



Reassessing *Kafā'ah* and 'Urf in Sayyid Marriage Practices: The Al-Aidid Clan of South Sulawesi

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Abstract

Research Objective: Drawing on the Islamic jurisprudential theories of *kafā'ah* (spousal compatibility) and 'urf (custom), this study reassesses the endogamous marriage practices of the Al-Aidid Sayyid clan (marga Al-Aidid) in Panyangkalang Village, Takalar Regency, South Sulawesi, Indonesia, a community that restricts the marriage of syarifah (women of Sayyid descent) to Sayyid men. **Research Method:** This qualitative study combines normative-syar'i and sociological approaches, drawing on semi-structured interviews with seven key informants, participant observation of four weddings, documentary analysis of Islamic legal texts, and a supplementary community survey (n=47). **Results:** The Al-Aidid wedding stages are largely consistent with the pillars and conditions of Islamic marriage. The endogamy rule constitutes a customary social norm ('urf *ijtimā'i*) rather than a jurisprudential condition for marriage validity; across the four Sunni *maḏāhib*, it aligns with *kafā'ah* in nasab but is not an absolute prohibition. **Findings and Implications:** Community perceptions of the tradition are internally differentiated, a nuance largely absent from prior scholarship on comparable Sayyid communities. The tradition qualifies as *urf fāsīd* provided it does not coerce individuals, though enforcement through social exclusion risks crossing into 'urf *fāsīd*. **Conclusion:** The Islamic legal classification of the endogamy tradition depends less on the content of the custom than on its mode of enforcement: the preference for Sayyid partners is permissible, while the sanction of social exclusion is not. **Contribution:** This study offers the first systematic ethnographic and jurisprudential analysis of the Al-Aidid community and contributes to 'urf theory by showing that a custom's permissibility may depend on its enforcement rather than its content alone. **Limitations and Suggestions:** Findings are limited to a single village and a purposive sample; comparative research across Sayyid communities and structured community-scholar consultation forums are recommended.

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Introduction

The intersection of customary law (*adat*) and Islamic jurisprudence (*fiqh*) has long been recognized as one of the most enduring concerns of legal anthropology in the Muslim world. This is particularly so in maritime Southeast Asia, where indigenous cultural systems predated Islam by centuries¹ and where custom and Islamic norms continue to interact in ways that have attracted sustained scholarly attention². In South Sulawesi, Indonesia, this intersection is embodied with particular clarity in the marriage customs of communities that trace their descent from Arab-Muslim missionaries, locally known as Sayyid communities.³ Among these, the Al-Aidid clan of Panyangkalang Village, Laikang District, Takalar Regency represents a compelling case study of how Islamic norms and Bugis-Makassar cultural traditions have been synthesized over more than three centuries into a coherent, if legally complex, system of matrimonial custom.⁴

The Al-Aidid community's genealogical identity is anchored in Sayyid Jalaluddin Al-Aidid, historically documented as a prominent *da'i* (Islamic missionary) who settled in southern Sulawesi and whose arrival transformed the pre-existing social stratification of local communities⁵. His descendants, organized under the *marga* (clan) Al-Aidid, have since perpetuated a dual identity: as Bugis-Makassar in cultural practice and as *Ahl al-Bayt* (descendants of the Prophet Muhammad) in spiritual and social terms. This dual identity generates a normative framework in which Islamic religious prescriptions and customary rules coexist, sometimes harmoniously and sometimes in occasional tension.

The most socially significant and legally contested feature of Al-Aidid matrimonial custom is the endogamy rule: women of Sayyid descent, designated by the honorific *syarifah*, are customarily prohibited from marrying men who are not of the Sayyid lineage. Historically, violation of this rule entailed social exclusion from the clan, a sanction that persists in attenuated form in contemporary practice.⁶ This custom invokes the Islamic jurisprudential concept of *kafā'ah* (compatibility or equivalence between spouses) but applies it in a manner that not all scholars of

¹ Ridhwan Ridhwan and A Nuzul A Nuzul, "The Petta Kalie's Contribution in The Development of Islamic Law during The Kingdom of Bone," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 1 (June 30, 2021): 64, <https://doi.org/10.22373/sjhk.v5i1.8977>.

² John R. Bowen, *Islam, Law, and Equality in Indonesia: An Anthropology of Public Reasoning* (Cambridge: Cambridge University Press, 2003); Arskal Salim and Azyumardi Azra, eds., *Shari'a and Politics in Modern Indonesia* (Singapore: Institute of Southeast Asian Studies, 2003).

³ Muh. Fathoni Hasyim, Liliek Channa AW, and Moh. Mufid, "THE WALAGARA MARRIAGE RITUAL: The Negotiation between Islamic Law and Custom in Tengger," *JOURNAL OF INDONESIAN ISLAM* 14, no. 1 (June 1, 2020): 139, <https://doi.org/10.15642/JIIS.2020.14.1.139-162>; Adriana Mustafa and Arwini Bahram, "Relasi Gender Dalam Pernikahan Keturunan Sayyid Di Desa Cikoang Kabupaten Takalar; Studi Kasus Perbandingan Hukum Islam Dan Hukum Adat," *Mazahibuna*, December 23, 2020, 241–54, <https://doi.org/10.24252/mh.v2i2.18137>.

⁴ Atun Wardatun, "Legitimasi Berlapis Dan Negosiasi Dinamis Pada Pembayaran Perkawinan Perspektif Pluralisme Hukum," *Al-Ahkam* 18, no. 2 (March 4, 2019): 141, <https://doi.org/10.21580/ahkam.2018.18.2.2438>; Dhelima Putri Laksana, Dominikus Rato, and Emi Zulaikha, "The Cost of Panai' as the Marriage Requirement for the Migrant Bugis Tribe under Adat Law," *Indonesian Journal of Law and Society* 1, no. 1 (March 30, 2020): 57, <https://doi.org/10.19184/ijls.v1i1.16769>.

⁵ Christian Pelras, *The Bugis* (Oxford: Blackwell, 1996).

⁶ Mokhammad Samson Fajar and Faris Al Badr, "Kafā'ah Contextualization in an Effort to Form Harmonious Family in the Modern Era: An Analysis Of Fazlur Rahman's Double Movement," *AL-'ADALAH* 17, no. 2 (February 7, 2021): 203–30, <https://doi.org/10.24042/adalah.v17i2.6568>.

Islamic law regard as normatively binding.⁷

Despite its local significance, the Al-Aidid wedding tradition has received limited systematic academic attention. Existing scholarship has addressed comparable practices among Sayyid communities in Cikoang, Takalar⁸, but these studies are predominantly descriptive-ethnographic in method and do not undertake a comparative jurisprudential analysis: Hairani, Mustaring, and Sudirman rely on interview-based description of practice without sustained engagement with classical fiqh sources; Sukarni⁹ similarly documents the persistence of the Cikoang system without a *maẓāhib*-based legal assessment; and Nurwahidah focuses narrowly on inheritance questions rather than the endogamy rule itself. None of these studies examines Panyangkalang specifically, nor do any of them engage the four main Sunni jurisprudential schools (*maẓāhib*) comparatively with respect to the validity of lineage-based endogamy rules. The present study addresses this gap through a qualitative investigation of the Al-Aidid community.

This article pursues three interrelated objectives: (1) to systematically describe and analyse the stages of the Al-Aidid wedding tradition from pre-wedding through post-wedding phases; (2) to examine the Islamic legal status of partner selection based on nasab (lineage) within the Al-Aidid customary framework; and (3) to assess the overall conformity of Al-Aidid wedding procedures with the pillars and conditions of valid marriage in Islamic law. Together, these objectives are pursued through a comparative jurisprudential and ethnographic analysis situated within the broader theoretical framework of *ʿurf* (custom) in Islamic jurisprudence and the concept of *kafāʾah* across the four major *maẓāhib*. Beyond these descriptive and normative objectives, this study makes a distinct theoretical contribution to the theory of *ʿurf* in Islamic jurisprudence by demonstrating that the permissibility of a customary practice may depend on its mode of enforcement rather than on its content alone a proposition developed in full in this article.

Research Problem and Significance

Three principal research questions guide this investigation: (a) How do community members understand partner selection within the Al-Aidid clan's marriage tradition and how is it observably practised, examining both the emic meaning attributed to the custom and its enactment in practice, and how does this practice relate to the Islamic legal concept of *kafāʾah*? (b) What are the stages of the Al-Aidid wedding tradition, and what Islamic jurisprudential assessment can be offered for each stage? (c) To what extent does the overall Al-Aidid wedding tradition conform to the requirements of valid marriage in Islamic law?

The significance of this study is threefold. Theoretically, it contributes to the growing literature on Islamic legal pluralism in Indonesia and the accommodation of *ʿurf* within Islamic jurisprudence. Empirically, it provides the first systematic ethnographic and legal analysis of the Al-Aidid community in Panyangkalang. Practically, the findings have implications for marriage

⁷ Anwar Hafidzi and Nurdin Nurdin, "The Concept of Kafa'ah as the Pre-Requirement of Banjar Community Marriage," *Ulul Albab: Jurnal Studi Dan Penelitian Hukum Islam* 4, no. 1 (October 26, 2020): 37, <https://doi.org/10.30659/jua.v4i1.10959>; 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), <https://doi.org/10.15408/jch.v8i2.16574>.

