The Impact of Unequal Marriage on Household Harmony (Case Study in Sungai Penuh City, Jambi)

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Abstract

In the current era of modernization, equal is often interpreted with meaning in terms of social standing, equal in descendants, and balanced in ownership of property. Based on observations made by the author in Sungai Penuh City, Jambi, several community opinions were found that said equal was equal in social status, descent, and wealth. This is often discussed when someone is about to get married, which is a consideration given by his family, especially his parents are to see prospective son-in-law based on social status, whose offspring, and how many prospective daughters-in-law have property. This study aims to examine in depth the case of an unequal marriage and its impact on household harmony that occurred in Sungai Penuh City, Jambi. The writing of this article uses a qualitative research method using field data in Sungai Penuh City. Data collection methods used are observation, interviews, and documentation. The technique that the author used in this research is to use qualitative analysis consisting of domain analysis, taxonomic analysis, and componential analysis. The results of the study show that there are two views of the Sungai Penuh City community on equal issues in marriage, namely people who are concerned with social status (descent and wealth) and idealistic community views with Islamic teachings.

Keywords: *Equal, Marriage, Household Harmony, Sungai Penuh*

Dampak Pernikahan Tidak Sekufu Terhadap Keharmonisan Rumah Tangga (Studi Kasus di Kota Sungai Penuh, Jambi)

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Abstrak

Di era modernisasi saat ini, sekufu itu sering ditafsirkan dengan makna sepadan dalam kedudukan sosial, sederajat dalam keturunan dan seimbang dalam kepemilikan harta. Berdasarkan observasi yang penulis lakukan di Kota Sungai Penuh, Jambi, ditemukan beberapa pendapat masyarakat yang mengatakan sekufu itu adalah sepadan atau sederajat dalam status sosial, keturunan dan harta. Hal ini menjadi sering dibicarakan bila ada seseorang yang akan menikah, yang mana pertimbangan yang diberikan oleh keluarganya, terutama orang tuanya adalah melihat calon menantu berdasarkan status sosial, keturunan siapa dan berapa banyak calon menantunya itu memiliki harta. Penelitian ini bertujuan menelaah secara mendalam kasus pernikahan tidak sekufu dan dampaknya terhadap keharmonisan rumah tangga yang terjadi di Kota Sungai Penuh, Jambi. Penulisan artikel ini menggunakan metode penelitian kualitatif yang memakai data lapangan di Kota Sungai Penuh. Metode pengumpulan data yang digunakan yaitu observasi, wawancara dan dokumentasi. Teknik yang penulis gunakan dalam penelitian ini adalah dengan menggunakan analisis kualitatif yang terdiri dari analisis domain, analisis taksonomi dan Analisis komponensial. Hasil Penelitian menunjukkan Ada dua pandangan masyarakat Kota Sungai Penuh terhadap persoalan sekufu dalam perkawinan, yaitu masyarakat yang mementingkan status sosial dan pandangan masyarakat yang idealis dengan ajaran Islam.

Kata Kunci: *Sekufu, Pernikahan, Keharmonisan Rumah Tangga, Sungai Penuh*

Introduction

Islamic Sharia never mentions the difference in the legal position between one group and another group. Because all humans are Allah's creation, who have the same position.[1] The position of humans in the sight of Allah is distinguished by the level of piety.[2] This is as the word of Allah in surah al-Hujurat 13:

يَٰٓأَيُّهَا النَّاسُ اِنَّا خَلَقْنٰكُمْ مِّنْ ذَكَرٍ وَّاُنْثٰى وَجَعَلْنٰكُمْ شُعُوْبًا وَّقَبَآئِلَ لِتَعَارَفُوْا ۚ اِنَّ اَكْرَمَكُمْ عِنْدَ اللّٰهِ اَتْقٰىكُمْ ۗاِنَّ اللّٰهَ عَلِيْمٌ خَبِيْرٌ ١٣

Meaning:

> O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted.[3]

Discussion of the descendants of the Prophet Muhammad s.a.w., of course, also has nothing to do with legal issues can or may not be married. None of the arguments found about the suggestion to marry a *ahlul bait*[4], as there is no single argument that prohibits a *ahlul bait* from marrying other than *ahlul bait*. The choice of a soul mate was never associated with *ahlul bait* or not, but based on maturity in religion and its implementation in real life. Therefore,

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[1] Maslamah and Suprapti Muzani, "Konsep-Konsep Tentang Gender Perspektif Islam," *Sawwa: Jurnal Studi Gender* Vol. 9, No. 2, 2014, p. 275–86.

[2] Abid Rohman, "Stratifikasi Sosial Dalam Al-Qur ' an," *Jurnal Sosiologi Islam* Vol. 3, No. 1, 2013, p. 17–32. Ali Maulida, "Kurikulum Pendidikan Akhlak Keluarga Dan Masyarakat Dalam Hadits Nabawi," *Edukasi Islami Jurnal Pendidikan Islam* Vol. 3, No. 2, 2014, p. 723–63. Jami'un Nafi'in, Muhamad Yasin, and Ilham Tohari, "Konsep Pendidikan Anak Dalam Perpektif Al-Qur ' an," *Edudeena: Journal of Islamic Religious Education,* Vol. 1, No. 1, 2017, p. 9–19.

[3] Departemen Agama RI, *Al-Quran Dan Terjemahnya* (Bandung: Syaamil Qur'an, 2010).

[4] Abdul Aziz Dahlan (et al.), *Ensiklopedi Islam* (Jakarta: PT Ikhtiar Baru Van Hoeve, 1994).

the issue of *kufu'* (equal) in marriage in terms of status, material, or heredity has no basis at all. As for the benchmarks in marriage is the *ridha* of each party.

