

KAFA'AH IN THE CONTEMPORARY RABITHAH ALAWIYAH COMMUNITY: THE PERSPECTIVE OF THE INDONESIAN ULEMA COUNCIL OF ASAHAN REGENCY

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Info Artikel

Article History:

Received: Desember 3, 2025

Accepted: February 3, 2025

Published: February 20, 2025

ISSN: 2656-1654

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e-ISSN: 2656-193X

Abstract

Purpose - This research aims to analyze the concept of kafa'ah in the Rabithah Alawiyah community in Asahan and to find out the views of the Indonesian Ulema Council (MUI) of Asahan Regency on the marriage of Syarifah with non-Sayyid. In the Rabithah Alawiyah community in Asahan, which still upholds the values of the descendants of the Prophet Muhammad SAW (Ahlul Bait), the concept of kafa'ah is often associated with the prohibition of marriage outside the Sayyid or Syarifah community.

Methods - This research uses empirical legal methods with a qualitative approach. Data were collected through observation, interviews, and documentation with MUI Asahan Regency, members of the Rabithah Alawiyah community, and individual Syarifahs and Sayyids. Analysis was conducted by exploring legal facts directly to obtain accurate data.

Findings - The results showed that in the Rabithah Alawiyah community in Asahan, Syarifah's marriage with non-Sayyids is considered to damage the nasab and not maintain family honor. This is not only because of kafa'ah considerations but also as an effort to maintain the purity of the Prophet's lineage in the contemporary era until the end of time.

Contribution/Limitation of Research - This research provides an understanding of the dynamics of kafa'ah in the Rabithah Alawiyah community and its relevance to contemporary Islamic family law. However, this research is limited to the community in Asahan, so the findings cannot be generalized to other regions.

Originality/Value - This research offers a contemporary Islamic Family law perspective on kafa'ah in marriage. The findings can serve as a reference for Islamic law academics and practitioners in understanding the concept of kafa'ah in the modern social context.

Keywords: MUI, Kafa'ah, Rabithah Alawiyah

Abstrak

Tujuan - Penelitian ini bertujuan untuk menganalisis konsep kafa'ah dalam komunitas Rabithah Alawiyah di Asahan serta mengetahui pandangan Majelis Ulama Indonesia (MUI) Kabupaten Asahan terhadap pernikahan Syarifah dengan non-Sayyid. Dalam komunitas Rabithah Alawiyah di Asahan, yang masih memegang teguh

nilai-nilai keturunan Nabi Muhammad SAW (Ahlul Bait), konsep *kafa'ah* sering kali dikaitkan dengan larangan menikah di luar komunitas Sayyid atau Syarifah.

Metode - Penelitian ini menggunakan metode hukum empiris dengan pendekatan kualitatif. Data dikumpulkan melalui observasi, wawancara, dan dokumentasi dengan MUI Kabupaten Asahan, anggota komunitas Rabithah Alawiyah, serta individu Syarifah dan Sayyid. Analisis dilakukan dengan mengeksplorasi fakta hukum secara langsung untuk memperoleh data yang akurat.

Temuan - Hasil penelitian menunjukkan bahwa dalam komunitas Rabithah Alawiyah di Asahan, pernikahan Syarifah dengan non-Sayyid dianggap merusak nasab dan tidak menjaga kehormatan keluarga. Hal ini bukan hanya karena pertimbangan *kafa'ah*, tetapi juga sebagai upaya menjaga kemurnian nasab Rasulullah SAW di era kontemporer hingga akhir zaman.

Kontribusi/Keterbatasan Penelitian - Penelitian ini memberikan pemahaman tentang dinamika *kafa'ah* dalam komunitas Rabithah Alawiyah serta relevansinya dengan hukum Keluarga Islam kontemporer. Namun, penelitian ini terbatas pada komunitas di Asahan sehingga temuan belum dapat digeneralisasikan ke wilayah lain.

Keaslian/Nilai - Penelitian ini menawarkan perspektif hukum Keluarga Islam kontemporer mengenai *kafa'ah* dalam pernikahan. Temuan ini dapat menjadi rujukan bagi akademisi dan praktisi hukum Islam dalam memahami konsep *kafa'ah* dalam konteks sosial modern.

Keywords: MUI, *Kafa'ah*, Rabithah Alawiyah

INTRODUCTION

Marriage plays an important role in forming community life, especially maintaining the continuity of bloodlines, social status, and religious values to build a happy and eternal family (Sukmawati & Khadafi, 2022). One of the factors that encourage the creation of household harmony for married couples is *kafa'ah* (Bakir & Hafidz, 2022). Marriages that are unbalanced and have many differences cause ongoing problems. Thus, *kafa'ah* is recommended when choosing a partner (Anas et al., 2023).

Kafa'ah in KBBI is balanced, which means balance when choosing a life partner (Sirait & Rokan, 2023a). For a marriage to be considered *kafa'ah*, the parties involved must work together in harmony and balance so that no party feels pressured to marry (Rahmawati, 2021). The nature of *kafa'ah* means that the characteristics of the woman being

considered for marriage must also exist in the man who marries her (Vera et al., 2018).