⁸H. Hairani, M. Mustaring, and M. Sudirman, "Tradisi Pernikahan Anak Perempuan Sayyid di Desa Cikoang Kecamatan Mangarabombang Kabupaten Takalar dalam Perspektif Hukum Islam," *Jurnal Universitas Negeri Makassar* 3, no. 1 (2018): 1–18; Nurwahidah, "Tradisi Pernikahan Keturunan Sayyid di Desa Cikoang Kecamatan Mangarabombang Kabupaten Takalar" (undergraduate thesis, Universitas Islam Negeri Alauddin Makassar, 2022)

⁹Sukarni, "Eksistensi Sistem Pernikahan Anak Perempuan Sayyid di Cikoang Kecamatan Manggarabombang Kabupaten Takalar" (undergraduate thesis, Universitas Islam Negeri Alauddin Makassar, 2017).

registration officers (KUA), religious scholars ('ulama), and community leaders who must navigate between the preservation of cultural heritage and the application of Islamic legal standards.

Literature Review

Kafā'ah in Islamic Jurisprudence

The concept of *kafā'ah*, variously translated as compatibility, suitability, or equivalence, occupies a contested position in Islamic matrimonial law. Classical jurists agreed on its relevance but diverged on both its scope and its jurisprudential weight. The Hanafi school traditionally recognized six dimensions of *kafā'ah*: religion (*dīn*), lineage (*nasab*), freedom (*hurriyyah*), financial status (*māl*), profession (*hurfah*), and moral integrity (*akhlaq*). Under the Hanafi analysis, inequality in *nasab* could entitle the bride's guardian (*wali*) to seek annulment of a marriage, though the marriage itself would remain valid if the basic pillars were fulfilled¹⁰

The Maliki school adopted a significantly narrower conception of *kafā'ah*, generally limiting it to religion and moral character (*al-dīn wa-al-akhlāq*), with Ibn Rushd (*Bidāyat al-Mujtahid*) explicitly rejecting the determinative role of lineage. The Shafi'i school, as codified by al-Nawawi (*Minhaj al-Tālibin*) and al-Ramli (*Nihāyat al-Muhtāj*), recognized *nasab* as one criterion of *kafā'ah* alongside religion, financial capacity, and profession, but emphasized that *kafā'ah* is the right of the woman and her guardian (*wali*), not a condition for the legal validity of the marriage contract (*'aqd al-nikāh*).¹¹

The Hanbali school recognizes a similarly broad range of *kafā'ah* factors to the Shafi'i school: religion, lineage, profession, and freedom, treating *nasab* as a legitimate ground on which a guardian may object to a proposed marriage. Like the Shafi'i school, however, the Hanbali position firmly maintains that *kafā'ah* is a right attaching to the woman and her guardian rather than a condition (*shart*) for the underlying validity of the marriage contract: a marriage contracted without *kafā'ah* remains *Ṣaḥīḥ* (valid), even where it gives grounds for objection. On this point the Hanbali and Shafi'i schools converge closely, standing between the Hanafi school's more expansive six-factor test and the Maliki school's narrow religion-and-character standard.¹²

¹⁰ Aba Fahmi Roby, "Konsep Kafa'ah: Studi Pandangan Habaib Di Kabupaten Jember," *Rechtenstudent* 1, no. 3 (February 16, 2021): 293–301, <https://doi.org/10.35719/rch.v1i3.38>; Muhammad Ifzal Mehmood and Noraini Binti Md Hashim, "MARRIAGE WITHOUT WALI'S CONSENT: A PARADIGM SHIFT IN THE FAMILY STRUCTURE OF PAKISTAN," *IIUM Law Journal* 29, no. (S1) (May 12, 2021): 135–51, [https://doi.org/10.31436/iiumlj.v29i\(S1\).639](https://doi.org/10.31436/iiumlj.v29i(S1).639); Fajar and Al Badr, "Kafā'ah Contextualization in an Effort to Form Harmonious Family in the Modern Era: An Analysis Of Fazlur Rahman's Double Movement."

¹¹ Sahrin Anas, Sutisna Sutisna, and Hambari Hambari, "Konsep Kafa'ah Dalam Hukum Islam \dan Urgensinya Terhadap Keutuhan Rumah Tangga Sakinah Menurut Pandangan Wahbah Az-Zuhaili," *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga* 6, no. 1 (February 10, 2023): 145–61, <https://doi.org/10.47467/as.v6i1.3373>; Nur Atikah Binti Jailan and Prof. Madya Zuliza Binti Mohd Kusrin, "Compatibility (KAFAAH) in Islamic Marriage: A Literature Review," *International Journal of Academic Research in Business and Social Sciences* 13, no. 11 (November 3, 2023), <https://doi.org/10.6007/IJARBS/v13-i11/19167>; Ayda Mazaya, Rokhu Dlotul Laeliyah, and Widodo Hami, "KAFAAH DALAM PERNIKAHAN UNTUK MEMBENTUK KEHARMONISAN RUMAH TANGGA," *Al-Usroh : Jurnal Hukum Keluarga Islam* 2, no. 01 (July 30, 2024): 9–17, <https://doi.org/10.55799/alusroh.v2i01.330>.

¹² Agus Irfan and Muhammad Saeful Amri, "Kafā'ah in Kiai Ṣāliḥ Darat's Perspective," *Al-Ahkam* 30, no. 1 (April 30, 2020): 61, <https://doi.org/10.21580/ahkam.2020.30.1.5072>; Fajar and Al Badr, "Kafā'ah Contextualization in an Effort to Form Harmonious Family in the Modern Era: An Analysis Of Fazlur Rahman's Double Movement"; Aisha K. Gill and Taher Hamed, "Muslim Women and Forced Marriages in the UK," *Journal of Muslim Minority Affairs* 36, no. 4 (October 30, 2016): 540–60, <https://doi.org/10.1080/13602004.2016.1260324>.

Modern Islamic scholars, including al-Qaradawi (*al-Ḥalāl wa-al-Harām fī al-Islām*) and Wahbah al-Zuhayli (*al-Fiqh al-Islāmi wa Adillatuhu*, Vol. 9), have emphasised that the Quran's egalitarian principle "The most honoured of you in the sight of Allah is the most righteous" (Q. 49:13) supersedes tribal or genealogical distinctions in matters of marriage compatibility. This modern perspective aligns with the Indonesian Compilation of Islamic Law (Kompilasi Hukum Islam, KHI, 1991), which does not include *kafā'ah* as a formal requirement for valid marriage. This trajectory has itself been historicised: recent scholarship traces the modern insistence on nasab-based *kafā'ah* among Hadrami-descended ('*Alawiyyīn*') communities in the Indies partly to Dutch colonial anti-miscegenation administration, which incentivised strict endogamy as a marker of racial-legal status¹³, and comparable Hadrami communities elsewhere in the Malay world have experienced open intra-community conflict over the doctrine's contemporary legitimacy¹⁴. For a comparative perspective beyond Indonesia, classical jurisprudential justifications for lineage-based endogamy among *Ahl al-Bayt* communities similar to the Al-Aidid,¹⁵ most notably the Hadrami Sayyid communities of Yemen and the Gulf, are discussed further in the section below¹⁶.

These classical positions on *kafā'ah* are best understood within the broader debate on continuity and change in Islamic legal reasoning: Hallaq¹⁷ has shown that apparent doctrinal stability across the *maẓāhib* often conceals significant interpretive adaptation over time, while Masud, Messick, and Powers¹⁸ demonstrate how muftis have historically exercised considerable discretion in applying *kafā'ah*-type criteria to local social contexts, a dynamic directly relevant to how the Al-Aidid community's own interpretation of *kafā'ah* in nasab is assessed in Section 4.4 below.

'Urf in Islamic Legal Theory

The theory of '*urf* (custom or usage) provides the primary doctrinal framework for evaluating non-textually prescribed practices within Islamic law. Usul al-fiqh scholars distinguish between *urf fāsid* (valid custom), a practice not explicitly prohibited by Islamic law and productive of benefit, and '*urf fāsid* (invalid custom), a practice that violates explicit Quranic or Sunnah injunctions or generates harm.¹⁹ The Maliki maxim *al-'adah muhakkamah* (custom is treated as law)

¹³ Egi Tanadi Taufik and Hasan Bisri, "Hadrami Networks and Colonial Legacies in Marriage Discourses of the Indies," *Religio: Jurnal Studi Agama-Agama* 14, no. 2 (2024): 226–264, <https://doi.org/10.15642/religio.v14i2.3011>.

¹⁴ Zanariah Noor and Nazirah Lee, "The Conflict among Hadrami Arab Community in Malaysia Regarding the Issues of Kafā'a in Muslim Marriage," *Hawwa* 11, no. 2–3 (2014): 252–74.