In the Compilation of Islamic Law (KHI) Article 61, it is explained that unequal cannot be used as an excuse to prevent the marriage, except unequal due to religious differences or *ikhtilaafu al-dien.*[5] Therefore, what can prevent the marriage is unequal in religion or the bride and groom of different religions. Unequal in religion is justified to be the reason someone refuses others to become his life partner. Unequal in social standing, wealth, and descent cannot be a reason to cancel marriage.

In the current era of modernization, equal is often interpreted with meaning in terms of social standing, equal in descendants, and balanced in ownership of property. This can be seen clearly in the life of the community that the son of an official is tough to marry the son of a laborer. Likewise, the "blue blood descendants" are too difficult to marry a slave. In terms of wealth, it is difficult for rich people to marry poor people. The reason that is always used to obstruct marriage is unequal. In this case, officials will feel inferior if their children are married to the children of unskilled laborers, blue blood families feel worthless if one of their offspring marries a slave, and the luxurious feel abused if the offspring marries the poor. Therefore, the meaning of equality in religion has shifted to equal in social status, descent, and wealth.

Based on observations made by the author in Sungai Penuh City, several community opinions were found that said equal was equal or equal in social status, descent, and wealth. This is often discussed when someone is about to get married, which is a consideration given by his family, especially his parents are to see prospective son-in-law based on social status, whose offspring and how many prospective daughters-in-law have property. Equal is measured based on social status because they want life to be honorable, derived from the descent of blue blood because they want life to be respected and to choose a mate from the offspring of the rich because they want to live happily. Today, the instructions of Islamic teachings that teach that equal is equal in faith and piety

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[5] Abdurrahman, *Kompilasi Hukum Islam* (Jakarta: Akademika Presindo, 1995).

seem to have been ignored, and many people do not care. According to the community, interviewees stated that:

> Life cannot rely on love alone. Life needs honor, happiness, and the adequacy of shopping. Therefore, a match must be seen first so that someone does not regret it in the future. Based on love because of faith alone, choose a mate means someone wants life is not able to follow the lifestyle of others.[6]

Seeing the opinion of the community as above, then those who have been married unequally in social status, descent, and property in Sungai Penuh City will experience pressure from third parties, especially from their own family. The pressure can be in the form of ridicule, as said stupidly married to a despised person. If only the unequal person is not able to control his household, then it is likely that he will be carried away by the flow to listen to the advice of a third party, which will eventually destroy his household.

Departing from the description above, the author intends to discuss and answer the problem and raise it into an article with the title, "the impact of unequal marriage on household harmony (case study in Sungai Penuh City)". This study aims to examine in depth the case of an unequal marriage and its impact on household harmony that occurred in Sungai Penuh City.

The writing of this article uses qualitative research methods that are field research.[7] In this case study, the author conducted an in-depth study of the unequal marriage case and its impact on household harmony. In this case study, conclusions only apply or are limited to specific cases.[8] The case study that the author uses to determine the impact of unequal marriage on household harmony in Sungai Penuh City. This research was carried out in Sungai Penuh City and focused more on the case of unequal marriages and their impact on household harmony. This writing was carried out from February 2015 to April 2015.

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[6] Interview with Manaf Ripin, Pesisir Bukit District Community, Koto Bento, Sungai Penuh City, February 20, 2015.

[7]Sugiono, *Metode Penelitian Kuantitatif Dan Kualitatif* (Bandung: Alfabeta, 2009).

[8]Iskandar, *Metodologi Penelitian Pendidikan Dan Sosial (Kuantitatif Dan Kualitatif)* (Jakarta: Gaung Persada Press, 2009).

Sources of data in this study are divided into two, namely: 1) Literature data sources consisting of, Al-Quran, Sahih Hadith books, relevant books of Fiqh, relevant Islamic law books, supporting data sources such as newspapers, magazines, scientific articles, papers and so on; 2) Field data sources consisting of, Head of Sungai Penuh City Ministry of Religion Office, Head of Islamic Community Guidance Section of Sungai Penuh City Ministry of Religion Office, and Sungai Penuh City Communities are the subjects of this study. Data collection methods used are: 1) Observation method. 2) Interview method. 3) Documentation method.

The technique that I use in this research is to use qualitative analysis. The data analysis used in this study is: 1) Domain analysis. This analysis is used to obtain an overview of Sungai Penuh City, to analyze the notion of marriage, understanding of *kafaah*, impact, family, household, and harmonious understanding. This domain analysis is used by the author to analyze the data covering the subject matter being investigated, namely the impact of unequal marriage on household harmony in Sungai Penuh City; 2) Taxonomic analysis. This analysis is used to analyze data in more detail and in-depth about the causes of unequal marriages, people's views of equal issues in marriages, and efforts to foster harmonious households from unequal marriages in Sungai Penuh City; 3) Componential analysis. This analysis the author uses to analyze data on marital events and divorce events data in Sungai Penuh City related to unequal marriages. The data was also analyzed to determine the impact of unequal marriage on household harmony.

Definition of the *Kafaah* and Its Influence Against Istinbath Law

According to the language, *kafaah* comes from the word *kufu'*, which means equal, equivalent, or comparable. The plural form of the word *kufu'* is *akfa'*[9], as Ali ibn Abi Talib said:

الناس من جهة الآباء أكفاء ابوهم آدم والأم حواء.

Meaning:

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[9] Muhammad Amin Suma, *Wali Nikah Dan Problematikanya Dalam Perspektif Hukum Islam Dan Perundang-Undangan* (Jakarta: PT Raja Grafindo Persada, 2000).