In Islamic law, neither the Quran nor Hadith is *kafa'ah* a valid condition of marriage. There is no clear regulation prohibiting marriage between *syarifahs* and non-sayyid men. Still, in the Rabithah Alawiyah community, *kafa'ah* is considered important to maintain family honor and lineage (Kusrin, Rahim, et al., 2025). This view often creates tension between social norms and religious legal requirements (Sidqi & Rasidin, 2023).

Rabithah Alawiyah is an Islamic organization that focuses on maintaining and strengthening the identity and heritage of the *alawiyyin* descendants, namely the descendants of the Prophet Muhammad SAW (Rahmaniah & Taufik, 2024). Through Sayyidina Ali bin Abi Talib and Fatimah Az-Zahra, organize and preserve the religious,

social, and cultural values inherited by the community. The term also expresses the Rabithah Alawiyah community, men with the nickname *Sayyid* or *Syarif* or *Habib* and women with the nickname *Sayyidah* or *Syarifah* or *Hubabah* from the descendants of *Sayyidina* Hasan and *Sayyidina* Husain R.a (Sirait & Rokan, 2023b).

Regarding religious and national security issues, the Indonesian Ulema Council is the main source in issuing fatwas and directives for the government and Muslims (Kristanto, 2020). MUI's view on *kafa'ah* in the context of Rabithah Alawiyah is important to examine, especially concerning contemporary issues of Islamic family law. This becomes relevant to understanding how Islamic teachings can be implemented without abandoning tradition but still adapting to changing times. As is known, Indonesia is a large country with a majority Muslim population and rich in diverse cultures. Therefore, marriage in Indonesia is often inseparable from the influence of strong customs and culture in society. One of them is among *syarifah* of Arab descent who still apply the rule of *kafa'ah* in determining a mate (Nazwan & Cholil, 2023).

In a marriage, in addition to the terms and conditions that affect the validity of a marriage, there are also other rules in the literature of classical fiqh books, one of which is the concept of *kafa'ah* (Irfan & Amri, 2020). However, the facts that occur in Asahan Regency, North

Sumatra, there is a marriage between *syarifah* and non-*sayyid* so that it does not maintain and preserve the lineage, nor is it following the concept of *kafa'ah* in *syarifah* marriage (Prasetyo & Muhsin, 2024). Thus, this is contrary to the rules of *kafa'ah* in *syarifah* marriage.

Among the Rabithah Alawiyah Asahan community, for example, they still adhere to applying the principle of *kafa'ah* nasab when marrying off their sons and daughters. This is for fear that the lineage with the Prophet Muhammad will be cut off, so *sharif* and *syarifah* are prohibited from marrying other than *Sayyid*. The reason is simple: maintaining the honor attached to their lineage is paramount. Marrying someone who is not a *sayyid* is an inevitable fate, according to the researcher's interview with an Asahan *syarifah*. From this question, the researcher is interested in research to find out the concept of *kafa'ah* in the Rabithah Alawiyah community in Asahan towards *syarifah* marriage with non-*sayyid*, as well as the view of MUI Asahan Regency regarding the concept of *kafa'ah* in the community.

As for some previous research that discusses the concept of *kafa'ah* among *sayyids*, it has been carried out by (Satria, 2023) the prohibition of *syarifah* marriage with non *sayyid* men (a study of the views of the *habaib* of the Empang Bogor Arab community), also research (Ningsih, 2023) the impact of *syarifah* marriage with non *Sayyid* on family relations (case study in Satui sub-

district, Tanah Bumbu district) and research by (Alathas, 2022) the marriage of *kafa'ah syarifah* with non *Sayyid* (comparative study according to Maliki Madzhab and Shafi'I Madzhab about *kafa'ah* nasab). The novelty of this research lies in the in-depth exploration of MUI's view of the concept of *kafa'ah* in the specific context of the Rabithah Alawiyah community in Asahan Regency, which has not been specifically studied in previous research.

This research aims to analyze *kafa'ah* in Islamic law, knowing the concept of *kafa'ah* towards *syarifah* marriage with *non-sayyid*, focusing on how the concept is understood, applied, and influenced by religious values and local culture. Also, knowing the views of the Islamic Ulema Council (MUI) of Asahan Regency regarding the concept of *kafa'ah* in the Rabithah Alawiyah community in Asahan Regency.

This research provides an academic contribution to expanding studies in Islamic studies, especially those related to Islamic family law, socio-cultural interpretation, and the dynamics of Muslim society. In addition, this research can serve as a foundation for further research related to the adaptation of Islamic concepts in the context of local communities and provide a new perspective in the dialog between religious traditions and socio-cultural practices. The results are expected to enrich the academic literature and become a reference for other researchers in similar studies.