¹⁵ Fahmi Ridlol Uyun, "Perkawinan Endogamy Bagi Syarifah Perspektif Sosiologis Dan Maqashid Syari'ah (Study Kasus: Adat Perkawinan Endogamy Di Kampung Arab Kelurahan Kademangan Bondowoso)," *Indonesian Journal of Islamic Law* 1, no. 2 (December 30, 2018): 1–15, <https://doi.org/10.35719/ijil.v1i2.406>; Syamzan Syukur, "Endogamy Marriage Tradition Of Sayyid Community In Sidenre Village, Binamu District, Jeneponto Regency," *Jurnal Adabiyah* 19, no. 1 (July 1, 2019): 89, <https://doi.org/10.24252/jad.v17i119i1a5>; Subchi, "Kafa'ah among the Hadrami Arabs in the Malay World (Anthropology of Law Approach)."

¹⁶ Engseng Ho, *The Graves of Tarim: Genealogy and Mobility across the Indian Ocean* (Berkeley: University of California Press, 2006).

¹⁷ Wael B. Hallaq, *Authority, Continuity, and Change in Islamic Law* (Cambridge: Cambridge University Press, 2001).

¹⁸ Muhammad Khalid Masud, Brinkley Messick, and David S. Powers, eds., *Islamic Legal Interpretation: Muftis and Their Fatwas* (Cambridge, MA: Harvard University Press, 1996).

¹⁹ Iyad Mohammad Jadalhaq and Luigi Russi, "Finding Direction at the Edge of Law and Life: Islamic Fiqh, Correspondence, and UAE Takāful Insurance Regulation," *Canadian Journal of Law and Society / Revue Canadienne Droit et Société* 35, no. 3 (December 10, 2020): 477–97, <https://doi.org/10.1017/cls.2020.19>;

and the principle *la darar wa la dirar* (no harm and no harmful reciprocation) provide the evaluative axes for determining whether a given customary practice is permissible, discouraged, or prohibited. Kamali²⁰ situates this evaluative framework within the broader objectives (*maqasid*) of Islamic law, arguing that '*urf*' functions less as an independent source of law than as an interpretive lens through which the *maqasid* are applied to socially and historically specific practices;²¹ Hallaq²² similarly emphasises that the classical '*urf*' doctrine was designed precisely to accommodate regional legal diversity without abandoning core textual commitments.

In the Indonesian context specifically, '*urf*' theory has been developed and applied by influential local jurists: Hasbi Ash-Shiddieqy²³ argued for an Indonesian-contextualised *fiqh* ('*fiqh Indonesia*') that gives customary practice significant interpretive weight where it does not contravene explicit textual injunctions, while Hazairin's work on bilateral inheritance law²⁴ demonstrated how '*urf*-based reasoning could justify departures from classical Arab-context *fiqh* rulings to accommodate Indonesian kinship structures. The Majelis Ulama Indonesia (MUI) has likewise issued fatwas applying *urf fāsid*/'*urf fāsid* reasoning to a range of contemporary marriage-related customs, providing an institutional precedent for the kind of '*urf*-based evaluation undertaken in this study. Applied more broadly to marriage customs in Muslim-majority societies, the '*urf*' framework has also been employed by courts and scholars in Malaysia²⁵ and, in the broader Arab legal context, is surveyed by Aldeeb Abu-Sahlieh²⁶, to validate culturally specific matrimonial practices that do not contradict the essential elements of Islamic marriage law. The question, then, is whether the Al-Aidid endogamy rule constitutes *urf fāsid* or risks crossing into a form of social coercion that undermines the individual's right to choose a spouse freely.²⁷

Burhanudin Harahap, Tastaftiyan Risfandy, and Inas Nurfadia Futri, "Islamic Law, Islamic Finance, and Sustainable Development Goals: A Systematic Literature Review," *Sustainability* 15, no. 8 (April 13, 2023): 6626, <https://doi.org/10.3390/su15086626>; Ayman Shabana, "Custom and Modern Constructions of Shari'a: Transnational Juristic Discussions on the Status of 'Urf," *Journal of Islamic Ethics* 3, no. 1-2 (December 27, 2019): 30-63, <https://doi.org/10.1163/24685542-12340025>.

²⁰ Mohammad Hashim Kamali, *Principles of Islamic Jurisprudence*, 3rd ed. (Cambridge: Islamic Texts Society, 2003).

²¹ Sayyed Mohamed Muhsin, "Islamic Jurisprudence on Harm Versus Harm Scenarios in Medical Confidentiality," *HEC Forum* 36, no. 2 (June 7, 2024): 291-316, <https://doi.org/10.1007/s10730-022-09503-w>; Ron Shaham, "Legal Maxims (Qawā'id Fiqhiyya) in Yūsuf Al-Qaradāwī's Jurisprudence and Fatwas," *Journal of the American Oriental Society* 140, no. 2 (September 19, 2021), <https://doi.org/10.7817/jameroriesoci.140.2.0435>.

²² Wael B. Hallaq, *Shari'a: Theory, Practice, Transformations* (Cambridge: Cambridge University Press, 2009).

²³ T. M. Hasbi Ash-Shiddieqy, *Falsafah Hukum Islam* (Jakarta: Bulan Bintang, 1975).

²⁴ Hazairin, *Hukum Kewarisan Bilateral menurut Al-Qur'an dan Hadith* (Jakarta: Tintamas, 1964).

²⁵ Fathurrohman M Basyari, "CONTRIBUTION OF INDONESIAN ULAMA COUNCIL FOR THE APPLICATION OF ISLAMIC LAW IN INDONESIA," *Journal of Islamic Studies* 1, no. 1 (January 5, 2019), <https://doi.org/10.32506/jois.v1i1.436>; Alfitri Alfitri, "Bureaucratizing Fatwā in Indonesia: The Council of Indonesian Ulama and Its Quasi-Legislative Power," *Ulumuna* 24, no. 2 (December 31, 2020): 367-97, <https://doi.org/10.20414/ujs.v24i2.412>; Zakaria Syafei, "TRACING MAQASID AL-SHARI'AH IN THE FATWAS OF INDONESIAN COUNCIL OF ULAMA (MUI)," *JOURNAL OF INDONESIAN ISLAM* 11, no. 1 (July 9, 2017): 99, <https://doi.org/10.15642/JIIS.2017.11.1.99-124>.

²⁶ Sami A. Aldeeb Abu-Sahlieh, *Introduction to Islamic Law: The Concepts, Sources, and Instruments of the Law, with Examples from Arab Countries* (Beirut: University of Saint Joseph Press, 2008).

²⁷ Ridhwan and A Nuzul, "The Petta Kalie's Contribution in The Development of Islamic Law during The Kingdom of Bone"; Federica Sona, "Reformulating Transnational Muslim Families: The Case of Shari'ah -

Sayyid Communities in South Sulawesi: Prior Research

Scholarship on Arab-descended Sayyid communities in South Sulawesi has grown in recent decades but remains limited in its engagement with primary Islamic legal texts. Hairani, Mustaring, and Sudirman²⁸ documented the endogamy practices of Sayyid communities in Cikoang, another Takalar village, finding that the tradition was widely observed yet increasingly constraining for younger community members. Sukarni²⁹ examined the persistence of the Cikoang system in the face of modernisation pressures. Nurwahidah³⁰ extended this work to questions of syarifah inheritance. Al Fajri Ahkam³¹ analysed the symbolic meaning of Bugis wedding customs in Soppeng through the lens of Maqasid al-Shari'ah. None of these studies has addressed the Al-Aidid community of Panyangkalang specifically, nor has any employed a comparative *mazāhib* analysis of the endogamy rule. This gap is not confined to the Cikoang literature: comparable descriptive studies of Sayyid endogamy in Jeneponto Regency and in Ternate document substantially similar syarifah marriage restrictions and sanctions but likewise stop short of a comparative fiqh assessment³², indicating that the absence identified here recurs across, rather than being peculiar to, a single prior study.³³

Methods

Research Design

This study employs a qualitative research design, integrating two complementary approaches: a normative-syar'i approach that is, an approach grounded in the primary textual sources of Islamic law (the Quran, Hadith, and classical fiqh literature), which analyses the Al-Aidid tradition against the standards of Islamic jurisprudence derived from those sources; and a sociological approach, which situates this tradition within its social and cultural context as experienced by community members. This methodological synthesis is consistent with established frameworks for socio-legal research in Indonesian Islamic law studies³⁴.

Site and Participants

The research was conducted in Panyangkalang Village, Laikang District, Takalar Regency, South Sulawesi Province, Indonesia, over a six-month field period (June–November 2024).

Compliant Child Marriages,” *Journal of Muslim Minority Affairs* 40, no. 1 (January 2, 2020): 84–103, <https://doi.org/10.1080/13602004.2020.1744840>.

²⁸ Hairani, Mustaring, and Sudirman, “Tradisi Pernikahan Anak Perempuan Sayyid.”

²⁹ Sukarni, “Eksistensi Sistem Pernikahan.”

³⁰ Nurwahidah, “Tradisi Pernikahan Keturunan Sayyid.”

³¹ A. A. Al Fajri Ahkam, “Reaktualisasi Makna Simbolik Perkawinan Adat Bugis Soppeng Perspektif Maqasid al-Shari'ah” (master's thesis, Universitas Islam Negeri Alauddin Makassar, 2023).

³² Syamzan Syukur, “Endogamy Marriage Tradition of Sayyid Community in Sidenre Village, Binamu District, Jeneponto Regency,” *Jurnal Adabiyah* 19, no. 1 (2019): 89–102, <https://doi.org/10.24252/jad.v17i119i1a5>.

