of *kafā'ah* is found in the descendants of the *Alawiyyīn* and other groups, such as the descendants of the sultanate, Kiagus, Kemas, and Raden; they do not allow marriage with other than them because their bloodline will be cut off.²³ If a daughter married a commoner, she would lose royal blood, and they would not be recognized as part of a noble family. Likewise, the descendants of the *Alawiyyīn* are very careful about their family. Although some consider *kafā'ah* to be a must (*luzūm al-'aqdi*); there is an opportunity to choose (*khiyār*) among fellow *Alawiyyīn* as well as to either maintain or ignore the privilege for having endogamous marriage when the *kafā'ah* in lineage can't be fulfilled.²⁴

Endogamous marriages carried out by *syarifah* in the city of Bangil have several stages, almost the same as the stages of marriage in general. The differences are only in terms of steps, not the substance. An example of this difference is in the long series of the *syarifah* endogamous wedding procession compared to the general one which is more straightforward and concise. The cause of this long march of the endogamous *syarifah* marriage is claimed as a form of practicing Islamic teachings as a whole. The results of following interview describe it well;

Marriage is worship, and everyone should go through all the process perfectly. It ranges from looking for a prospective wife;

²² Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Nonsayyid: Perspektif Jam'Iyyah Rabithah Alawiyyah Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 6, no. 2 (February 5, 2021): 129–44.

²³ Rusmini Rusmini et al., "Hadrami's Leadership in Islamizing Jambi: Managerial Psychology Perspective," *Cogent Social Sciences* 9, no. 1 (December 31, 2023): 2203550, <https://doi.org/10.1080/23311886.2023.2203550>.

²⁴ Rahmat Pulungan, "TRADISI MERASI DALAM ADAT PERKAWINAN MELAYU RIAU (STUDI ANALISIS TERHADAP PENENTUAN KAFAAH CALON PENGANTIN DI KELURAHAN BAGAN BATU)," *Islam Realitas: Journal of Islamic & Social Studies* 2, no. 2 (December 20, 2016): 179, https://doi.org/10.30983/islam_realitas.v2i2.188.

you must follow the teachings of the Prophet Muhammad. In the following stages, you must still follow the teachings of the Prophet Muhammad. The wedding reception must also follow the instructions of the Prophet Muhammad" ²⁵

Those principles of marriage are still held by the families of the descendants of the Prophet Muhammad when marrying off their sons and daughters. Meanwhile, the stages of endogamous *syarifah* marriage have ten steps as shown in Figure 1 below.

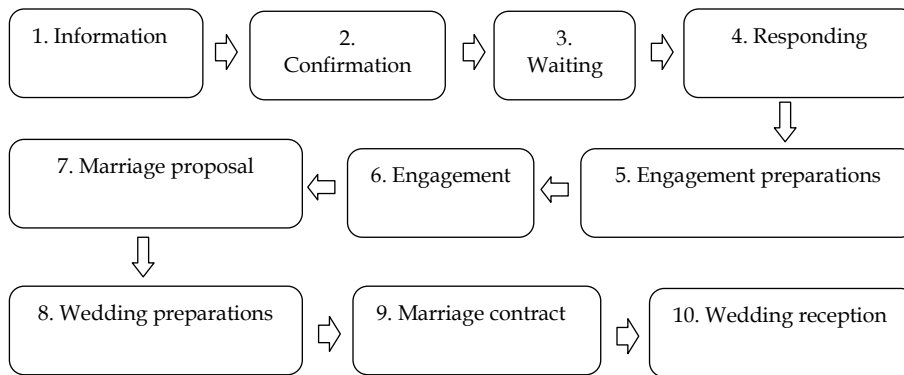


Figure 1. Stages of *Syarifah's* Endogamous Marriage Process

Based on Figure 1 above, it can be known that *syarifah* endogamous marriage has 10 stages.