RESEARCH METHODS

The author used field research using empirical legal research methodology in this work. One approach to legal studies is known as empirical legal research and relies on data collected from actual human actions, such as interviews and direct observation (Sidiq & Widodo, 2022). Qualitative techniques are used, and this research emphasizes describing or analyzing phenomena. The primary data sources used are observations and interviews with MUI Asahan Regency and Rabithah Alawiyah organization among *syarifah* and *Sayyid*. Secondary data are also from books and journals related to marriage *kafa'ah*.

RESULTS AND DISCUSSION

Conception of *Kafa'ah* in Islamic Law: The Principle of Equality in Marriage

Arabic literature defines *kafa'ah* from the word كَفَى, which means equal or the same (Fattah, 2021). According to Islamic law, *kafa'ah* or *kufu* in marriage refers to a state of harmony and balance between the prospective husband and wife, where neither party feels obliged to carry out the marriage (Sadiqin et al., 2024). On the other hand, he is socially and economically equal to his future wife, and they are both in the same situation (Nasution, 2019).

Thus, *kafa'ah* prioritizes compatibility, harmony, and balance, especially concerning religious issues, such as worship and morals (Bakir & Hafidz, 2022). The formation of classes is

implied in the interpretation of *kafa'ah* as equality in terms of money or rank, even though people are considered equal in the eyes of Allah SWT. The underlying doctrine of *kafa'ah* has equality as its main element, and this equality is derived from religious teachings.

The legal basis for *kafa'ah* according to scholars in the Qur'anic verse is precisely in Surah Al-Ḥujurāt verse 13 as follows:

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَىٰكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ

The verse explains that Allah SWT. He has created humans from men and women and created various nations and tribes to know each other. Each individual has its value, according to this verse, which is the fulfillment of their obligations to Allah and their fellow human beings. One's piety illustrates that religious affiliation needs to take precedence over all other considerations when choosing a life partner (Gustiawati & Lestari, 2018). The reason is that religious people can provide peace at home. Morality and politeness in interpersonal relationships, especially husband and wife relationships, are taught in the Qur'an (Basri, 2019).

Hadith from At-Tirmidhī

عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "إِذَا خَاطَبَ إِلَيْكُمْ مَنْ تَرْضَوْنَ دِينَهُ وَخُلُقَهُ فَزَوِّجُوهُ، إِلَّا تَفْعَلُوا تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ عَرِيضٌ"

Meaning: Abu Hurairah reported that the Messenger of Allah (SAW) said: "If a man comes to you whose religion and character you like, marry him. If you do not, there will be fitnah and great destruction on earth."

This hadith emphasizes the importance of considering religion and morals as the main criteria in choosing a partner, not just social status, descent, or other factors. This is the basis for the concept of *kafa'ah* in marriage, which emphasizes equality between partners in terms of religion and morals as more important than heredity or social status (Anuz, 2019).

According to Imam Maliki, *kafa'ah* is a matter of religion. The people of the book had various beliefs, reflecting the fact that the ancient times were very different from our own. Meanwhile, the *kafa'ah* of *nasab* is the most important criterion in *syarifah* marriage because *nasab* is not valid if there is no *kafa'ah* (Muhtarom, 2018). Human equality in the Quran does not provide specific rules, i.e., there is no advantage between one human being and another, and differences in social status, ethnicity, and lineage cannot be inviolable for one purpose. Some scholars argue that this marriage ban is contrary to the equality of human status as a whole.

Ulama issued an opinion in determining *kafa'ah* (Harahap & Arfa, 2023). The basis of *kafa'ah* is as follows:

- 1 The basis of *kafa'ah*, according to Hanafiyah scholars, is descent or *nasab*, many Muslims in the kinship line, profession or *Hirfan*, Merdeka status on him, the level of quality of diversity or *Diyannah*, and property.
- 2 The basis of *kafa'ah*, according to the Malikiyah scholars, namely *diyannah*, is the level of quality of diversity in Islam and not having physical defects.
- 3 The basis of *kafa'ah*, according to the Shafi'iyah scholars, namely *diyannah*, *nasab*, *hirfah*, and independence.
- 4 The basis of *kafa'ah*, according to the Hanbalis, is *hirfah*, *diyannah*, wealth, independence, and *nasab*.

Islam offers two perspectives that should be considered when deciding on the requirements for a potential spouse. First is the religious, dynastic, wealthy, and attractive side. The second side deals with matters of individual preference and pays more attention to things like tribal affiliation, socioeconomic status, mental habits, character quirks, and health challenges, among other things (Sharipuddin & Banna, 2022). According to Imam Hanafi, Shafi'i, and Hambali, *kafa'ah* includes descent as one of its requirements. However, according to Imam Malik, *kafa'ah* is solely a matter of religious observance and a condition free from shame, not honor or family lineage (Rahmawati, 2021).

The concept of *kafa'ah* in Islam serves two purposes: first, to prevent unfair accusations that arise when unequal couples marry, and second, to ensure that husbands and wives can adapt to each other's way of life and build a stable household whose presence is seen as the realization of the ideals and goals of marriage (Armia & Nasution, 2019).