³³ Nining Zahara Ismail, Fatum Abubakar, Abu Sanmas, Muhammad Fadhly, and Nursinita Killian, “Review of Islamic Marriage Law regarding Kafaah Sayyid-Syarifah Marriages in the Ternate Arab Community,” *Al Hakam: The Indonesian Journal of Islamic Family Law and Gender Issues* 4, no. 2 (2024): 136–156.

³⁴ M. Atho Mudzhar, *Fatwas of the Council of Indonesian Ulama: A Study of Islamic Legal Thought in Indonesia, 1975–1988* (Jakarta: INIS, 1993); I Made Pasek Diantha, *Metodologi Penelitian Hukum Normatif dalam Justifikasi Teori Hukum*, 1st ed. (Jakarta: Kencana, 2016).

Panyangkalang has a population of approximately 1,850 residents, of whom an estimated 340 (18.4%) are affiliated with the Al-Aidid clan. Purposive sampling was used to select seven key informants representing diverse roles within the community and relevant institutions. Consistent with methodological guidance on qualitative interview-based research, the sufficiency of this sample is assessed here by role diversity, saturation, and analytic depth rather than by numerical scale alone³⁵; correspondingly, the single-site design is oriented toward analytic rather than statistical generalisation, whereby the theoretical proposition concerning the mode of custom enforcement developed later in this article is offered as a claim to be tested against other cases rather than as an estimate of prevalence across the wider Sayyid population³⁶.

All participants were informed of the study's purpose and provided oral informed consent prior to interview, consistent with the research protocol approved by the researcher's home institution. Direct quotations from informants are presented using initials only; where a quotation risks indirect identification within this relatively small community (340 clan members), the accompanying description has been generalised to protect the privacy of third parties referenced in the testimony (see Section 4.6). Regarding researcher positionality, the fieldworker is not a member of the Al-Aidid clan and approached the community as an external researcher facilitated by an introduction from the village government; this outsider position afforded a degree of analytical distance but required sustained relationship-building over the six-month field period to secure the trust necessary for candid testimony, particularly from the syarifah informants. This positioning is acknowledged as a limitation that may affect the depth of access to more sensitive family experiences regarding the endogamy rule (see Section 6).

Table 1. Profile of Research Informants

No.	Name (Initial)	Status / Role	Gender	Age (Years)	Duration of Interview
1	S.S.T.N.	Village Chief, Panyangkalang	Male	52	±75 min
2	H.A.A.	Al-Aidid Clan Elder (Sesepuh)	Male	68	±90 min
3	U.A.	Syarifah (Al-Aidid female descendant)	Female	34	±60 min
4	M.A.	Local Religious Scholar (Ulama)	Male	57	±80 min
5	F.H.	KUA Officer, Laikang District	Female	41	±50 min
6	A.R.A.	Sayyid (Al-Aidid male descendant)	Male	29	±45 min
7	R.B.	Community Member (Non-Sayyid)	Female	45	±40 min

Source: Primary field data, Panyangkalang Village, 2024

Data Collection

Three principal data collection methods were employed. First, semi-structured interviews were conducted with each informant, with interview guides tailored to the participant's role and area of expertise. Interviews ranged from 40 to 90 minutes and were audio-recorded with informed consent. Second, participant observation was conducted at four Al-Aidid wedding ceremonies (two involving fully intra-clan marriages and two involving Sayyid grooms with non-syarifah brides), with field notes recorded in accordance with Spradley's ethnographic protocol³⁷. Third, documentary analysis was conducted on primary Islamic legal texts (Quran, *Ṣaḥīḥ* al-

³⁵ Konstantina Vasileiou, Julie Barnett, Susan Thorpe, and Terry Young, "Characterising and Justifying Sample Size Sufficiency in Interview-Based Studies: Systematic Analysis of Qualitative Health Research over 15 years," *BMC Medical Research Methodology* 18, article 148 (2018), <https://doi.org/10.1186/s12874-018-0594-7>.

³⁶ Robert K. Yin, "Validity and Generalization in Future Case Study Evaluations," *Evaluation* 19, no. 3 (2013): 321–332.

³⁷ James P. Spradley, *Participant Observation* (New York: Holt, Rinehart and Winston, 1980).

Bukhari, *Ṣaḥīḥ* Muslim, Sunan al-Tirmidhi, Sunan Abu Dawud, Sunan Ibn Majah, Musnad Ahmad), classical fiqh manuals (al-Nawawi's Minhaj al-Talibin; Ibn Qudamah's al-Mughni; Ibn 'Abidin's Radd al-Muhtar; Ibn Rushd's Bidayat al-Mujtahid), and Indonesian state law (Undang-Undang No. 1 Tahun 1974 tentang Perkawinan; Kompilasi Hukum Islam, 1991).

Fourth, a supplementary community perception survey was administered to 47 adult (18 years and above) Al-Aidid community members, selected through convenience sampling during community gatherings and household visits over the field period, to provide a broader (if non-random) indication of community perception than the seven core informants alone could offer. The survey was administered orally by the researcher as a single structured question: how the respondent characterises the endogamy rule, with response options developed inductively from categories that emerged during the initial round of semi-structured interviews (sacred obligation; cultural heritage; flexible/situational; disagree with the restriction) and subsequently used as a closed-response framework for the remaining survey administration. Given the convenience sampling method, the results from the 47 respondents reported in Section 4.1 are treated as indicative of the range and approximate distribution of community perception rather than as statistically representative findings.

Data Analysis

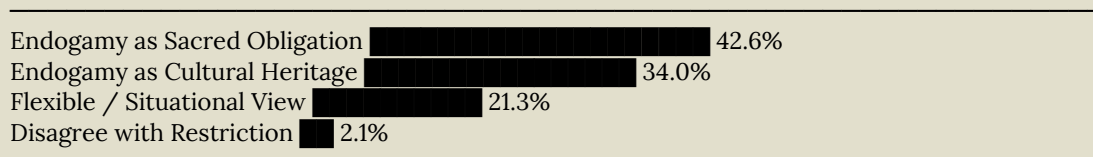
Interview and observation data were analyzed using thematic analysis following Braun and Clarke³⁸, proceeding through six stages: data familiarisation, initial coding, theme generation, theme review, theme definition, and write-up. This analysis combined deductive and inductive elements: the core Islamic jurisprudential categories (*kafā'ah*, *urf fāsid*, '*urf fāsid*') were applied deductively as a priori analytical categories derived from the literature reviewed in Section II, while the specific themes within each category, such as the distinction between religious invalidity and customary dishonor discussed, were allowed to emerge inductively from the interview and observation data. Normative-legal data were analyzed separately through classical Islamic jurisprudential reasoning (*istidlal*), cross-referencing the four major Sunni *maẓāhib* to identify points of convergence and divergence. Member checking was conducted with three of the seven informants to validate the interpretive accuracy. Data triangulation across interview, observation, and documentary sources was applied to enhance credibility.

Result

Community Perceptions of the Endogamy Tradition

Field survey data collected from 47 Al-Aidid community members (18 years and above) reveal a range of perceptions regarding the endogamy rule. The distribution of responses is illustrated in Figure 1 below.

Figure 1. Community Perceptions of Al-Aidid Marriage Tradition (n=47)



Source: Field survey, Panyangkalang Village, 2024

The majority of respondents (42.6%) regard endogamy as a sacred obligation, framing it as a covenant (*amanah*) with their ancestors and as a religious duty to preserve the lineage of the Prophet Muhammad (peace be upon him). A significant minority (34.0%) describe it as an important cultural heritage that should be respected but not treated as having the force of religious law. A

³⁸ Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology," *Qualitative Research in Psychology* 3, no. 2 (2006): 77–101, <https://doi.org/10.1191/1478088706qp0630a>.

smaller proportion (21.3%) holds a flexible or situational view, recognizing the custom while accepting that individual circumstances may sometimes necessitate departure from it. Only 2.1% actively disagree with the restriction. These findings indicate a community that is internally differentiated in its understanding of the tradition's normative status.

This internal differentiation is largely absent from prior scholarship on comparable Sayyid communities: Hairani et al. and Sukarni³⁹ both describe the Cikoang endogamy tradition in broadly uniform terms, as a single, widely shared communal norm, without disaggregating the range of normative interpretations (sacred obligation versus cultural heritage) that the present survey data reveal; Nurwahidah⁴⁰ similarly treats community adherence to the tradition as largely undifferentiated. The minority view that endogamy constitutes a religious obligation (rather than a cultural norm) is of particular legal significance, as it reflects a conflation of *urf* (custom) with shari'ah (divine law) that classical Islamic jurisprudence consistently rejects.

Pre-Wedding Ritual Stages and Islamic Legal Assessment

The Al-Aidid pre-wedding tradition comprises six distinct stages. Each was documented through participant observation and cross-referenced with Islamic legal sources. The stages and their legal assessments are presented in Table 2.