Humans on the father's side are the same, their father Adam and their mother Hawa.[10]

The words *kufu'* are also found in the word of Allah s.w.t. in surah al-Ikhlas verse 4:

$$وَلَمْ يَكُنْ لَّه كُفُوًا اَحَدٌ ٤$$

Meaning:

Nor is there to Him any equivalent.[11]

According to Hanafiyah scholars, *kafaah* is a particular equivalence between men and women.[12] According to Malikiah scholars, *kafaah* is comparable in terms of religion and circumstances, namely survivors of disgrace that obliges women to exercise their voting rights.[13] According to the *Syafi'iyah* scholars, *kafaah* is an affair which obliges to reject the disgrace and humiliation, especially the comparability of men to women in the perfection of their two conditions so that they are saved from disgrace.[14] According to the *Hanabilah* scholars, *kafaah* is similarity and equivalence in five cases, namely religion, descent, freedom, work, and wealth.[15] In the Maliki school of thought, it is no longer disputed that the factor of poverty on the part of men is one of the cases that led to the cancellation of marriage by a father for his daughter, as well as the factor of independence (not slaves).[16]

Regarding *mitsil* dowry (namely dowry such as its size), *Imam* Malik and *Imam* Syafi'i scholar argue that it is not classified as a

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[10] Muhammad Rawas dkk Qal'ahji, *Mu'jam Lughah Al-Fuqaha 'Arabi-Inklizi-Ifransi* (Beirut: Dar an-Nafa'is, 1996).

[11] Departemen Agama RI, *Al-Quran Dan Terjemahnya*.

[12] Muhammad Amin Suma, *Penerapan Hukum Keluarga Di Negara Islam Dan Negara Berpenduduk Muslim* (Jakarta: Sinar Grafika, 2002).

[13] Mushthafa Ahmad, *Al-Fiqh Al-Islami Fi Tsawbih Al-Jadi Al-Madkhal Al-Fiqh Al'Am*, (Damsyiq: Al-Adib, 1968).

[14] Idris Ahmad, *Fiqh Syafi'i* (Kuala Lumpur: Pustaka Antara Sdn. Bhd., 2000).

[15] Abdurrahman Al-Jaziri, *Al-Fiqh 'Ala Al-Madzahib Al-Arba'Ah* (Mesir: Maktabah Tijaiyyah al-Kubra, 1969).

[16] Mansour Fakih, *Membincang Feminisme; Diskursus Gender Dalam Perspektif Islam* (Surabaya: Risalah Gusti, 1996).

kafaah.[17] Therefore, a father may marry his daughter with a dowry that is less than dowry *mitsil*. Most Fiqh experts argue that:

> *Kafaah* is a right for women and their guardians. A guardian may not marry a woman with a man who is unequal to him, except with his conscience and the approval of all his guardians. If the guardians and women are happy, then they may be married because the guardians have the right to prevent the marriage of women with men who are unequal.[18]

Imam Syafi'i states that if women who are married to men who are unequal without the conscience and the pleasure of the guardians, then the marriage is canceled.[19] *Imam* Hanafi stated that if a woman marries a man who is unequal without the consent of his guardian, then the marriage is not legal and the guardian has the right to prevent the marriage of women with men who are not equal because this will cause disgrace for the family.[20] *Imam* Ahmad stated that women are the rights of all their guardians, both near or far. If one of them is not happy to be married to an unequal man, then he has the right to cancel it.[21]

The scholars have agreed that women who are sane and mature can carry out all the contracts except the marriage contract and can also represent it to anyone they want without any refutation rights for anyone against it.[22] They also agreed that the marriage contract of an independent woman who is *baligh* and sensible, if carried out by her guardian according to syara' law with the approval of the woman concerned, is legal.[23]

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[17] Ahmad Azhar Basyir, *Hukum Perkawinan Islam* (Yogyakarta: Fakultas Hukum Universitas Islam Indonesia, 1995).

[18] Muhammad Jawad Mughniyah, *Fiqh Lima Mazhab, (Penerjemah) Masykur A. B. Dkk* (Jakarta: Lentera Basritama, 2002).

[19] Idris Ahmad, *Fiqh Syafi'i,* (Kuala Lumpur: Pustaka Antara Sdn. Bhd., 2000).

[20] Muhammad Amin Suma, *Hukum Keluarga Islam Di Dunia Islam* (Jakarta: PT Raja Grafindo Persada, 2004).

[21] As-Sanhuri, *Masadir Al-Haqq Fi Al-Fiqh Al-Islami, Jilid 2* (Beirut: Dar al-Fikr, n.d.).

[22] Mughniyah, *Fiqh Lima Mazhab, (Penerjemah) Masykur A. B. Dkk.* (Jakarta: Lentera Basritama, 2002).

[23] Ahmad Azhar Basyir, *Hukum Perkawinan Islam,* Yogyakarta: Fakultas Hukum Universitas Islam Indonesia, 1995).

From the description above, it can be understood that what is meant by *kafaah* is an effort so that not until a husband is lower in rank, moral or social status than his wife. The most essential *kafaah* seen by the bride and groom is the *kafaah* in religion. *Kafaah* is a tribute to a woman. That is, not every man can marry a woman. However, not vice versa, every man can marry any woman he likes. Therefore, *kafaah* in choosing a mate is required for men, but not required for women. *Kafaah* in marriage aims to realize the happiness of husband and wife for life and harmonious kinship ties so that between them, there is no regret about the *kafaah* of her partner.

Building Harmonious Households

Harmonious is a combination of various characters that form the strength of the existence of an object. This combination is what makes any color can match into a beautiful and harmonious series. That is how households should be managed. The household is a combination of various characters. There are male, female, children's, even in-laws' characters, and no human in this world can guarantee that all characters are entirely perfect. There are advantages and disadvantages.