History of the Origin of the Rabithah Alawiyah Community in Asahan Regency, North Sumatra

The influx of Arab descendants to Asahan Regency, like the influx in various parts of Indonesia, is generally related to the wave of Arab trader migration in the 18th to early 20th centuries. During this period, traders from Hadramaut, South Yemen, began migrating to Southeast Asia, including Indonesia (Rahmaniah & Taufik, 2024). Their main objectives were to trade, spread Islam, and seek a better life. Many Arab descendants entered through ports on the coast of Sumatra, such as Palembang, Aceh, Medan, and Tanjung Balai. They started living in Indonesia, precisely in Palembang, then developed until they entered the area near the Strait of Malacca, namely the coast of Tanjung Balai, which became a strategic area and the busiest trade route at that time, then developed to the Asahan area and became its permanent residents.

One of them is Sayyid Ali Alhaddad, of Arab descent, who arrived in Asahan by sea using a ship and is a descendant

of the 36th Messenger of Allah. He works as a trader and scholar. He married Syarifah Hasanah Assegaf, who was also of Arab descent. Apart from trading, other sayyids spread Islam in the Asahan region, marrying locals to strengthen social and cultural relations. In Asahan, Arab descendants often mingled with the local Malay community through marriage. They played a role in social, cultural, and religious life. One of the traces of this history is seen in the influence of Arab culture, both in mosque architecture, traditions, and the use of surnames such as Alaydrus Alhabsyi (M. Al-Haddad, personal communication, December 2024).

In Asahan district, North Sumatra, there is a community of sayyids and *syarahs*, and this community is called Rabithah Alawiyyah, which was founded in 2010 and was chaired by Sayyid Ustman Assegaf. He is a descendant of the Prophet Muhammad and works as a scholar. Then, this community stopped and changed its name to Rabithah Alawiyah Youth, which began to be active in 2022 on Jalan Kenikir Mutiara. This community totals 12 sayyids and 12 *syarifahs* who still come from the closest family, which is used as a place of *silah turahmi*. The management of this organization is chaired by Sayyid Ibnu Alaydrus, vice chairman Sayyid Muhammad Rizky Alyahya, secretary Sayyid Muammar Al-Haddad, treasurer Syarifah Fadhillah Assegaf. And this community is also

now a place of friendship between fellow brothers.

The Concept of *Kafa'ah* Toward *Syarifah* Marriage with Non-Sayyid According to the Rabithah Alawiyah Community in Asahan Regency

Many have known that it is highly recommended that Sharifs marry men from the sayyid class. In the book *Bughyah al-Mustarsyidin* by al-Allamah as-Sayyid Abdurahman bin Muhammad bin Husain al-Mashhur Ba'lawi said:

شَرِيفَةٌ عَلَوِيَّةٌ حَظْبَهَا غَيْرُ شَرِيفٍ فَلَا أَرَى جَوَازَ
النِّكَاحِ وَإِنْ رَضِيَتْ وَرَضِيَ وَلِيَّهَا لِأَنَّ هَذَا

النَّسَبُ الشَّرِيفُ الصَّحِيحُ لَا يُسَامَى وَلَا يُزَامُ
وَلِكُلِّ مِنْ بَنِي الرَّهْرَاءِ فِيهِ حَقٌّ قَرِيبُهُمْ

و بَعِيدُهُمْ ، وَأَتَى يَجْمَعُهُمْ وَرِضَا هُمْ ، وَقَدْ وَ
قِعَ أَنَّهُ تَزْوِجٌ بِمَكَّةَ الْمُشَرَّفَةِ عَرَبِيٌّ بِشَرِيفَةٍ ، فَقَامَ عَلَيْهِ
جَمِيعُ النَّسَبِ دُونَ هَذَا وَسَاعَدَهُمُ الْعُلَمَاءُ عَلَى ذَلِكَ
وَهَتَّكُوهُ حَتَّى لِيَهُمْ أَرَادُوا الْفِتْنَةَ بِهِ حَتَّى فَارَقَهَا ، وَوَقِعَ
مِثْلُ ذَلِكَ فِي بَلَدٍ أُخْرَى

، وَ قَامَ الْأَشْرَافُ وَصَتَّفُوا فِي عَدَمِ جَوَازِ ذَلِكَ
حَتَّى تَزَّوُّهَا مِنْهُ غَيْرَةً عَلَى هَذَا النَّسَبِ أَنْ يَسْتَخِفُّ
بِهِ وَيَمْتَنُّ

Meaning: "If a *Syarifah* 'Alawiyyah is proposed to by someone other than a Sharif, then I do not think that it is permissible, even if the woman is pleased with it and her guardian is pleased with it, because this noble lineage cannot be abused, and every Banu Zahra has a right to guardianship, whether he is a close relative or a distant relative. Indeed, there was an incident in

Mecca where a Non-Sharif Arab married a *Syarifah*. Hence, the Sadah rose and were assisted by scholars then. There was almost a fight, so they managed to separate them, which happened in other countries. Finally, they made up books about prohibiting the marriage of 'Alawiyyah with other than Alawiyyah because they wanted to protect the lineage of the Messenger of Allah (SAW)".