Table 2. Pre-Wedding Ritual Stages of the Al-Aidid Tradition and Islamic Legal Assessment

No.	Stage (Local Term)	Description	Islamic Law Perspective
1	A'manu-manu	Preliminary investigation of the prospective bride's background, lineage, and character by the groom's family.	Falls within the category of <i>mubah</i> (permissible) in Islamic jurisprudence; consistent with the Islamic emphasis on compatibility (<i>kafā'ah</i>) in religion and character (Bukhari No. 5090).
2	A'suro / Massuro	Formal proposal (<i>khitbah</i>) sent from the groom's family to the bride's family, including delegation of senior relatives.	Corresponds to <i>khitbah</i> in Islamic jurisprudence; classified as strongly encouraged (<i>mustahabb</i>) in Islamic law (Q. 2:235).
3	Appa'nassa	Negotiation of the wedding date, mahr (dowry) amount, and wedding expenditure (<i>uang belanja</i>).	Consistent with Islamic requirements; the setting of mahr falls within the category of <i>wajib</i> (obligatory) in Islamic marriage (Q. 4:4).
4	Appanai Leko / Erang-erang	Delivery of engagement gifts (<i>passikko</i>) from groom's family to bride's family, accompanied by 8+ persons.	Falls within the category of <i>urf fāsīd</i> (culturally specific and permissible) provided gifts contain no forbidden items and no extravagance (<i>israf</i>) (Q. 7:31).
5	Appasili Bunting	Ritual bathing and purification of the bride, symbolizing spiritual and physical cleansing before the wedding.	Falls within the category of <i>urf fāsīd</i> (culturally permitted); parallels <i>tahara</i> (ritual purity) in Islam when the underlying intention is cleanliness.
6	Malam Mappacking	Eve-of-wedding ceremony with henna application, recitation of Barasanji, and communal prayer, performed 3–7 times.	Falls within the category of <i>mubah</i> (permissible); the Barasanji text constitutes legitimate <i>salawat</i> (praise of the Prophet), aligned with the Islamic tradition of celebrating the Prophet (Ibn Majah No. 1897).

Source: Primary field data and primary Islamic legal texts, 2024

³⁹ Hairani, Mustaring, and Sudirman, "Tradisi Pernikahan Anak Perempuan Sayyid"; Sukarni, "Eksistensi Sistem Pernikahan."

⁴⁰ Nurwahidah, "Tradisi Pernikahan Keturunan Sayyid."

The ritual of *A'manu-manu* (preliminary inquiry) reflects the Islamic encouragement to investigate a prospective spouse's character and piety before formal commitment. The Prophet Muhammad's hadith, 'A woman is married for four reasons: her wealth, her lineage, her beauty, and her religion; choose the one with religion, may your hands be dust' (Bukhari No. 5090; Muslim No. 1466), sanctions investigation of religious commitment as the primary criterion. The formal proposal stage (*A'suro* / *Massuro*) corresponds directly to the Islamic concept of *khitbah* (formal engagement), which is strongly recommended in both the Quran (Q. 2:235) and the Prophetic Sunnah.

The *Appa'nassa* stage, which involves the negotiation of the mahr and wedding expenses, is particularly significant from an Islamic legal standpoint. The Quran mandates: 'Give the women their mahr as a free gift' (Q. 4:4). The Al-Aidid custom of negotiating a mahr that is both adequate and commensurate with the groom's family's capacity is consistent with the hadith guidance that 'the best mahr is the simplest' (Abu Dawud No. 2117). The *Appanai Leko* (engagement gift delivery) and *Appasili Bunting* (ritual bathing) stages are classifiable as *urf fāsid*, being culturally specific practices that contain no elements prohibited by Islamic law.

The *Malam Mappacking* ceremony, involving communal henna application and Barasanji recitation, is assessed as permissible (*mubah*) on the basis that the Barasanji text constitutes legitimate salawat (praise of the Prophet), and the overall ceremony functions as a communal religious and social celebration analogous to those documented in the hadith literature concerning the Prophet's endorsement of wedding celebrations (Ibn Majah No. 1897).

Wedding and Post-Wedding Stages

The main wedding and post-wedding stages are summarised in Table 3.

Table 3. Wedding and Post-Wedding Stages of the Al-Aidid Tradition

No.	Stage	Description	Islamic Law Assessment
1	Akad Nikah (Ijab Qabul)	Marriage contract conducted exclusively among male guests and close family. The groom is escorted to the bride's chamber after pronouncement.	Constitutes the core pillar of Islamic marriage (<i>rukun nikah</i>). Validity requires wali (guardian), two male witnesses, mahr, and verbal consent (<i>ijāb-qabūl</i>).
2	Walimah al-'ursy (Reception)	Wedding reception attended by all guests; couple in traditional Al-Aidid attire; entertainment includes gambus music and traditional dance.	Falls within the category of sunnah mu'akkadah (strongly recommended practice); the Prophet emphasised the walimah's public announcement. Entertainment falls within permissible limits, subject to the conditions discussed below.
3	Alleka Bunting (Ngunduh Mantu)	Day-after ceremony: bride accompanied to groom's parents' home, bringing sarongs for in-laws and relatives.	Falls within the category of <i>urf fāsid</i> (permissible social tradition), strengthening family ties; no Quranic or hadith prohibition applies.

Source: Participant observation of four Al-Aidid weddings, Panyangkalang, 2024

The *akad nikah* (marriage contract/*ijāb-qabūl*) constitutes the centerpiece of the Al-Aidid wedding, consistent with its position as the most essential pillar (*rukun*) of Islamic marriage. Classical jurists are unanimous that a valid marriage contract requires the presence of a wali (guardian), two adult male witnesses, a specified mahr, and the verbal exchange of offer (*ijāb*) and acceptance (*qabūl*) (al-Nawawi, Minhaj al-Talibin; Ibn Qudamah, al-Mughni, Vol. 9). Observation of the four Al-Aidid weddings confirmed that all four elements were consistently present. The practice of restricting the akad nikah ceremony to male attendees reflects both Islamic gender norms in formal ceremonial contexts and the local Bugis-Makassar tradition of gender-segregated

formal proceedings.⁴¹

The *walimah al-'ursy* (wedding reception) is accorded explicit religious endorsement in the Prophetic Sunnah: 'Hold a walimah, even if only with a sheep' (Bukhari No. 5167; Muslim No. 1427). The Al-Aidid walimah, featuring gambus (traditional lute) music and traditional dance, is assessed as permissible provided that the musical content does not contain prohibited elements (*fahsha'*) and that mixed-gender interaction is appropriately managed. On this point, the religious scholar informant (M.A.) stated that 'the gambus at Al-Aidid weddings plays traditional devotional and celebratory songs, not the kind of music our elders consider objectionable, and men and women sit in separate areas during the reception, as is our custom.' This account was corroborated by direct observation during two of the four weddings attended, at which seating areas for male and female guests were physically separated; these two conditions were not independently verified at the remaining two ceremonies.⁴²

The *Alleka Bunting* ceremony (equivalent to the Javanese *ngunduh mantu*) marks the bride's first formal visit to her husband's family home, accompanied by symbolic sarong gifts. This practice is assessed as *urf fāsid*: it serves a constructive social function in cementing family alliances and has no textual prohibition in Islamic law.

Figure 2. Ritual Stage Frequency and Community Participation Rate



Source: Field observation and interviews, Panyangkalang, 2024

Partner Selection and *Kafā'ah*: A Comparative *Mazāhib* Analysis

The most jurisprudentially significant dimension of the Al-Aidid tradition is the endogamy rule requiring *syarifah* to marry within the Sayyid lineage. Table 4 presents a comparative analysis of the four Sunni *mazāhib* on the factors of *kafā'ah* and situates the Al-Aidid customary rule within this jurisprudential landscape.

Table 4. Comparative Analysis of *Kafā'ah* Criteria Across the Four Sunni *Mazāhib* and Al-Aidid Custom

<i>Kafā'ah</i> Factor		Hanafi School	Maliki School	Shafi'i School	Hanbali School	Al-Aidid Custom
Religion (Din)		Required	Required	Required	Required	Required
Lineage (Nasab)		Considered	Not determinative	Considered	Considered	Primary/Strict
Moral Character (Akhlaq)		Considered	Primary	Considered	Considered	Considered

⁴¹ Sururiyah Wasiatun Nisa, "Akad Nikah Online Perspektif Hukum Islam," *Hukum Islam* 21, no. 2 (February 23, 2022): 302, <https://doi.org/10.24014/jhi.v21i2.11734>.

⁴² Inayatillah Inayatillah et al., "Social History of Islamic Law from Gender Perspective in Aceh: A Study of Marriage Traditions in South Aceh, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 2 (October 7, 2022): 573, <https://doi.org/10.22373/sjkh.v6i2.14598>; Mahbobullah Hazim and Abdulaziz Nazari, "The Negative Consequences of Gender Mixing and Its Rulings in Islamic Shariah," *Integrated Journal for Research in Arts and Humanities* 3, no. 4 (July 5, 2023): 6–19, <https://doi.org/10.55544/ijrah.3.4.2>.