In the household, all the advantages and disadvantages of each other combined. Sometimes the husband is low-pitched, sometimes the wife is high-pitched. This is where husband and wife are required to create harmony by filling in the blanks that exist between them. According to Hasan Ayyub, four things must be considered to create household harmony, namely:[24]

1. Do not look back

Never bring up the reasons at the beginning of a marriage. Bringing up the reasons for the past is a step that will not produce any change at all. On the contrary, it will drag the disharmony that starts from trivial problems to become complicated and tangled. If the feeling of regret continues, it is also possible that disharmony

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[24] Hasan Ayyub, *Etika Islam Menuju Kehidupan Yang Hakiki (Penerjemah) Tarmana Ahmad Qasim Dkk* (Bandung: Trigenda Karya, 1994).

leads to divorce. Therefore, face the current reality. Do not run away from problems by looking back.

2. Think objectively

Sometimes conflicts can drag other things that are not involved. This happens because the conflict is responded to emotionally. Moreover, it has involved third parties who know the internal problems of the household. Try localizing the problem in the fence. Even better if the mapping of the problem is carried out with the cooperation of the two disputing parties. For example, the problem of the lack of income from the husband's side. Do not be responded to emotionally so that dragging other problems such as husbands who are incompetent to earn a living or husband accused of being lazy. If this happens, a reverse reaction occurs. The husband will reply with words and actions that make the wife offended. However, if the husband and wife are objectives, the problem of lack of income can be solved by the cooperation of all parties in the household. It is also possible, the wife also looking for income, can even train children's independence at the same time.

3. Seeing the strengths of a partner, not vice versa

To foster a sense of optimism, look at the strengths of married couples. Do not vice versa, bring up the shortcomings owned like unequal. Maybe materially and physically, a married couple has many shortcomings. It would be challenging to find strengths, this is where the unique marriage, of course, each of them has advantages that are still hidden. At least the excess is the sincere intention in accompanying because of Allah. Such advantages are already incomparable advantages. However, while traveling, all the shortcomings of the couple are complemented by their strengths, instead of dropping or weakening the spirit to change.

4. Include sacred marriage

One of the essential footings of being willing to settle down in due to obedience to the Sharia. If according to material calculations, marriage is tiring. That is precisely the value of the rewards that Allah has promised. When the problem barely approaches the base, return it to the owner of the problem, that is Allah Swt. Pair the prejudiced feeling to Allah Swt. Look at the wisdom behind the

problem, then, of course, there is goodness in all the problems being faced. Take the *ubudiyah* approach, and do not be bored with prayer. It could be that, with *taqarrub* to Allah, severe problems can be seen as mild, and automatically, the solution will be seen in plain sight.

The emergence of various conflicts in the family often starts with economic problems. It may be that the family economy that is always felt less then causes a decrease in the spirit of charity and worship. On the other hand, it may also be materially very sufficient, but the abundance of wealth and luxury does not bring happiness in marriage. From the economic problems, it often leads to the problem of the *kafaah* with the reason that one of the couples is not eligible to marry him. Often also encountered the fact that a person has never developed his capacity even though married. When, in fact, a person who is married has a perfect personality. Likewise, in terms of insight and understanding, it is also broader and more profound, in terms of physical health, more durable and more durable, emotionally more mature and mature, skilled in business, serious in working, and organized in life activities so that the benefits of its existence for the family and surrounding community.

Another reality also shows the disharmony in family life, husband and wife conflicts often arise that lead to divorce. As a result, children who are displaced without direction appear, so they become caught up in promiscuity and drugs. All of that shows the absence of a blessing in married life. Impotence was not the case of the *kafaah* that triggered it but was caused by the inability of the husband and wife to create a harmonious household.

Sungai Penuh City Community Views of Equal in Marriage

Marriage and divorce are very urgent in human life. That is why Islamic law pays significant attention to both of these. This can be seen that both of them become one of the objects of discussion in Islamic law. Both are the most urgent discussions in the study of Islamic law. Divorce cannot be separated from marriage, and there is no divorce without marriage. Marriage is an inner and outer bond between a man and a woman to foster a *sakinah, mawaddah,* and *warahmah* household.[25] Nevertheless, when that goal is not

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[25] Hanif Cahyo Adi Kistoro and Fauzi Sulaeman, "Pernikahan Dini Di Kota Yogyakarta Ditinjau Dari Aspek Pendidikan Agama," *Al-Qalam*

achieved, then divorce is the ultimate solution that must be taken. Divorce cannot be carried out unless there is a reason that is justified by religion and the law.

Divorce is a part of marriage because there is no divorce without marriage. Marriage is the beginning of a life together between a man and a woman who is regulated in applicable laws and regulations. In all legal traditions, both civil law, common law, and Islamic law, marriage is a private contract between a man and a woman to navigate life as a married couple based on the willingness of both parties. Marriage is seen as the basis for family units that have important significance in maintaining the moral or morality of society and the formation of civilization.[26]

Besides that, the influence of materialism has affected many parents. Not a few in this day and age parents who have the thought that in looking for prospective matchmakers of their children, always consider the balance of position, social status, and descent. While religious considerations received less attention. The problem of *kafaah* (equivalent) is only measured through the material. While *kafaah* in religion rarely becomes a measure in determining matchmaking for teenagers.

Kafaah in marriage is considered very important because, with the similarities between the two husband and wife, the effort to establish and foster an Islamic household will be realized. Nevertheless, according to Islam, *kafaah* is only measured by the quality of one's faith and piety and character. Allah looks at someone's degree, poor and rich. There is no difference between the two, except for the degree of piety. Therefore, if a man is equal to a woman in faith and piety, then there is no obstacle for them to get married.