In the Rabithah Alawiyah community, *syarifah* marriage with non-*Sayyid* is said to damage the *nasab*, not maintaining family honor. The prohibition against the marriage of *Syarifah* and non-*Sayyid* is not only due to considerations of *kafa'ah*, but they solely want to maintain the noble lineage of the Prophet Muhammad SAW and remain connected until the last day (Prasetyo & Muhsin, 2024). Anyone with a lineage traced back to Sayyidah Fatimah Az-Zahra has a greater right to marry into the Ahlul Bayt family. According to Alawiyin scholars, this marriage is obligatory because it guarantees that the offspring will remain noble and virtuous (al-Masyhur, 1995).

According to the opinion of one of the *habibs* residing in Asahan Regency, who prefers to prohibit the *syarifah* from marrying an ordinary man. As has been conveyed by one of the *habibs* in the Rabithah Alawiyah community, namely Habib Muammar Al-Haddad, he is a descendant of the 43rd Messenger of Allah:

"In the case of *kafa'ah*, if a man and a woman are not compatible,

especially if the woman is a *syarifah*, then a non-*syarifah* cannot marry her even if the *syarifah* and her guardian agree to it." (M. Al-Haddad, personal communication, December 2024)

The scholars of the *ahl al-bayt* practiced *ijtihad* and tried to understand Shara', even though other scholars had ruled that the marriage was valid (Noor, 2023). Now that you are aware of the many verses that prohibit marriage between women who are not direct descendants of the Prophet, you should not, based on this knowledge, declare the validity of the marriage of a *syarifah* to a non-prophet based on the general text of the *fuqaha*, which states that marriage is valid if both the bride and groom are happy to be married.

Based on the information provided, it is advisable for those who marry Arab women not to support *syarifah* marriages between non-Arabs. Suppose both the bride and groom and their guardians are happy. In that case, the marriage is valid, according to the general language of the *fuqaha*. Still, one of the *habibs* in the community said that the marriage is invalid under the *kafa'ah* rule, which is intended to preserve the *nasab* and emphasize more on the *syarifah* (Mohd Kusrin et al., 2024).

Based on the above statement, the author states that the prohibition issued by the *habibs* is not forbidden

in marriage but rather a recommendation to marry the same *sekufu'* to maintain the purity of the lineage, and the lineage can be continued.

In Asahan Regency, North Sumatra, *syarifahs* marry non sayyids and this contradicts the *kafa'ah* rules that arise among *syarifahs* with sayyids, many *syarifahs* no longer use the *kafa'ah* rules. The weakness of the *kafa'ah* rule in *syarifah* marriage in Asahan Regency is that the tradition of *sekufu* marriage is no longer relevant if applied to their lives today. According to them, this rule makes restrictions and curbs their rights.

Because the times were also modern, they did not think there was a need for the law of *sekufu* marriage among Arabs. Therefore, they consider that the values derived from their ancestors and parents cannot be forced into and following the lives of the *syarifah*. Those who will organize a marriage will go through a search process to determine a suitable life partner (Mirwan et al., 2023). The author also conducted interviews with several *syarifahs* who married non-*sayyid* men in Asahan Regency, namely:

1. Syarifah Hasiah

"According to *Syarifah* Hasiah, the cause of the rejection of the tradition of *syarifah* marriage is the education factor. The education pursued by *syarifah* at the

University is different from the education of *syarifah* in ancient times, where the background of *nasab* or descent is not seen. According to Mrs. Hasiah, there is no difference between their household and other households as long as the husband and wife live in harmony and accordance with the will of Allah SWT. According to her, what is sought after is a family based on love, and their family's comfort is harmonious." (Hasiah, personal communication, July 9, 2024)

2. Syarifah Rahimah

"According to *Syarifah* Rohimah, she did not marry a sayyid because she felt that the number of sayyid descendants in Asahan Regency was small, so she indirectly accepted the changes in social traditions that occurred until now it is still harmonious according to her, marrying a sayyid is not a guarantee to enter heaven and does not guarantee a harmonious household." (Rohimah, personal communication, July 9, 2024).

3. Syarifah Hanifah

"According to *Syarifah* Hanifah, she did not marry a Sayyid because she considered their economic gap significant in their daily lives. Some *Syarifahs* choose to marry men who can better provide for their families because they do not all come from wealthy families like Sayyids. Mrs. *Syarifah* Hanifah knows the *kafa'ah* rule, but her *nasab* status is not the main thing when choosing a partner. If it is consensual and based on love, it is not a barrier to a

relationship" (Hanifah, personal communication, July 9, 2024).