Kafā'ah Factor	Hanafi School	Maliki School	Shafi'i School	Hanbali School	Al-Aidid Custom
Financial Status (Maal)	Considered	Not required	Considered	Considered	Considered
Profession (Hirfah)	Considered	Not determinative	Not primary	Considered	Not explicit
Freedom (<i>Hurriyyah</i>)*	Considered	Not required	Not required	Considered	Not explicit

Sources: Ibn 'Abidin (*Radd al-Muhtar*); Ibn Rushd (*Bidayat al-Mujtahid*); al-Nawawi (*Minhaj al-Talibin*); Ibn Qudamah (*al-Mughni*, Vol. 9); field data, 2024

The freedom (*hurriyyah*) criterion distinguishing free persons from enslaved persons is retained in this table for historical completeness and comparative accuracy with the classical sources, but is a historical category with no operative application in contemporary Islamic family law following the abolition of slavery, and is not discussed further in this study.

Table 4 reveals a critical divergence between the Al-Aidid customary position, which treats lineage (*nasab*) as the primary and strictly enforced criterion, and the Maliki school's position, which explicitly rejects *nasab* as a determinative factor in *kafā'ah*. Even among the schools that recognize *nasab* as a relevant consideration (Hanafi, Shafi'i, Hanbali), none treats it as an absolute prohibition whose violation would render a marriage invalid. The consensus across all four schools is that the validity of marriage (*sihhat al-nikah*) depends on the fulfillment of the formal pillars (*arkan*), not on social compatibility criteria.

This distinction between the social relevance and the legal necessity of *kafā'ah* is fundamental to the Islamic legal evaluation of the Al-Aidid endogamy rule. The classical Shafi'i jurist al-Ramli explicitly states in *Nihayat al-Muhtaj* that a marriage contracted without *kafā'ah* is valid (*ṣaḥiḥ*) but may give the wali grounds to object; the absence of *kafā'ah* does not constitute a defect (*fasad*) in the marriage contract itself. This is consistent with the Indonesian KHI, which in Articles 14–15 specifies the pillars of a valid marriage (the two parties, wali, two witnesses, and *ijāb-qabūl*) without any reference to *kafā'ah* as a formal condition.

From the informant data, the elder (H.A.A.) articulated the Al-Aidid position thus: 'It is not a prohibition in the fiqh sense; we do not say the marriage is invalid. We say it is a betrayal of the covenant (*amanah*) made by our ancestors, a matter of honor and lineage preservation.' This emic distinction between religious invalidity and customary dishonor is significant and, paradoxically, aligns with the classical jurisprudential position: custom polices not the legal validity of the marriage but the social standing of the parties within the community.

The religious scholar informant (M.A.) offered a complementary perspective: 'The Prophet himself said that a woman of good religion and character is the best spouse. Islam does not forbid a *syarifah* from marrying a righteous non-Sayyid man. What the community forbids is social, not legal.' This view accords with the hadith in *Ṣaḥiḥ* al-Bukhari (No. 5090) and with the Maliki and Hanbali positions.

Overall Islamic Legal Assessment of the Al-Aidid Wedding Tradition

Table 5 presents a comprehensive assessment of the Al-Aidid wedding tradition against the formal pillars and conditions of valid marriage in Islamic law.

Table 5. Assessment of Al-Aidid Wedding Practice Against Islamic Marriage Law Requirements

Pillar / Requirement (Ruknun & Syarat)	Al-Aidid Practice	Fulfilment Status	Legal Authority
Guardian (Wali Nikah)	Present	✓ Fulfilled	Q. 2:232; Tirmidhi No. 1101
Two Male Witnesses (Shahidain)	Present	✓ Fulfilled	Ibn Majah No. 1881
Dowry (Mahr)	Negotiated	✓ Fulfilled	Q. 4:4; Bukhari No. 5150
Offer and Acceptance (<i>Ijāb Qabūl</i>)	Performed	✓ Fulfilled	Muslim No. 1418

Pillar / Requirement (Ruknun & Syarat)	Al-Aidid Practice	Fulfilment Status	Legal Authority
Consent of Parties (Ridha)	Generally present	✓ Generally Fulfilled	Q. 4:19; Abu Dawud No. 2096
Endogamy Rule (Syarifah with Sayyid only)	Adat only	△ Not an Islamic Condition	Ibn Qudamah, Al-Mughni Vol. 9

Sources: Primary field data; Quran; Hadith collections; Ibn Qudamah (al-Mughni); al-Nawawi (Minhaj al-Talibin); KHI Indonesia, 1991

Table 5 demonstrates that the Al-Aidid wedding tradition fulfils all five formally required pillars of Islamic marriage: the presence of a wali (Q. 2:232; Tirmidhi No. 1101: 'There is no marriage without a wali'), two male witnesses (Ibn Majah No. 1881), a specified mahr (Q. 4:4), verbal consent through *ijāb-qabūl* (Muslim No. 1418), and the general presence of consent (ridha) from the parties (Q. 4:19). The endogamy rules the sixth row in Table 5 is the only element that raises an Islamic legal question, and the assessment is unambiguous from the jurisprudential sources: it is not a condition for the validity of the marriage contract in any of the four major Sunni schools.

The Al-Aidid Endogamy Rule as 'Urf fāsīd

Having established that the endogamy rule is not a formal condition for the validity of marriage in Islamic law, the appropriate jurisprudential category for its evaluation is *'urf* (custom). The classification depends on whether the custom satisfies the conditions of *urf fāsīd*: it must be widely practiced, not explicitly prohibited by Islamic law, and not causative of harm (*ḍarar*).⁴³

The Al-Aidid endogamy rule is unquestionably widely practiced within the community and has historical roots traceable over multiple generations, satisfying the first condition. It is not explicitly prohibited by Islamic law, since neither the Quran nor the Sunnah forbids preferring a Sayyid lineage in selecting a marriage partner, thereby satisfying the second condition. The third condition, however, requires more nuanced evaluation. When enforced through social ostracism, the rule may cause harm to individuals who, for reasons beyond their control, cannot find a suitable Sayyid partner. It may also constrain the right of a competent adult woman (*rashidah*) to choose her spouse freely, a right recognized in the hadith literature⁴⁴ (Bukhari No. 6945; Muslim No. 1419: a previously married woman has absolute say in her marriage, and a virgin's silence is her consent). The syarifah informant (U.A., age 34) described a relative who had been socially excluded after marrying a non-Sayyid man; identifying details beyond this general description are withheld here in line with the anonymization protocol, given the risk of indirect identification within a community of 340 clan members: 'She was not invited to family gatherings for three years.

That is a real harm. It is not violence, but it is pressure.' This testimony illustrates the potential for the custom to generate harm when enforced rigidly. Classical *usul al-fiqh* treats *darar* (harm) as a threshold concept rather than a binary one: the principle *la darar wa la dirar* (no harm and no harmful reciprocation) applies where a practice produces a sustained, identifiable

⁴³ Haifaa Jawad and Ayse Elmali-Karakaya, "Interfaith Marriages in Islam from a Woman's Perspective: Turkish Women's Interfaith Marriage Practices in the United Kingdom," *Journal of Muslim Minority Affairs* 40, no. 1 (January 2, 2020): 128–47, <https://doi.org/10.1080/13602004.2020.1737415>; Harahap, Risfandy, and Futri, "Islamic Law, Islamic Finance, and Sustainable Development Goals: A Systematic Literature Review."

⁴⁴ Muthoifin et al., "The Practice of Paneta Mawinne in The Sumbanese Tribe of East Nusa Tenggara Perspective of Islamic Law," *International Journal of Law and Society (IJLS)* 3, no. 3 (December 25, 2024): 238–54, <https://doi.org/10.59683/ijls.v3i3.138>; Muhamad Ismail, Robitho Alam Hadi Faisal, and Zainur Zainur, "Marriage and Divorce in Islamic Law: Sociological Implications for Modern Muslim Societies," *Journal of Islamic Law El Madani* 4, no. 1 (February 11, 2025): 25–37, <https://doi.org/10.55438/jile.v4i1.142>; Alchansa Nada Sulaiman, "Women's Right to Choose Spouses: A Socio-Legal Study in Rural Islamic Communities," *International Journal of Law Dynamics Review* 1, no. 2 (November 16, 2023): 113–21, <https://doi.org/10.62039/ijldr.v1i2.81>.

detriment to a person's social or psychological wellbeing, not only where it causes physical or financial injury.⁴⁵ Three years of sustained exclusion from family life, measured against the Islamic prohibition on severing family ties discussed below, meets this threshold on the facts described by the informant, even though the underlying preference for Sayyid partners does not itself cause harm and remains permissible as *urf fāsīd*. It is this specific mode of enforcement, rather than the content of the preference, that would tend toward classification as '*urf fāsīd*'.⁴⁶

The appropriate Islamic legal resolution, therefore, is not to categorically invalidate the Al-Aidid endogamy preference, but to distinguish between the custom as a preference (which is permissible and even praiseworthy in the eyes of the community) and the sanction of social exclusion (which risks violating the Islamic prohibition of *qat' al-rahim* severing family ties condemned in Q. 47:22 and multiple hadith in Bukhari No. 5984, Muslim No. 2554).⁴⁷

Discussion

Balancing Cultural Identity and Islamic Universalism

The Al-Aidid case exemplifies a broader tension in Muslim-majority societies between the particularity of inherited cultural identity and the universalism of Islamic legal norms. The Quran itself acknowledges the role of lineage and tribal identity: 'O mankind, we have created you from male and female and made you peoples and tribes that you may know one another' (Q. 49:13). This verse is routinely cited in the Islamic tradition as a basis for social genealogical organization. However, the verse's concluding phrase 'the most honored of you in the sight of Allah is the most righteous' explicitly subordinates lineage to piety as the ultimate evaluative criterion.