Vol. 25, No. 2, 2019, p. 431–40. Sitti Nikmah Marzuki, Hukmiah Husain, and Uswatun Hasanah, "Problematika Perceraian Masyarakat Kabupaten Bone Dalam Tinjauan Ekonomi Syariah," *Al-Qalam,* Vol. 22, No. 1, 2016, p. 337–45. Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Non-Sayyid: Perspektif Jam'iyyah Rabithah Alawiyyah Yogyakarta," *Al-Ahwal: Jurnal Hukum Keluarga Islam*, Vol. 6, No. 2, 2013, p. 129–44.

[26] Abdul Halim Barkatullah and Teguh Prasetyo, *Hukum Islam Menjawab Tantangan Zaman Yang Terus Berkembang* (Yogyakarta: Pustaka Pelajar, 2006).

Based on the author's observation in Sungai Penuh City, the tendency of some parents and prospective brides to choose, they measure the *kafaah* of their potential spouse or future son-in-law based on several measures. The first thing that is measured is the wealth owned by the prospective spouse's family. As Haryanti stated, I frankly wanted my soul mate to be a rich person.[27] Arianti stated that besides being productive, I also wanted my soul mate to be a lover.[28] If the measure is deemed sufficient, then the social status is measured again, such as rank, class, ethnicity, popularity, and prestige of life.

If the social status is following the wishes, then the next consideration is how broad the prospective spouse has the arable land. The problem of owning this arable land is a matter of prestige in life. Parents feel disadvantaged if they marry their children to prospective daughters who do not have arable land. The phrase that is often mentioned is "what does your husband feed if he does not have a large field".[29] The next *kafaah* that is considered is heredity. Salim stated the hereditary factor was necessary so that the son-in-law had clear origins, explicit behavior, and clear responsibilities. If it is not clear, then I do not want to marry my child.[30] *Kafaah,* this offspring, although not so significant influence, but often also cited as a measure for parents in marrying their children. Parents who have a high rank, position, or position are more selective in marrying their children to prospective daughters who come from descendants of people of rank as well. This attitude is generally due to reasons for not wanting a child to marry someone whose origin is unclear. However, some do not care about background issues. Parwo said that the background of offspring was not a problem, but to be my son-in-law was a son-in-law who was good at making a living because my children and descendants wanted to eat. I have to know what is the

[27]Interview with Elvira Haryanti, Sungai Penuh District Community, Sungai Penuh City, Jambi, February 5, 2015.

[28]Interview with Lisa Arianti, Tanah Kampung District Community, Kota Pudung, Sungai Penuh City, Jambi, March 15, 2015.

[29] Interview with Suhartono, Pondok Tinggi District Community, Sungai City, Jambi, March 5, 2015.

[30] Interview with Agus Salim, Kumun Debai District Community, Sungai Penuh City, Jambi, March 15, 2015.

status of my future son-in-law. If he is single, then I agree to get married.[31]

The next size of the *kafaah* is equal in religion. For society, equality in religion is a matter of principle. In this regard, the Head of the Sungai Penuh City Ministry of Religion Office stated, for the creation of a family that is full of *mawaddah* and *rahmah*, there must be harmony and harmony between the two parties, namely husband and wife. Harmony will be felt if the two are in one faith, that is together in one religion.[32]

The same thing was also conveyed by the Head of Islamic Community Guidance Section stating, one of the obligations of the Office of Religious Affairs in Sungai Penuh City is to foster community unity and integrity. One appropriate effort is to make every bride and groom married to be required to be equal in religion.[33] However, equality in religion is not a matter of consideration. According to them, "as long as one religion, then it is permissible to get married. However, whether one of the brides is a man who understands religion or a woman understands religion, that is not a serious consideration".[34] According to another view, "men or women whose religion is good, not a problem, as long as the bride is good at making a living".[35] Thus, the main reason for equality is in the same religion, not the reason for understanding religion, which is the focus of attention.

After the *kafaah* of a good man or woman whose religion is assessed, the next is the *kafaah* on bodily disability. Of course, most people do not like to marry a healthy child with a physical disability. Parents feel inferior if their average child marries someone who has a physical disability. These bodily defects include certain chronic,

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[31] Interview with Parwo, Pondok Tinggi District Community, Sungai Penuh City, Jambi March 15, 2015.

[32] Interview with Sukardi, Head of the Sungai Penuh City Ministry of Religion Office, Jambi, March 27, 2015.

[33] Interview with Pahrizal, Head of Islamic Community Guidance Section Office of the Ministry of Religion of Sungai Penuh City, March 21, 2015.

[34] Interview with Ahmadi, Pesisir Bukit District Community, Koto Dua, Sungai Penuh City, March 8, 2015.

[35] Interview with Sumitro, Sungai Penuh District Community, Gedang Village, Sungai Penuh City, March 11, 2015.

infertile or impotent diseases and deficiencies in the five senses. Bodily disability is considered a prestige of life and family honor in society.

Based on the author's observations above, it can be understood that according to the Sungai Penuh City community, if the position of men and women is equal, then it is a factor of happiness in the life of a husband and wife and more guarantees the safety of women from failure in marriage. However, in general, the point of view that justifies stratification in the field of marriage still prioritizes religious aspects. That is, in matters of religion, it is essential to be used as a benchmark in determining a decision related to marriage. For example, there is a strict ban on Muslim women with non-Muslim men or non-Muslims in Sungai Penuh City. Such a ban shows the ideal of equality in the field of religion, which should not be ignored in Sungai Penuh City. However, people only think about it and do not continue to the degree of religious understanding, such as whether the bride and groom diligently pray, fast, like to pay zakat and worship. Departing from this, the community only makes the religious *kafaah* as a symbol without the support of other factors concerning religion such as worship, *muamalah*, remembrance, and so forth.