The *first* is a visit to the prospective wife's parents' home to inquire about their daughter's status and let them know that a man is interested in marrying her. *Second*, when it is known that the girl is available, the intermediary and the prospective groom, along with his parents and relatives, visit the residence of the future wife aiming to propose her.

Third, for four to seven days, the prospective husband waits for an answer from the prospective wife. On the sidelines of these four to seven days, the future wife's parents investigate the situation as well as the morals of their son in law to be.

²⁵ Habib Soleh, Interview, 2022.

Fourth, the prospective wife's family provides answers to the intermediary to be conveyed to the prospective husband's family. *Fifth*, if the proposal is accepted, both parties set the engagement date. *Sixth*, both parties carry out the engagement but the prospective husband is not allowed to participate in the event. Parents of prospective husband bring offerings such as coffee, sugar, chocolate, flowers. They also bring a ring to put at the finger of their son's future wife. Additionally, the date of the marriage proposal was determined at this stage.

Seventh, at the marriage proposal ceremony, the prospective husband's family (also without the presence of the prospective husband) makes another visit bringing a set of jewelry tools, make-up tools, toiletries, cloth, sandals, bags, and money as present to the future wife.²⁶ According to Habib Soleh, this aims to foster a sense of mutual love.²⁷

Eighth, pre-wedding preparation is held which begins with seclusion; the prospective wife is not allowed to meet the future husband. On the night before, at bride's home, they hold a *burdahān* (reading the Prophet's *ṣalāwāt*) which is attended by the bride's friends.

Ninth, the wedding ceremony is carried out, namely the marriage contract (*'aqd an-nikāh* or *ijāb qabūl*). Before the marriage contract declaration, there held a wedding sermon by reciting verses from the holy Quran.

Tenth, at night, the peak event arrives, namely, a wedding reception attended specifically for Muslim guests. Until now, the stages above are still held firmly and carried out by the *habāib* and *syarifah* in the marriage process. Following the predetermined stages is considered a form of obedience and following the Sharia brought by the Prophet Muhammad.²⁸

²⁶ Muhammad Khusna Amal and Nawirah Ali Hajjaj, "Pernikahan Nasbiyah Sayyid Dan Syarifah (Studi Living Hadits Di Kampung Arab, Kademangan, Bondowoso)," *Al-Manar: Jurnal Kajian Alquran Dan Hadis* 7, no. 1 (November 4, 2021): 23, <https://doi.org/10.35719/amn.v7i1.5>.

²⁷ Habib Soleh, Interview, 2022.

²⁸ Habib Ridho Baraqbah, Interview, 2022.

The Impact of Endogamous Marriage Violation among the Prophet's Descendants at Bangil City

The marriage of a *syarifah* with a *habīb* as a fellow descendant of the Prophet is not a debate. However, *syarifah* marriage with *ahwāl* or so-called exogamy leads to different opinions. The first opinion thinks that a *syarifah* is prohibited from marrying any *ahwāl*. It belongs to the majority and is supported by many *habībs*, including Habīb Idrus (a prominent *habīb* in Bangil). Habīb Idrus's opinion was based on the view of Mufti Tarim Sayyid 'Abdurrahmán bin Muḥammad bin Muḥammad bin Husein Al-Masyhūr in the book of *Bughiyyatul Mustarsyidīn* as follows: "I do not see the permissibility of marriage (between *syarifah* and *ahwāl*) even though she and her guardian are pleased with this matter. The glory of lineage should not be contaminated, and every close or distant relative has the right to the descendants of Fatimah Az-Zahra; that is the pleasure of what she is doing".²⁹

The prohibition of exogamous marriage is mainly because assumption that the two are not equal. Most of the descendants of the Prophet are relatively strong in maintaining their traditions. They tend to marry fellow descendants of the Prophet. However, it is common for *habīb* to marry '*ajami*' women. It has happened many times, and there is no debate over legal issues. However, even though this marriage did not cause a break in lineage because the child's line was still related to their father, some of the *habā'ib* did not want to attend the wedding reception of this type of marriage. According to them, the marriage is not equal because the *habīb* is supposed to marry *syarifah* instead of *ahwāl*.³⁰ Meanwhile, if a *syarifah* marries an *ahwāl*, there will be a lot of debate and conflict because the child will be cut off (not considered anymore) as a descendant of the Prophet. Therefore, *syarifah* tend to maintain cross-generational traditions, especially among their own descendants.