4. Syarifah Farida

"According to syarifah Farida, she is not too concerned with the rules of *kafa'ah*. Choosing a partner is seen from religion as being responsible for her family. Until now, Mrs. *Syarifah* Farida's family has still been getting along. According to her, there is a sayyid whose behavior is not good to his partner, so that it gives trauma not to want to marry a sayyid." (Farida, personal communication, July 10, 2024)

Based on the interview, the author obtained information that the *syarifah* in Asahan Regency works as a Civil Servant (PNS), in this case, making the *syarifah* want her equal future husband. *Syarifah*, who is highly educated, is generally more independent and can make their own decisions, including choosing a life partner. Education also makes them more able to talk to their families about their choices, so many are more confident about marrying a non-*sayyid* if they feel that the couple is emotionally, intellectually, and spiritually compatible (Vera et al., 2018). M. Quraish Shihab's opinion in his book *Al-Quran* insight that differences in cultural and religious education levels between husband and wife often trigger conflicts that lead to failure (Shihab, 1999).

The economic situation in Asahan, as in many other areas, has influenced many aspects of life, including marriages between *syarifahs* and men

who are not sayyids. Marriage equality between *syarifahs* and non-sharifs has changed, especially with more *syarifah* women achieving higher education. *Syarifah* women in Asahan Regency with a higher education background of S1 have a high potential to marry men equal to them in education strata (Sidqi & Rasidin, 2023). Those who earn a bachelor's degree generally have a more open and rational view of various aspects of life, including marriage. Higher education teaches *syarifahs* to assess better a person's personal qualities, such as character, education, and ability to live a household life, rather than just looking at bloodlines (Fajar & Al Badr, 2021).

According to Hanbali scholars, profession is one of the important points in *kaffah* in marriage. When a man's profession is lower than a woman's profession, it can be said that they are not *kafa'ah* as well as there is *kafa'ah* in terms of religious quality, as is the case of not being *kafa'ah* between a wicked person and a worshipper (Hamid, 2008).

While economics is not the only factor, it often plays an important role in assessing the dynamics of social relationships and cross-bloodline marriages of *syarifahs* due to their lineage status, sometimes expected to marry partners who are equal in social and economic status. While cross-breed marriages may be accepted in some communities, there is often social pressure to maintain the purity of lineage. The economic independence of

both parties can strengthen their position against social pressure (Zuhriyah & Muna, 2023). In some communities, economic equality between potential partners is a key determinant of acceptance.

If the non-*Sayyid* comes from an equal or economically stronger family, the chances of being accepted by the *syarifah's* family can be higher. With the economy in the Asahan district growing, equality is more likely to be achieved, and economics influences many decisions (Subchi, 2020). *Syarifah* families may struggle between maintaining traditional values or adjusting to modern economic realities. In these cases, economically stable families may be more flexible in accepting non-*sayyids*. Marriage between *syarifahs* and non-*sayyids* in the Asahan district is a matter of social norms and how economics and family status may interact. As the economy grows in the area, couples may find more room to negotiate old values and new, more appropriate thinking (Rasidin et al., 2020).

According to the author's interpretation of the description above, the marriage between *Syarifah* and a man who does not have the nickname *Sayyid* in Asahan explains why the rules of *kafa'ah* are relaxed in this case, by mentioning factors such as *Syarifah's* level of education, the strength of love between her and her husband, their economic situation, the absence of *sayyid* descent, and environmental

considerations. *Syarifah* believes that *kafa'ah* in marriage is more about equality in religion and piety, not merely descent or social status.

In addition to arranged marriages among Arab descendants, these descendants have several cultural practices, such as *khitbah* or *ta'aruf* before marriage. At this stage, the male candidate will receive a decision from the prospective woman's family on whether their intention to propose to the *syarifah* woman is accepted (Niazi, 2020). *Fatihah*, in general, the word has the meaning of "fiance," this *Fatihah* process consists of opening, reading the purpose by the groom to propose to the woman using Arabic, followed by reading the acceptance from the woman's side, then closing by reading prayers and giving a ring represented by the mother of the man as a symbol that the woman has been bound. Both parties, especially the nuclear family, attend the process.

In this process, the proposal is giving offerings to the female party, as is done by the community in general. Then, the henna night procession is a special event for women; only Arab women, relatives, and friends are present (Jaeni, 2017). This event begins with the chanting of *qashidah burdah* and typical Arabic songs, followed by a typical Arabic *Zafin* dance by friends and relatives of the female party. After that, the event ends with the application of henna to the female candidate as a sign of blessing.

The marriage ceremony process in Arab descendants is only attended by

the nuclear family, relatives, and friends of the man while all guests and the bride wait elsewhere separately. The groom's entourage parades wearing white Arabic Gamis and Peci or *Amamah* decorated with flower arrangements, then the groom's entourage goes to the bride's house accompanied by *shalawatan* or Arabic poetry and tambourine beats (Haries & Setiawan, 2022).

Ijab qabul, the culmination of the marriage contract in this process, must be carried out by the bride's parents' guardian, after which it ends with prayer. Then, the post-marriage contract tradition, namely *Jalsah Gahwa*, is a gathering of relatives to strengthen the relationship between the two families, namely singing Arabic poetry songs while dancing the Zafin dance. This Zafin dance combines fast foot movements with the rhythm of the punch with the strumming instrument Gambus (Bilhaq, 2020). Listening to Gambus with sholawat or other Arabic songs brings out the best in the music, a blend of Malay and Middle Eastern traditions (Rahim et al., 2025).