The Al-Aidid tradition navigates this tension by framing endogamy not as a claim to absolute religious superiority, but as a custodial obligation (*amanah*) to preserve a lineage that the community considers spiritually significant. This framing is more defensible in Islamic law than a straightforward claim that a *syarifah*'s marriage to a non-Sayyid is religiously invalid. Indeed, the classical Yemeni *hadhrami* tradition, from which the Al-Aidid genealogy is partly derived, has historically provided extensive jurisprudential justification for endogamy among *Ahl al-Bayt* communities, primarily grounded in the Shafi'i school's recognition of *nasab* as a criterion for *kafā'ah*.⁴⁸

⁴⁵ Muhsin, "Islamic Jurisprudence on Harm Versus Harm Scenarios in Medical Confidentiality"; Shaham, "Legal Maxims (Qawā'id Fiqhiyya) in Yūsuf Al-Qarāḍāwī's Jurisprudence and Fatwas."

⁴⁶ SIMON WOLFGANG FUCHS, "Legalised Pedigrees: Sayyids and Shi'i Islam in Pakistan," *Journal of the Royal Asiatic Society* 30, no. 3 (July 16, 2020): 489–504, <https://doi.org/10.1017/S1356186320000036>; Shabana, "Custom and Modern Constructions of Shari'a: Transnational Juristic Discussions on the Status of 'Urf"; Felicitas Opwis, "New Trends in Islamic Legal Theory: Maqāṣid Al-Shari'a as a New Source of Law?," *Die Welt Des Islams* 57, no. 1 (March 29, 2017): 7–32, <https://doi.org/10.1163/15700607-00571p03>.

⁴⁷ Defel Fakhyadi and Muhammad Adib Samsudin, "Islamic Law Meets Minangkabau Customs: Navigating Forbidden Marriages in Tanah Datar," *El-Mashlahah* 14, no. 1 (March 23, 2024): 1–20, <https://doi.org/10.23971/el-mashlahah.v14i1.7364>; Syarifah Ema Rahmaniah, "MULTIKULTURALISME DAN HEGEMONI POLITIK PERNIKAHAN ENDOGAMI: IMPLIKASI DALAM DAKWAH ISLAM," *Walisongo: Jurnal Penelitian Sosial Keagamaan* 22, no. 2 (December 15, 2014): 433–56, <https://doi.org/10.21580/ws.22.2.273>; Mirwan Mirwan et al., "Endogamous Marriages in Kiai Sukorejo's Family: Sufi Social Fiqh Transformation and Implications for Islamic Jurisprudence," *Jurnal Ilmiah Al-Syir'ah* 21, no. 2 (December 20, 2023): 224, <https://doi.org/10.30984/jis.v21i2.2363>.

⁴⁸ Syamsul Rijal, "INTERNAL DYNAMICS WITHIN HADHRAMI ARABS IN INDONESIA: From Social Hierarchy to Islamic Doctrine," *JOURNAL OF INDONESIAN ISLAM* 11, no. 1 (July 6, 2017): 1, <https://doi.org/10.15642/JIIS.2017.11.1.1-28>; Fajar and Al Badr, "Kafā'ah Contextualization in an Effort to Form Harmonious Family in the Modern Era: An Analysis Of Fazlur Rahman's Double Movement"; SOHEB NIAZI, "Sayyids and Social Stratification of Muslims in Colonial India: Genealogy and Narration of the Past in

Nevertheless, contemporary Islamic scholarship increasingly emphasizes that the Quranic principle of human equality, combined with the Prophet's own precedents of cross-tribal marriages, precludes elevating any genealogical criterion to the status of a binding religious prohibition.⁴⁹ Mudzhar's⁵⁰ analysis of Indonesian ulama fatwa-making more broadly suggests that the deliberate omission of *kafā'ah* from the KHI's formal requirements for valid marriage is best read as consistent with this broader modern scholarly emphasis on prioritising religious equality in marriage over genealogical or social criteria. However, this study did not identify a specific Majelis Ulama Indonesia fatwa that directly addresses *kafā'ah* in nasab. This inference should accordingly be treated as an interpretation of the KHI's drafting choices rather than a documented MUI policy position.

Gender Justice Implications

A distinctive feature of the Al-Aidid endogamy system is its asymmetry: syarifah women are restricted to Sayyid partners, while Sayyid men may marry non-Sayyid women without social sanction. This asymmetry is rationalized within the community based on Islamic inheritance principles concerning nasab specifically: that lineage passes patrilineally, so a child born to a syarifah and a non-Sayyid father would, under the community's reckoning, lose its Sayyid nasab.

From an Islamic legal standpoint, this rationalization has some basis in the classical Shafi'i position (*al-Nawawi*, *Minhaj al-Talibin*)⁵¹, but is disputed by Maliki jurists and has been characterized by modern scholars including al-Qaradawi as an extrapolation that goes beyond the clear textual evidence. Moreover, the practical effect of imposing social exclusion exclusively on women who choose non-Sayyid partners creates a gender-differentiated harm that is difficult to reconcile with the Quranic principle that 'women have rights over men equivalent to those they are obliged to fulfil' (Q. 2:228). This asymmetry resonates with a broader pattern identified in feminist Islamic legal scholarship, in which facially gender-neutral doctrines are applied in gender-differentiated ways in practice.

This pattern has also been documented directly within other Indonesian Sayyid communities: fieldwork among the 'Alawiyyin of Pontianak describes the enforcement of *kafā'ah* nasab as generating misogynistic narratives directed at syarifah women together with non-recognition of the husbands and children of women who marry outside the lineage⁵², while an analysis of Sayyid Utsman's influential fatwa literature concludes that *kafā'ah* nasab has, in practice, become a mechanism of social control over syarifah women's marital choice rather than a neutral genealogical safeguard⁵³. These independent findings, from separate fieldwork sites,

Amroha," *Journal of the Royal Asiatic Society* 30, no. 3 (July 18, 2020): 467–87, <https://doi.org/10.1017/S1356186320000358>.

⁴⁹ Adis Duderija, "Contemporary Muslim Male Reformist Thought and Gender Equality Affirmative Interpretations of Islam," *Feminist Theology* 28, no. 2 (January 15, 2020): 161–81, <https://doi.org/10.1177/0966735019886076>.

⁵⁰ Mudzhar, *Fatwas of the Council of Indonesian Ulama*.

⁵¹ Munggeni, "Fatwa Larangan Pernikahan Wanita Syarifah dengan Non-Sayyid: Studi Analisis terhadap Kitab Bughyah al-Mustarsyidin Karya Abdurrahman Ba'lawi" (undergraduate thesis, IAIN Walisongo Semarang, 2000).

⁵² Syarifah Ema Rahmaniah and Egi Tanadi Taufik, "Our Husband and Children Are Not Acknowledged: Endogamy, Gendered Power, and Child Issues in the 'Alawiyyin Marriage in In51 Munggenidonesia," *Journal of Indonesian Islam* 18, no. 2 (2024): 374–402, <https://doi.org/10.15642/JIIS.2024.18.2.374-402>.

⁵³ Ahmad Azzam Nouvaldi and Mohammad Syifa Amin Widigdo, "The Dynamics of Kafa'ah Nasab and the Identity of Sharifah Women: An Examination of Sayyid Utsman's Perspectives within the Context of Gender Equality," *Ulul Albab: Jurnal Studi dan Penelitian Hukum Islam* 8, no. 2 (2025): 146–161.

corroborate the gender-differentiated enforcement documented among the Al-Aidid above.

Wadud⁵⁴ argues that such asymmetries typically reflect patriarchal interpretive choices rather than requirements inherent in the Quranic text itself, while Mir-Hosseini⁵⁵ similarly demonstrates that classical fiqh categories are frequently mobilised selectively to constrain women's marital choices in ways not applied symmetrically to men. Within the Indonesian context specifically, Nurmila, Burhanudin and van Dijk document comparable gender asymmetries⁵⁶ in the application of customary and religious marriage norms, situating the Al-Aidid case within a wider pattern documented elsewhere in Indonesian Islamic family life.

The KUA officer informant (F.H.) noted that in at least two cases within her area of jurisdiction, syarifah women who had contracted valid Islamic marriages with non-Sayyid men had subsequently sought registration assistance after facing community pressure, raising questions about the intersection of state law, Islamic law, and customary enforcement mechanisms. This practical dimension underscores the need for local religious authorities to develop clear guidance on distinguishing between permissible cultural preferences and impermissible social coercion.

Implications for 'Urf Theory and Practice

This study's central theoretical proposition, foregrounded here, is that the Islamic legal classification of a customary practice as *urf fāsīd* or '*urf fāsīd* may depend not on the content of the custom itself but on the mode of its enforcement.⁵⁷ The Al-Aidid case offers a compelling illustration of this proposition. The underlying preference for Sayyid marriage partners is permissible; the sanction of social exclusion for violators risks crossing the boundary into '*urf fāsīd* by generating harm and potentially severing family ties. This suggests that the appropriate jurisprudential strategy is not the wholesale validation or rejection of the Al-Aidid tradition but a graduated analysis that validates the preference while proscribing the coercive sanction.⁵⁸

This enforcement-versus-content distinction is not unique to the Al-Aidid case: a comparable analytical move has been applied to marriage-related customary sanctions elsewhere in the Muslim world, where a custom's classification as *urf fāsīd* or '*urf fāsīd* turns on the specific

⁵⁴ Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective* (Oxford: Oxford University Press, 1999).