The author acknowledges that there is a small portion of Sungai Penuh City people who prioritize religious *kafaah* as a priority, but people who tend to think so are very few. Most people who prioritize religious *kafaah* are people whose educational background is from the madrasa or tertiary religious institutions. The order of the *kafaah,* according to this society, is:

1. Religion (*ad-Din*)

According to the people of Sungai Penuh that prioritize religion as the main *kafaah* that the religious element is a commitment to the teachings of Islam, which is applied to their worship. Therefore according to them, a wicked man is unequal to a woman who has a good religion.

2. Religious (*al-Islam*)

As for what they mean, *al-Islam* is a descendant of Islam. Therefore, men who have recently converted to Islam are unequal to women who have long embraced Islam. Conversely, men who have

embraced Islam for a long time are unequal to women who have only embraced Islam.

3. Independence (*al-Hurriyah*)

According to the people that independence became one of the elements of *kafaah*. Therefore, slave men are unequal to free women. They even added that male slaves who had been independent were unequal to women who had been independent of the origin, and men of descendants of slaves were not *kufu'* with women whose grandparents had never been slaves.

4. Descendant (*al-Nasab*)

What is meant by descent is a person's relationship with his origins, namely his father and ancestors. In this case, a child is bright whom the father is, not the adopted child. Specifically for offspring, they emphasize that unequal children from offspring are good with offspring from offspring of bad people or criminals.

5. Wealth (*al-Maal*)

According to the community, what is meant by assets is the ability to pay dowry in cash and the maintenance of marriage later, not abundant in the sense of people who have sufficient assets.

6. Profession or occupation

The work that someone does to make a living for their survival is also called livelihood. The work of the prospective husband or family is the same as or near the work of the prospective wife or family. Therefore, a man whose work is rough and low is unequal to women from families whose jobs are respectable.

7. Surviving spiritual and physical disabilities that cause *khiyar*, like crazy, leprosy and so forth. Someone who has a disability, both men and women unequal with healthy people from disabilities.

According to this idealist society with Islamic teachings, the measure which should not be negotiable is the religious *kafaah,* which includes piety in it. *Kafaah* in religion is a philosophy of life according to the teachings of the Prophet Saw. It is measured in terms of Muslims and non-Muslims, both religious and wicked, virtuous and immoral, good and evil, and other opposing measures.

In Islamic teachings, every man is free, entitled and justified by law to marry a woman of any status, as long as it does not damage the religious provisions.

According to the author, the seven *kafaah*'s that have been mentioned are better, but the priority remains the *kafaah al-Din*. The thicker the husband and wife's faith, the hope that the household built will be more open to the *sakinah, mawaddah,* and *warrahmah* household. Therefore, the pillar of religion is decisive in taking the attitude, steps, and perspective of husband and wife in wading through the household. Therefore, the religious *kafaah* cannot be used as a mere symbol but must be followed by actual practice.

Fostering Harmonious Households from Unequal Marriage in Sungai Penuh City

Efforts to foster harmonious households are a shared responsibility, namely the government, the community, and the family itself. Unequal marriages have the potential to make households out of harmony. To avoid this disharmony, the following steps should be taken:

1. Optimization of Islamic education in the family
Islamic education is the most effective effort in fostering prospective husbands and future wives. If the prospective husband and wife have understood Islamic education, then their character and mindset will tend to be good, the impact will be good for them in fostering their household. The most important thing from this effort is to raise awareness that humans are equal, only piety is what distinguishes it. If this mindset has been embedded in the prospective husband and wife, then both will compete to do good and not consider their partner lower than themselves.[36]

2. Improvement of Islamic education in the community
Islamic education also develops in society through religious counseling, recitals, and *halaqah*, all of which are to foster the mental and spiritual community. This effort is intended to form a

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[36] Nursyahbani Katjasungkana, *Perempuan Dan Syariah Islam Dalam Konteks (Sistem Hukum) Indonesia* (Jakarta: INIS, 1993).

society whose behavior and mindset tends to Islamic teachings. If the community has realized the importance of religious values in life, the people's behavior and mindset are always colored by Islamic values, which in turn will foster a tolerant religious spirit. For example, a husband sees his wife as a partner in fostering a *sakinah* household.[37]

3. Growing legal and ethical awareness in the family

If Islamic education is engrained and deeply rooted in society, the next step is to develop legal and ethical awareness in the family. Legal awareness, especially understanding the rights and obligations of husband and wife, is a strategic step in fostering the household. If the husband and wife have understood their rights and obligations, the household built will become stiff.[38]

4. Hold family counseling

A right family is a family that often imitates kindness to the family that it has considered ideal. Likewise, to maintain the integrity of the household, husband and wife need to consult with experts such as scholars, husbands, or wives who are successful in fostering their household. Family counseling is an attempt of husband and wife in avoiding disputes so that both can be guided by the results of the consultation.[39]

5. Coaching the teenage marriage age

Guidance of adolescent marriage age is coaching conducted by the government and the community in tackling early marriage and its consequences. This coaching aims to provide understanding to adolescents about life in the household. This youth coaching is an

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[37] Lies Marcoes Natsir, *Gerakan Perempuan Islam: Antara Konservatifisme Dan Upaya Menuju Aksi Praksis Kesetaraan Dalam Islam* (Jakarta: Rahima, 2005).

[38] Oliver Richard Jones, *Kedudukan Wanita Dalam Hukum Negara Dan Hukum Islam Di Republik Indonesia Ditinjau Dari Hukum Internasional* (Malang: ACICIS Universitas Muhammadiyah Malang, 2004).