The second opinion says that a *syarifah* is allowed to marry an *ahwāl*. This is considered weak because most scholars think that

²⁹ Sayyid Abdurrahman bin Muhammad bin Muhammad bin Husein Al-Masyur, *Bughiyyatul Mustarsyidīn* (Kediri: PP Hidayah at-Thullab, 1995), 132.

³⁰ Habīb Idrus, Interview, 2022.

kafā'ah is also found in lineages.³¹ Only a few *ḥabīb* follow the second opinion. One of them who is Habib Hasan whose idea is as follows:

*There is no difference between ḥabīb and syarīfah with ahwāl/’ajam people. All humans before Allah are equal, except for their piety. Therefore, differences in lineage, clan, education, and property will not be a problem in marriage between fellow Muslims because no one can guarantee that the marriage of a fellow ḥabīb syarīfah will bring blessings to the marriage afterward.*³²

Based on the interview results above, the presence of *riḍa* (willingness or blessing) and approval for exogamous marriage is an absolute requirement because *kafā'ah* is the right of the *syarīfah* and her guardian. It means that if they agree to waive their rights (by not requiring *kafā'ah*), there will be no problem. However, if they reject the proposal of the prospective husband and demand that there should be *kafā'ah* in this account, the marriage will not take place.

Several *syarīfah* groups are known to marry *ahwāl* due to contamination or the influence of cultural trends on the pretext of human rights and gender equality. Another reason is educational and socio-economic factors. For *syarīfah* who choose this, it was seen as not maintaining the traditions that already existed in her group. Moreover, this differs from men from the *ḥabā'ib* circle in which they are free to choose partners outside their community because kinship relations are still attached to the man (father) whomever they marry to.

Apart of it, the violation of endogamous marriage rule in *syarīfah* gives psychological and sociological impacts.³³ The

³¹ Abdurrahman Al-Juzairi, *Al-Fiqh 'Alá al-Mazāhib al-Arba'ah*, 4 (Bairut: Dar al-Kutub al-Ilmiah, 2000), 732; Hafsa Pirzada, "Understanding the Divergences: The Legal Implications of Divergence between Law and Culture," in *Islam, Culture, and Marriage Consent: Hanafī Jurisprudence and the Pashtun Context*, ed. Hafsa Pirzada (Cham: Springer International Publishing, 2022), 227–65, https://doi.org/10.1007/978-3-030-97251-6_8.

³² Habib Hasan, Interview, 2022.

³³ Fahmi Ridlol Uyun, "Perkawinan Endogamy Bagi Syarifah Perspektif Sosiologis Dan Maqashid Syari'ah (Study Kasus: Adat Perkawinan Endogamy Di

psychological impact that *syarifah* feels is discomfort along with other sociological implications. This is clear from the interview result below:

*The impact of syarifah marriage to ahwāl is that her children would lose the hereditary lines. She would also be exiled from the family because she was not recognized as a family with the lineage of Muhammad pbuh anymore. She was even considered to have cut off kinship relations, so they did not reach the Messenger of Allah hereditarily.*³⁴

The interview result shows that once the *syarifah* violates the marriage tradition, she would be ostracized by her extended family and relatives. A *ḥabīb* even said that there is not even the most effective medicine as an antidote to the pain caused by insulting the pride of the family whose daughter violated this tradition. Violation of this rule is deemed as tarnishing her family's dignity at most. It can be said that there is nothing more valuable to protect *ḥabīb-syarifah's* extended family in this world other than maintaining the tradition of endogamous marriage.³⁵

The violation impacts of the endogamous marriage among *syarifah* can be clearly seen in Table 1 below.