This tradition is common if the *syarifah* marries a fellow Arab. Eventually, their child will be of Arab descent. Mutton, especially when served with *Kebuli* or *Briyani* rice, is another specialty of ancestral Arab cuisine (Kusrin, Hamjah, et al., 2025). Another variable is portion size. The culture in the Arab world is to eat together rather than individually, so portions are larger.

Suppose there is a mixed marriage among Arab groups. In that case, the wedding series is still tucked into the value of Arab traditions such as the use of henna for the bride, henna night if the bride is of Arab descent, only men are allowed to witness the marriage contract, and the bride's seclusion in a separate place, reading the Maulid prayer of the Prophet. Invitations between men and women are held separately or adjusted to conditions.

The theme of the reception held in mixed marriages usually takes a modern theme for the wedding reception. As in the dishes served, there is Arabic *Kebuli* rice, goat curry, *Mandhi* rice, or other foods related to the ethnic origin of each bride and groom because there is a view that if non-Arabs marry people of Arab descent, especially from among the sayyids, it is a blessing that they receive. Indirectly, the degree of a person of non-Arab origin is raised because his partner comes from Arab descent. (Fuadiyah & Hudaidah, 2021)

Indonesia strictly prohibits discrimination based on differences in caste, social status, ethnicity, race, religion, and so on, including in the 1945 Constitution, namely the right to establish a family through marriage in paragraph 1 of article 28 of the 1945 Constitution (1945 Constitution, 1945a) and the right to be free from discrimination and obtain protection against discriminatory treatment, in paragraph 2 of article 28 I of the 1945 Constitution (1945 Constitution, 1945b).

In addition to the 1945 Constitution, the principles of human rights towards different caste marriages are also as follows: human rights (HAM) in article 1 of Law No. 39 of 1999, that humans have inherent rights and must be upheld and respected as a gift of God. The state is obliged to protect the rights of every person and maintain human dignity (Law of the Republic of Indonesia No. 39 of 1999, 1999). Protection of human rights is entitled to every person without discrimination, as stated in paragraph 3 of Article 3 of Law No. 39 of 1999.

Thus, all forms of discrimination, including those based on caste, are not justified in Indonesian law, namely the 1945 Constitution and related laws, because they are contrary to the principle of equality before the law. In conclusion, the prohibition of marriage between different castes is a discriminatory act that deviates from the principle of human rights.

Law No. 1 of 1974 and KHI article 61 explain about *kafa'ah* that apart from religious differences, the prevention of marriage may not be carried out based on not being compatible. These articles alone set out the provisions relating to religion. The religion here is not a matter of devotion to religious teachings but rather a matter of belief and faith between Muslims and non-Muslims (Hasbi et al., 2021).

If there is no reason to forbid it, everything is permissible following the previous legal rules. Thus, Arab women may legally marry men of other

ethnicities. While this goes back to the original point, customs can become laws even if they are not explicitly stated in the law, and the point remains the same.

The View of the Indonesian Ulema Council of Asahan Regency Regarding the Concept of *Kafa'ah* in the Rabithah Alawiyah Community in the Contemporary Era

The results of interviews conducted by the author regarding the views of the MUI (Indonesian Ulema Council) in Asahan Regency on the concept of *kafa'ah* in the Rabithah Alawiyah community in Asahan Regency are as follows:

1. According to the chairman of the MUI of Asahan Regency, Mr. H. Salman Abdullah Tanjung, M.A.

"The concept of *kafa'ah* is not true and far from religious guidance; it is the same as cultivating *jahiliyyah* in a *jahiliyyah* way because it contradicts the Al-Quran. This means that they are making laws that Allah SWT does not permit. There is no prohibition in the marriage of a *syarifah* with a non-*sayyid* who is seen if it is mutually willing, like to like it there is no problem, *nasab* can be a consideration. Still, it is not a barrier to marrying a *syarifah*. *Kufu'* in the concept of *shari'ah* or Islamic *fiqh* is not a fundamental concept or a shar'i argument to allow or prohibit forbidding but consideration from choosing the best. Whether her descent is good or not, of course, she is a *syarif / syarifah*. If it is good, it is permissible to

marry her. However, it does not prevent it. It is not haram. If someone says it is not permissible, it is wrong. The most important thing in choosing a partner is seen in religion. According to Sharia, it is not correct, which means following the culture of *jahiliyyah* because it contradicts the Qur'an. Because those who are pious have glory in the eyes of Allah. The Indonesian Ulema Council has not issued a fatwa on the prohibition of *syarifah* marriages with non-*sayyids*. So, *kufu'* is not a barrier but a consideration" (S. A. Tanjung, personal communication, August 2024).