[39] Soemiyati, *Hukum Perkawinan Islam Dan Undang Undang Perkawinan* (Yogyakarta: Liberty, 1997).

effort to prepare the mentality of adolescents in wading through married life so that after the teenager is married, there will be no turmoil or disputes.[40]

6. Family economic empowerment

Most people identify *kafaah* with wealth. Therefore, the economic capability of the family is an important thing that needs to be empowered. In order to achieve family welfare from the economic sector, the family economy needs to be empowered. If the family economy is strong, disputes over differences in wealth will be handled well.[41]

7. Efforts to improve family nutrition

Family nutrition needs to be improved because it is related to health. If family nutrition is fulfilled, then a sense of comfort, safety, and prosperity will automatically be realized. If only that comfort had been created in a household, then disputes over differences in *kafaah* would be avoided.[42]

8. Carry out marriage counseling at each wedding event

Every marriage needs to be advised in the form of matters relating to the readiness of the bride and groom in taking the household. One effect of the counseling is the emergence of feelings of confidence to get married for the bride and groom. The admonition also explained that the husband and wife are forbidden to find fault with their partners, one of which increases the difference in *kafaah*. [43]

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[40] Zaitunah Subhan, "Peningkatan Kesetaraan Dan Keadilan Jender Dalam Membangun Good Governance," 2004, http://www.duniaesai.com/.

[41] Hendrieta Ferieka, "Manajemen Pemberdayaan Ekonomi Keluarga," *Dedikasi: Journal of Community Engagment*, Vol. 1, No. 3 2011, p. 27–42.

[42] Hasan Ayyub, *Etika Islam Menuju Kehidupan Yang Hakiki (Penerjemah) Tarmana Ahmad Qasim Dkk.,* (Bandung: Trigenda Karya, 1994).

[43] Ali Affandi, *Hukum Waris: Hukum Keluarga Dan Hukum Pembuktian* (Jakarta: Bina Aksara, 1986).

According to the opinion of the writer, besides the things that have been mentioned above, it is also necessary steps to strive for harmonious household development from unequal marriage. These steps include implementing legal instruments that can make divorce difficult, overcoming husband and wife disputes as early as possible, carrying out *sakinah* family coaching since the family began to form, implementing a conventional marriage registration administration system to minimize the space for husband and wife to file for divorce, and intensifying back to recitals in the community.

These efforts should be carried out systematically, planned, measured, and the application touches people's lives. Family polemic is a very taboo subject so that steps are needed that are fast, integrated, and synergized with the wishes of the government in fostering a harmonious family. For this reason, efforts to prevent divorce are needed to create a family that is *sakinah, mawaddah, warrahmah,* or a harmonious family.

Conclusion

There are two views of the Sungai Penuh community on the issue of equal marriage, namely a society that is concerned with social status (descent and wealth) and an idealist view of society with Islamic teachings. The view of the community that is concerned with social status (descent and wealth) states that the problem of equality in marriage is equal to the size of wealth, equal to social status, equally tend to the extent of owning land, equal tends to offspring of high-ranking parents, equal tends to be religious and equal tends to disability. Meanwhile, according to the idealist view of Islam with the teachings of the people who put the religious *kafaah* (*ad-Din*), then the religious *kafaah* (*al-Islam*), the *kafaah* of independence (al-Hurriyah), the *kafaah* of descendant (al-Nasab), the *kafaah* of wealth (*al-Maal*), the profession or occupation *kafaah* (*al-Hirfah, al-Mihnah*) and the *kafaah* are saved from spiritual and physical defects that cause *khiyar* such as crazy, leprosy and so on.

Efforts to foster harmonious households from unequal marriages in Sungai Penuh City are optimizing Islamic education in the family, increasing Islamic education in the community, fostering legal and ethical awareness in the family, holding family counseling, fostering adolescent marriage age, empowering the family economy, efforts to improve family nutrition, conduct marriage counseling on

every marriage event, apply legal instruments that can complicate a divorce, resolve husband and wife disputes as early as possible, carry out *sakinah* family coaching since the family began to form, implement a regular marriage registration administration system to minimize the space for husband and wife to file a divorce, and reviving religious studies in the community.

References

Book

Abdul Aziz Dahlan, (et al.), *Ensiklopedi Islam*. Jakarta: PT Ikhtiar Baru Van Hoeve, 1994.

Abdurrahman. *Kompilasi Hukum Islam*. Jakarta: Akademika Presindo, 1995.

Ali Affandi, *Hukum Waris: Hukum Keluarga Dan Hukum Pembuktian*. Jakarta: Bina Aksara, 1986.

Idris Ahmad, *Fiqh Syafi'i*. Kuala Lumpur: Pustaka Antara Sdn. Bhd., 2000.

Ahmad Mushthafa. *Al-Fiqh Al-Islami Fi Tsawbih Al-Jadi Al-Madkhal Al-Fiqh Al'Am*. Damsyiq: Al-Adib, 1968.

Abdurrahman Al-Jaziri. *Al-Fiqh 'Ala Al-Madzahib Al-Arba'Ah*. Mesir: Maktabah Tijaiyyah al-Kubra, 1969.

As-Sanhuri, *Masadir Al-Haqq Fi Al-Fiqh Al-Islami, Jilid 2*. Beirut: Dar al-Fikr, n.d.

Hasan Ayyub. *Etika Islam Menuju Kehidupan Yang Hakiki (Penerjemah) Tarmana Ahmad Qasim Dkk*. Bandung: Trigenda Karya, 1994.

Abdul Halim Barkatullah, and Teguh Prasetyo. *Hukum Islam Menjawab Tantangan Zaman Yang Terus Berkembang*. Yogyakarta: Pustaka Pelajar, 2006.

Ahmad Azhar Basyir, *Hukum Perkawinan Islam*. Yogyakarta: Fakultas Hukum Universitas Islam Indonesia, 1995.

Departemen Agama RI. *Al-Quran dan Terjemahnya*. Bandung: Syaamil Qur'an, 2010.