Table 1. The Comparison of Sociological and Psychological Effects of Endogamous Marriage Violation on *Syarifah*

No	Aspects	Sociological Effects	Psychological Effects
1	<i>Syarifah's</i> status	Will be lost and no longer recognized	Feeling inferior and uncomfortable
2	The <i>nasab</i> (lineage)	Children from the marriage cannot be hereditarily linked to Prophet	Feeling inferior as loosing <i>ḥabīb</i> or <i>syarifah's</i> status

Kampung Arab Kelurahan Kademangan Bondowoso),” *IJLL: Indonesian Journal of Islamic Law* 1, no. 2 (August 26, 2019): 1-15.

³⁴ Habib Zahir, Interview, 2022.

³⁵ Dewi Ulya Rifqiyati, “Dinamika Perkawinan Endogami pada Keturunan Arab di Yogyakarta,” *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 2, no. 1 (January 29, 2020): 25-44, <https://doi.org/10.56593/khuluqiyya.v2i1.38>.

	Muhammad	
3	Communication with family	Will be excommunicated from the family
		Self-esteem and dignity have been damaged and tarnished

Table 1 above shows that *syarifah* will endure both sociologically and psychologically impacts for breaking endogamous marriage rule. The same thing happened among *syarifahs* in other cities, not only in Bangil. The results of the interviews reinforce this:

My aunt married an ahwál and as a result, our extended family ostracized her. Actually, this punishment also occurs in other areas.³⁶

To maintain endogamous marriage tradition and anticipate its violation, Prophet's descendants in Bangil form groups or communities among their fellows to strengthen kinship and find a mate for their children. This is through undertaking an *arisan* (regular social gathering) for *syarifah*(s) or Qur'anic recitation activities and religious issue discussion for *habib*. Particularly in this modern era, this Prophet's descendent community tries not to be collapsed so that their tradition of endogamous marriage can be well maintained.³⁷

Endogamous Marriage of Prophet's Descendants on Sociological Islamic Law Perspective

Equality or *kafā'ah*, especially in the case of marriage, has a powerful binding force on *syarifah*. *Syarifah* is not said to be equal to her spouse if she marries *ahwál*. For them, implementing this principle of *kafā'ah* is not deemed as discriminating between one Muslim and another, but protecting their family from 'shame' in their inner circle. Regarding *maqāsid ash-Syarī'ah*, this marriage prohibition contains

³⁶ Syarifah Rahmah, Interview, 2022.

³⁷ Aribowo and Almasitoh, "Disparity of the Arabic Name: The Spotlight on Children of Endogamous and Exogamous Marriages among Hadrami-Arabs in Indonesia." *Arabiyat: Jurnal Pendidikan Bahasa Arab dan Kebahasaaraban* 6, no. 1 (2019). <https://doi.org/10.15408/a.v6i1.9384>

maslāhat, namely maintaining offspring (*hifzu an-nasal*).³⁸ The stipulation of such equality in this marriage should be responded wisely and responsibly so that the principle of *kafā'ah* in lineage can bring benefits while building a household.³⁹

The majority of *syarifah* agree with endogamous marriage on the basis that equality in the lineage is fundamental because it is a part of preserving efforts of the descendants of the Prophet Muhammad. *Kafā'ah* will minimize the potential for quarrels and conflict in the family.⁴⁰ The results of this following interview reinforce this data.

*In judging something, when differences of opinion are found among the scholars, then it is better to follow the idea of most scholars. In endogamous marriages, the most potent argument of many Islamic scholars supports it. The legal basis is also clear which leads to the concept of kafā'ah.*⁴¹

Meanwhile, groups that disagree with endogamous marriage argue that *kafā'ah* is not required for a legal marriage. *Kafā'ah* is a right that belongs to a *syarifah* and her guardian, so they may choose whether to fulfill it or not. The results of other interviews strengthen this data.