2. According to the Treasurer of MUI Asahan Mr. Dahmul Daulay, M.A.

"The concept of *kafa'ah* does not follow the Qur'an and Hadith, and *Sekufu* does not exist in Islam. This concept is not to break the offspring. So, the law is permissible if *Syarifah* marries a non-*sayyid*. In Islam, marriage does not look at ethnicity or race, so marriage is permissible except with *mahrims*, but Islam sees that it is consensual and the religion is Islam. Even though the caste level is different, it is permissible in Islam to marry. In terms of lineage, it is unfortunate that the *syarifah* married a non *sayyid* so that the descent continues for generations and is clear. The Indonesian Ulema Council has not issued a fatwa on this matter. The issue of *sekufu* or not *sekufu'* in Islam is not an obstacle for us to marry someone, but to maintain the descendants, we should maintain it." (D. Daulay, personal communication, August 2024)

3. According to the Secretary of MUI Asahan, Mr. Mahmudin Lubis, M.M.

"The concept must go back to the Al-Quran, the Sunnah of the Prophet, and the opinions of scholars. It cannot be justified that there is a prohibition of marriage with the *kafa'ah* factor because the valid marriage requirements do not include *kafa'ah*, *kafa'ah* as a consideration only. Therefore, the marriage is valid with or without *kafa'ah*, provided that the guardian and the woman agree to the marriage. However, *kafa'ah* can become a valid condition of marriage and change its legal status if there is no consent from the woman or her guardian (M. Lubis, personal communication, August 2024).

Based on the statement above, the author concludes that according to the view of MUI Asahan Regency, the concept of *kafa'ah* in the Rabithah Alawiyah community in Asahan is not true. In Islamic law, no evidence prohibits marriage between *syarifah* and non-*sayyid*. This cannot be used as an excuse to prohibit marriage because the main criteria in Islam are seen from religion, piety, and the pleasure of both parties, not descent (alathas, 2022).

In Islam, religion is the main criterion when choosing a partner, especially piety. The glory of a person in front of Allah SWT is not determined by lineage but by his piety. *Kafa'ah* can be important if there is an objection from the guardian or the woman to the prospective partner (Safiul Anam &

Mokh. Yahya, 2022). However, as long as there is willingness and consent from the parties concerned, the marriage remains valid, according to Shari'ah.

There are different opinions on understanding the verses of the Qur'an, hadith, and *Khabar*. Those who argue that lineage is not a benchmark in the concept of *kafa'ah* but rather emphasizes equality in morals and religion base their view on the words of Allah SWT: "O people, indeed We created you from a man and a woman and made you into nations and tribes so that you may know each other. Indeed, the noblest among you in the sight of Allah is the most pious among you. Verily, Allah knows best." (Q.S. Al-Hujurat: 13) (Republik Indonesia, 2020).

The concept of *kafa'ah* (equality) is not considered an absolute requirement or shar'i basis in Islam to determine whether or not a marriage is valid. The figures agree that in Islamic law, *kafa'ah* is only one of the considerations, not a barrier or mandatory requirement (Ghitsny, 2020). There is no prohibition in Islam or fatwa from the Indonesian Ulema Council that forbids marriage between a *syarifah* (descendant of the Prophet Muhammad) and a non-sharif. Marriage is allowed as long as both parties are willing and agree to follow the principles of Islamic shari'a (Salafiyah, 2018).

The Maliki school of thought does not consider *kafa'ah* in *nasab*. Meanwhile, the majority of fuqaha consisting of the Hanafi, Shafi'i, and Hanbali madhhabs

and some of the Zaidiyah Shi'a madhhab consider the existence of *nasab* in *kafa'ah* (Aziz, 2024). However, the Hanafi school specializes *nasab* in marriage to Arabs because they are the ones who are concerned about protecting their lineage and are proud of it. There is shame among them due to the incompatibility of lineage (Andri, 2021). *Nasab* or descent is only a consideration, not a barrier to the validity of marriage. The main requirement in marriage is seen as the willingness of both parties (Asobuni, 2015). Culturally, maintaining the purity of lineage is considered important in some communities, especially in maintaining the sayyid lineage.

CONCLUSION

The Indonesian Ulema Council (MUI) has not issued a fatwa or official statement that specifically addresses the application of *kafa'ah* in the Rabithah Alawiyah community in Asahan Regency. However, in general, MUI emphasizes that religious and moral aspects in marriage are the main considerations in determining equality between couples. MUI also encourages that the traditions applied in marriage do not differ from the principles of Islamic law and do not cause discrimination that does not follow Islamic teachings.

In the Rabithah Alawiyah community, applying the concept of *kafa'ah* often considers the aspect of descent (*nasab*) to maintain the tradition and identity of the community. This

shows that the practice is still ongoing in Asahan, North Sumatra. However, it is important to ensure that this concept does not ignore the principles of justice and does not lead to discrimination that does not follow Islamic teachings. Nasab is not a barrier to marriage because the main criteria in Islam are seen from religion, piety, and the willingness of both parties, not descent. However, it would be good to implement this so that the tradition of *syarifah* marriage is not lost. Thus, MUI sees the application of *kafa'ah* in the Rabithah Alawiyah community in the Asahan Regency as a general principle recommended to ensure that the practice aligns with Islamic values emphasizing justice, equality, and good morals.

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