Mansour Fakih, *Membincang Feminisme; Diskursus Gender Dalam Perspektif Islam*. Surabaya: Risalah Gusti, 1996.

Iskandar, *Metodologi Penelitian Pendidikan dan Sosial (Kuantitatif dan Kualitatif)*. Jakarta: Gaung Persada Press, 2009.

Oliver Richard Jones, *Kedudukan Wanita dalam Hukum Negara dan Hukum Islam di Republik Indonesia ditinjau dari Hukum*

Internasional, Malang: ACICIS Universitas Muhammadiyah Malang, 2004.

Nursyahbani Katjasungkana, *Perempuan Dan Syariah Islam Dalam Konteks (Sistem Hukum) Indonesia*. Jakarta: INIS, 1993.

Muhammad Jawad Mughniyah, *Fiqh Lima Mazhab, (Penerjemah) Masykur A. B. Dkk*. Jakarta: Lentera Basritama, 2002.

Lies Marcoes Natsir, *Gerakan Perempuan Islam: antara Konservatifisme dan Upaya Menuju Aksi Praksis Kesetaraan dalam Islam*. Jakarta: Rahima, 2005.

Muhammad Rawas Qalahji, dkk. *Mu'jam Lughah Al-Fuqaha 'Arabi-Inklizi-Ifransi*. Beirut: Dar an-Nafa'is, 1996.

Soemiyati, *Hukum Perkawinan Islam dan Undang Undang Perkawinan*. Yogyakarta: Liberty, 1997.

Sugiono, *Metode Penelitian Kuantitatif dan Kualitatif*, Bandung: Alfabeta, 2009.

Muhammad Amin Suma, *Hukum Keluarga Islam Di Dunia Islam*. Jakarta: PT Raja Grafindo Persada, 2004.

———. *Penerapan Hukum Keluarga Di Negara Islam Dan Negara Berpenduduk Muslim*. Jakarta: Sinar Grafika, 2002.

———. *Wali Nikah Dan Problematikanya Dalam Perspektif Hukum Islam Dan Perundang-Undangan*. Jakarta: PT Raja Grafindo Persada, 2000.

Journals

Nurul Fattah, "Hukum Pernikahan Syarifah Dengan Laki-Laki Non-Sayyid: Perspektif Jam'iyyah Rabithah Alawiyyah Yogyakarta." *Al-Ahwal: Jurnal Hukum Keluarga Islam*, Vol. 6, No. 2, 2013: 129–44.

Hendrieta Ferieka, "Manajemen Pemberdayaan Ekonomi Keluarga." *Dedikasi: Journal of Community Engagment*, Vol. 1, No. 3, 2011: 27–42.

Hanif Cahyo Adi Kistoro, and Fauzi Sulaeman. "Pernikahan Dini Di Kota Yogyakarta Ditinjau Dari Aspek Pendidikan Agama." *Al-Qalam,* Vol. 25, No. 2, 2019: 431–40.Doi: 10.31969/alq.v25i2.759.

Sitti Nikmah Marzuki, Hukmiah Husain, and Uswatun Hasanah. "Problematika Perceraian Masyarakat Kabupaten Bone Dalam Tinjauan Ekonomi Syariah." *Al-Qalam*, Vol. 22, No. 1, 2016: 337–45. https://doi.org/10.31969/alq.v22i2.320.

Maslamah, and Suprapti Muzani. "Konsep-Konsep Tentang Gender Perspektif Islam." *Sawwa: Jurnal Studi Gender*, Vol. 9, No. 2, 2014: 275–86. Doi.org/10.21580/sa.v9i2.636.

Ali Maulida, "Kurikulum Pendidikan Akhlak Keluarga Dan Masyarakat Dalam Hadits Nabawi." *Edukasi Islami Jurnal Pendidikan Islam*, Vol. 3, No. 2, 2014: 723–63.Doi:org/10.30868/ei.v3i06.59.

Jami'un Nafi'in, Muhamad Yasin, and Ilham Tohari. "Konsep Pendidikan Anak Dalam Perpektif Al-Qur ' an." *Edudeena: Journal of Islamic Religious Education,* Vol. 1, No. 1, 2017: 9–19. Doi.org/10.30762/ed.v1i1.443.

Abid Rohman. "Stratifikasi Sosial Dalam Al-Qur ' an." *Jurnal Sosiologi Islam,* Vol. 3, No. 1, 2013: 17–32.

Website Internet

Subhan, Zaitunah. "Peningkatan Kesetaraan Dan Keadilan Jender Dalam Membangun Good Governance," 2004. http://www.duniaesai.com/.

Interviews

Interview with Ahmadi, Pesisir Bukit District Community, Sungai Penuh City. Koto Dua, March 8, 2015.

Interview with Lisa Arianti, Tanah Kampung District Community, Sungai Penuh City, Koto Pudung, March 15, 2015.

Interview with Elvira Haryanti, Sungai Penuh District Community, Sungai Penuh City, February 5, 2015.

Interview with Pahrizal. Head of Islamic Community Guidance Section Office of the Ministry of Religion of Sungai Penuh City, March 21, 2015.

Interview with Parwo. Pondok Tinggi District Community, Sungai Penuh City. March 15, 2015.

Interview with Manaf Ripin, Pesisir Bukit District Community, Sungai Penuh City, Koto Bento, February 20, 2015.

Interview with Agus Salim, Kumun Debai District Community, Sungai Penuh City, March 15, 2015.

Interview with Suhartono, Pondok Tinggi District Community, Sungai Sungai City, March 5, 2015.

Interview with Sukardi. Head of the Sungai Penuh City Ministry of Religion Office, March 27, 2015.

Interview with Sumitro. Sungai Penuh District Community, Gedang Village, Sungai Penuh City, March 11, 2015.