*Kafā'ah is a right, not an obligation. If the guardian and syarifah want to accept ahwāl as her husband, then the marriage is considered valid because the terms and pillars of marriage have been fulfilled.*⁴²

For more details, the response to this sort of exogamous marriage of *syarifah* is shown by Table 2 below:

³⁸ Haya Zabidi and Rifky Noor, "Tinjauan Maqasid Asy-Syari'Ah Asy-Syatibi Terhadap Larangan Perkawinan Syarifah Dengan Laki-Laki Non Sayyid," *Syariah Darussalam: Jurnal Ilmiah Kesyarifan Dan Sosial Masyarakat* 5, no. 1 (January 9, 2020), <https://doi.org/10.58791/sydrs.v5i1.101>.

³⁹ Said Syaripuddin and Andi Banna, "Kafa'ah Nasab Sebagai Syarat Utama Bagi Pernikahan Wanita Syarifah Di Kecamatan Lau," *Al-Tafaqquh: Journal of Islamic Law* 3, no. 2 (July 31, 2022): 73-87, <https://doi.org/10.33096/altafaqquh.v3i2.171>.

⁴⁰ Syarifah Umi Kulsum, Interview, 2022.

⁴¹ Habib Muhammad Bin Tohir, Interview, 2022.

⁴² Syarifah Maiymunah, Interview, 2022.

Table 2. The Response of *Syarifah* 's Marriage with *Ahwál*

No	The Response	Explanation
1	Total Rejection	This group wholly rejects <i>syarifah</i> 's marriage to <i>ahwál</i> . <i>Kafā'ah</i> is believed as requirement for a valid marriage, including in the context of lineage.
2	Allowing with Conditions	This group does not entirely reject <i>syarifah</i> 's marriage with <i>ahwál</i> on condition that the guardian and her family do not dispute the marriage. <i>Kafā'ah</i> is believed as a right belonging to the <i>syarifah</i> and her guardian. ⁴³

Table 2 shows that the internal rule among the prophet's descendants has become a distinct social phenomenon where marriage, in the view of society in general, is allowed with anyone in terms of religion and ceremonial law. Nevertheless, a *syarifah* woman is different as apparent and firmly embedded in their everyday social and cultural life.. The Prophet's descendant community turns to still hold firmly to the sacredness and existence of the endogamous marriage rule due to the effort to maintain lineage. They give the best effort to maintain the marriage pattern using the selection of a future spouse through the system they believe in and use since their ancestors. This type of marriage is therefore an agreement influenced by culture, daily social life, and especially beliefs which are the primary basis for the existence of their community.⁴⁴

According to Sayyid Alwi, *kafā'ah* for *syarifah* is obligatory. He even said that no one is equal (*kufū'*) with the descendants of *Sayyidah* Fatimah except for the Hasyim clan. Sayyid Alwi also revealed that their daughter (*syarifah*) must marry their son (*ḥabīb*). It is in line with

⁴³Imam Syafi'i, "Konsep Kafaah dan Keluarga Sakinah (Studi Analisis Tentang Korelasi Hak Kafa'ah terhadap Pembentukan Keluarga Sakinah)." *Asy-Syari'ah: Jurnal Hukum Islam* 6, no. 1 (2020): 31-48. <https://doi.org/10.55210/assyariah.v6i1.266>

⁴⁴ Abd Asis, "Pola Perkawinan Islam Alawiyyin Di Kabupaten Maros," *Gema Kampus IISIP YAPIS Biak* 12, no. 2 (October 30, 2017): 74-80, <https://doi.org/10.52049/gemakampus.v12i2.46>.

opinion of *Rabīṭah 'Alawiyah* that the Alawiy family carries out the basic implementation of *kafā'ah* exemplified by the Prophet Muhammad pbuh when marrying his daughter Fatimah to Ali bin Abi Talib. This certainly excluded some of the Prophet's daughters who did not marry into the Hasyim clan.⁴⁵ Based on the hadith when the Prophet married his daughter to Ali, there should be no more opposition or rejection of *syarifah's* endogamous marriage. However, some still question the legal standing of this endogamous marriage because some of the Prophet's daughters did not marry to the Hasyim clan's descendant. Therefore, some people from the *habá'ib* community disagree or reject endogamous marriage's necessity.