⁵⁵ Ziba Mir-Hosseini, "The Construction of Gender in Islamic Legal Thought and Strategies for Reform," *Hawwa* 1, no. 1 (2003): 1-28.

⁵⁶ Nina Nurmila, *Women, Islam and Everyday Life: Renegotiating Polygamy in Indonesia* (London: Routledge, 2009); Jajat Burhanudin and Kees van Dijk, eds., *Islam in Indonesia: Contrasting Images and Interpretations* (Amsterdam: Amsterdam University Press, 2013).

⁵⁷ Ali Abubakar et al., "The Postponement of the Implementation of Inheritance Distribution in The Seunuddon Community, North Aceh In The Lens Of 'Urf Theory and Legal Pluralism," *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (December 30, 2023): 411, <https://doi.org/10.22373/ujhk.v6i2.10207>; Fazal Hadi Fazli and Shamsul Islam Shams Safi, "Valid Custom ('urf Al-Sahih): Its Legitimacy and Implications in Nangarhar Province, Afghanistan," *Journal of Arts, Humanities and Social Science* 2, no. 1 (January 1, 2025): 1-7, <https://doi.org/10.69739/jahss.v2i1.192>; Muhammad Husni Abdulah Pakarti et al., "The Role and Application of 'Urf as a Source of Islamic Law: A Historical Review and Fiqhiyah Rules," *An-Nisa: Journal of Islamic Family Law* 2, no. 3 (September 29, 2025): 175-92, <https://doi.org/10.63142/an-nisa.v2i3.300>; Abdul mustafa et al., "When Culture Meets Fiqh: Examining the Legal Authority of 'Urf in Contemporary Engagement Traditions," *Global Islamic Research Journal* 1, no. 1 (December 25, 2025): 01-21, <https://doi.org/10.65960/girj.1.1.2025.6>.

⁵⁸ Duman Saifullin, Samet Okan, and Askar Akimkhanov, "Women Rights from Islamic Perspectives: Navigating Rights, Challenges and Contemporary Perspectives," *Frontiers in Sociology* 10 (January 14, 2026), <https://doi.org/10.3389/fsoc.2025.1727894>; Gill and Hamed, "Muslim Women and Forced Marriages in the UK"; Fajar and Al Badr, "Kafā'ah Contextualization in an Effort to Form Harmonious Family in the Modern Era: An Analysis Of Fazlur Rahman's Double Movement."

effect of its enforcement mechanism rather than on the underlying preference itself,⁵⁹ the sogit customary compensation system attached to marriage prohibitions among the Muslim Kadazandusun of Sabah, for example, has been analysed within the same *urf fāsīd*/*'urf fāsīd* framework, with some of its marriage prohibitions upheld as valid custom and others invalidated once their coercive effect was assessed⁶⁰, lending independent support to the enforcement-based approach adopted here.

This proposition is conceptually anchored in the emic-etic distinction introduced by informant H.A.A. in Section 4.4: the community's own framing of the endogamy rule as a matter of 'customary dishonor' rather than 'religious invalidity' (an emic category) maps closely onto the etic jurisprudential distinction this study draws between the content of a custom and its mode of enforcement. Where the community's internal logic already separates honour-based social consequence from religious prohibition, Islamic legal analysis can build directly on that distinction rather than imposing an external framework: the task for jurisprudence is not to tell the Al-Aidid community that their custom is wrong, but to help the community draw the line the community itself already implicitly recognises between preference, which is legitimate, and coercion, which is not in a manner consistent with the *darar* threshold discussed in Section 4.6.

This graduated approach has precedents in classical Islamic jurisprudence. The concept of *ta'zir* (discretionary punishment for harmful social behaviour) is, on classical Hanafi and Shafi'i authority, reserved for acts that are themselves sinful (*ma'siyah*) or that cause demonstrable harm to public order (Al-Zuhayli, *al-Fiqh al-Islami wa Adillatuhu*, Vol. 7, on the conditions for *ta'zir*); it is therefore generally considered inapplicable to a *syarifah*'s marriage to a non-Sayyid, since such a marriage is not sinful (*haram*) in Islamic law. The community's social sanction is therefore not a legitimate Islamic legal remedy but a purely customary one, a distinction that, if clearly articulated by local religious scholars, could preserve the aspirational dimension of the tradition while mitigating its coercive potential.

Conclusion

This study has systematically examined the wedding traditions of the Al-Aidid clan in Panyangkalang Village, Laikang District, Takalar Regency, against the standards of Islamic jurisprudence. Three principal conclusions emerge from the analysis.

First, the procedural stages of the Al-Aidid wedding tradition from pre-wedding inquiry (*A'manu-manu*) through the formal marriage contract (*akad nikah*) to post-wedding ceremonies (*Alleka Bunting*) are broadly consistent with the pillars and conditions of valid marriage in Islamic law. The presence of a wali, two witnesses, a specified mahr, and verbal *ijāb-qabūl* has been consistently observed in all documented ceremonies, thereby satisfying the formal requirements for marriage validity as established in the Quran, the Sunnah, and the consensus (*ijma'*) of classical jurists.

Second, the partner-selection practice that prioritises Sayyid partners for *syarifah* women engages with the Islamic concept of *kafā'ah* in *nasab*. A comparative analysis of the four major Sunni *maẓāhib* reveals that while the Hanafi, Shafi'i, and Hanbali schools recognise lineage as a relevant dimension of *kafā'ah*, no school treats it as a condition for the validity of the marriage contract. The Maliki school explicitly rejects its determinative role. The endogamy preference is

⁵⁹ Usep Saepullah, "The Inter-Religious Marriage in Islamic and Indonesian Law Perspective," *Jurnal Ilmiah Peuradeun* 7, no. 1 (January 30, 2019): 43, <https://doi.org/10.26811/peuradeun.v7i1.317>; Sagnik Dutta, "Divorce, Kinship, and Errant Wives: Islamic Feminism in India, and the Everyday Life of Divorce and Maintenance," *Ethnicities* 21, no. 3 (June 3, 2021): 454–76, <https://doi.org/10.1177/1468796821999904>.

⁶⁰ Siti Adibah Binti Mohmad Jeofrey Alhusni and M. Zaki, "Islamic Law and Customary Law in the Prohibition of Sogit Marriage in Sabah, Malaysia," *Islamic Law and Social Issues in Society* 1, no. 1 (2025): 86–98, <https://doi.org/10.64929/ilsii.v1i1.8>.

therefore classifiable as a customary social norm (*'urf ijtimā'i*) rather than a binding religious prohibition, and a marriage contracted outside its parameters is legally valid in Islamic law as to its essential conditions, notwithstanding that it may give a *wali* ground for objection under the Hanafi and Shafi'i positions as discussed.

Third, the classification of the Al-Aidid endogamy tradition as *urf fāsid* is warranted with respect to the underlying preference for Sayyid marriage partners, which is permissible in Islamic law and serves a legitimate cultural function of identity preservation. However, the specific enforcement mechanism of social exclusion (severing community ties with violators) risks generating harm and severing family relations, both of which are prohibited in Islamic law. The jurisprudential recommendation is therefore to sustain the cultural aspiration while reforming the enforcement mechanism in dialogue with Islamic legal principles.

This study recommends that: (a) local KUA officers, religious scholars, and Al-Aidid community leaders engage in a structured dialogue to clarify the distinction between cultural preference and religious prohibition in the endogamy rule; (b) the community develop alternatives to social exclusion as responses to intra-community 'violations' of endogamy norms; (c) future research investigate the perspectives of syarifah women in comparable Sayyid communities across South Sulawesi using participatory methods; and (d), as a tentative recommendation pending broader comparative research, the Laikang District KUA consider incorporating these findings into its own pre-marital counselling practice, without prejudging whether the approach generalises to other KUA offices or Sayyid communities.

This study's limitations include its focus on a single village community and its reliance on a purposive sample of informants. Comparative research across multiple Al-Aidid communities and across different Sayyid clan traditions in South Sulawesi would significantly enhance the generalizability of the findings. This limitation is mitigated, though not eliminated, by the study's orientation toward analytic rather than statistical generalisation: the jurisprudential proposition advanced in this article, that a custom's Islamic legal classification may turn on its mode of enforcement rather than its content alone, is offered as a theoretical claim to be tested against other cases rather than as a claim about the prevalence of any particular attitude within the wider Sayyid population

CRedit Authorship Contribution Statement

Zaenal Abidin: Conceptualization, Methodology, Writing - original Draft. **Diva Aulia Syahrir:** Supervision, Methodology, Writing - review & editing; **Safaa Falih Abd Ulkadhim:** Supervision, Review & Editing.

Declaration of Competing Interests

The authors declare that they have no competing financial interests or personal relationships that could influence the work reported in this paper.

Data Availability

Data will be made available on request.

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