On the contrary, there are several reasons why *syarifah* generally accept the endogamous marriage. Most of them live or are in the environment of the *Alawiyin* family group; they can indirectly understand and accept endogamous marriages. The pattern of religious education coming from internal families, especially parents who teach and ensure that endogamous marriage becomes a tradition that should neither be omitted nor violated, also matters. External influences, such as fellow relatives and friends, continue to educate and support the strength of endogamous marriages. Respect for parents and close relatives makes them reluctant to violate the rule. The result of another interview reinforces this;

*Family, relatives, and friends of syarifah play an important role in instilling the noble value that they always protect the lineage of the Prophet Muhammad so that it does not break. An explanation about the importance of protecting lineage must be conveyed frequently, so it sticks in the heart of syarifah.*⁴⁶

Accordingly, based on informants' information, those who reject endogamous marriage have several causes.

⁴⁵ Mustika Sari Wulandari et al., "Cucu Nabi Muhammad Menikah dengan Orang Makassar : Studi Pernikahan Perempuan Islam Sayyid di Cikoang, Takalar," *Jurnal Tamaddun: Jurnal Sejarah dan Kebudayaan Islam* 7, no. 2 (2019), <https://doi.org/10.24235/tamaddun.v7i2.5499>.

⁴⁶ Syarifah Barsiyah, Interview, 2022.

Firstly, the pattern of settlement or residence is scattered and not settled in the *Alawiyyīn* community. *Second*, being influenced by modern Westernized education.

Third, lack of socialization or teaching about the values of marriage from the family, especially parents. *Fourth*, there is less external influence, especially from the *Alawiyyīn* study center institution which routinely provides education through social media and other activities related to the development of the *Alawiyyīn* family, especially for the younger generation.

The results of these following interviews reinforce the following data.

*Syarīfah, who is married ahwāl, usually has minimal religious knowledge and is influenced by modern Westernized education. The essential religion and teachings of the Alawiyyīn ancestors were not firmly entrenched in her heart, so she was easily influenced by the currents of modern thought.*⁴⁷

*Gatherings among syarīfah are significant for transferring religious knowledge, especially marriage knowledge and kafa'ah issue. One of the reasons why syarīfah dares to marry ahwāl is because of the wrong association; syarīfah rarely associates with fellow syarīfah and the habīb community. Instead, they associate a lot with modern society which promotes freedom in marriage.*⁴⁸

Those who reject the internal rules in *Alawiyyīn* typically use the argument of al-Hujurāt: 13. They believe that clan matters are crucial, but the Quran and Hadith exemplify that the quality of a servant is not measured by his/her lineage, but rather by his/her piety and deeds.⁴⁹ The verse states so:

إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاكُمْ

⁴⁷ Barsiyah, Interview, 2022.

⁴⁸ Bin Tohir, Interview, 2022.

⁴⁹ Abu Yazid Adnan Quthny and Ahmad Muzakki, "Urgensi Nasab Dalam Islam Dan Silsilah Nasab Habaib Di Indonesia," *Asy-Syari'ah: Jurnal Hukum Islam* 7, no. 2 (June 25, 2021): 131-51, <https://doi.org/10.55210/assyah.v7i2.592>.

"Indeed, the noblest of you in the sight of Allah is the most righteous of you"

They furthermore argue that *kafā'ah* is only in religion, not in descent matters, so it is permissible to marry someone who is not out of *habā'ib* circle. The following hadith of the Prophet also reinforces this opinion.

إِذَا خَظَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَرَوْجُوهُ، إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ

When someone comes to you who can accept his religion and morals (to marry your daughter), then marry him (to your daughter). Because if it is not done, it will become slander on Earth and become severe damage (Hadith by Tirmidzi).⁵⁰

The following interview result strengthened the Quranic verse above;

I agree that the barometer of kafā'ah is only in faith and piety. The measure of a person's quality is not in his lineage, but rather in his faith and piety. So what is more appropriate is that a syarifah may marry an ahwāl; the important thing is that the ahwāl has faith and fear in Allah. In addition, the marriage must obtain the consent of both parents. The parents' blessing is essential so that the marriage can be blessed.⁵¹

The data above implies that *syarifah*'s endogamous marriage in Bangil is not entirely accepted by *syarifah* themselves. Some *syarifah*(s) disapprove this type of marriage. To find out the reasons for accepting or rejecting endogamous marriage, see Table 3 below.

Table 3. Reasons for Accepting or Rejecting Endogamous Marriage for the Descendants of the Prophet in Bangil

⁵⁰ Muhammad bin Isa bin Saurah At-Tirmizi, *Al-Jami' as-Sahih Sunan at-Tirmizi*, 3 (Bairut: Dar Ihya' at-Turas al-Arabii, 1997), 394.

⁵¹ Rahmah, Interview, 2022

No	Aspect	Reason for Receiving	Reason for Rejecting
1	Community	<i>Syarifah</i> lives in the community of <i>Alawiyyin</i> family groups.	<i>Syarifah</i> does not live in the <i>Alawiyyin</i> community and gets a modern education then prioritizes exogamous marriage.
2	Education	Religious education from parents who teach endogamous marriage as a tradition	<i>Syarifah</i> lacks of education, socialization, and support from her family about endogamous marriage
3	Friendship	The influence of relatives and friends to maintain endogamous marriages	<i>Syarifah</i> was influenced by the opinion of her friends who believed that the measure of a servant's quality is not measured by lineage
4	Respect and obedience	Respect for parents and close relatives	<i>Syarifah</i> does not respect her parents and relatives.

Table 3 shows that there are four factors related to the reasons for *syarifah* to either accept or reject endogamous marriage, namely (1) the surrounding community factor, (2) the education factor, (3) the friendship factor, and (4) the respect and obedience factor. However, it is known that most of *syarifah* follow the internal rules of endogamous marriage as shown in the following interview result:

*Endogamous marriage rule breaker number is no more than ten percent of total. Sometimes, these violations occur due to ignorance that in religion, a syarifah is required to marry equals, so that the lineage of their children is maintained.*⁵²

⁵² Baraqbah, Interview. 2022

Most *habib* also support and adhere to this internal rule. The regulations of endogamous marriage profoundly impact Muslim society in general. This is because it provides certainty and clarity to the descendants of the Prophet so that the Muslim community, in general, will more easily recognize and glorify the descendants of the Prophet.

Conclusion

Endogamous marriages among the Prophet Muhammad's descendants aim to preserve and maintain the lineage. Most *habibs* prohibit *syarifah* from marrying non-*sayyids* because they are deemed not equal. They argued that the type of marriage would cut off the genealogy connecting to the Prophet. However, and interestingly, if a *habib* or *sayyid* marries an *ahwāl* or non-*syarifah*, the continuation of Prophet's genealogy will not be interrupted because the genealogy will flow the father's line; this could be one of suggestion for further research in the future. It is also known that sanction for *syarifah*'s law breaking is mainly for prevention and security so they do not violate the rules. Another limitation of this study is that it only analyzes one object of study, so it does not provide comprehensive insights into *syarifah* endogamous marriage in a broader locus, including studying gender equality and women's emancipation. Other than that, a wise solution is needed to maintain women's rights to marry if *syarifah*, for instance, does not find a fiancé from *habib* circle.

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