

## **Forced Marriage: The Authority of Custom Law in The Practice of Marriage In Kerinci, Jambi**

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### **Abstract:**

This study discusses the authority of customary law in the practice of forced marriage in the community of Lekuk Limapuluh Tumbu Lempur, Kerinci, Jambi. Forced marriages were carried out against men and women who went out together and only returned after 20.00. They have to get married, even though they are not willing to do so, they are not even asked to be willing at all. This study uses a qualitative descriptive method. Data collection is done by observation, interviews, and documentation. This study shows that the decision to implement forced marriages was issued by four elements holding customary authority, namely the depati, ninik mamak, alim ulama, and cerdik pandai. This punishment is enforced in order to maintain religious rules, because a man and a woman who travel together until late at night have the potential to commit various violations of religious norms, especially adultery. The application of the forced marriage rule is intended as a preventive measure against these violations. Here the role of adat is to make forced marriage as a customary punishment intended to maintain religious norms.

**Keywords:** Forced Marriage; Customary Law Authority; Marriage Customs.

### **Abstrak**

Penelitian ini membahas tentang kewenangan hukum adat dalam praktik kawin paksa pada masyarakat Lekuk Limapuluh Tumbu Lempur, Kerinci, Jambi. Kawin paksa itu dilakukan terhadap laki-laki dan perempuan yang pergi berdua dan baru kembali di atas pukul 20.00. Mereka harus menikah, walaupun mereka tidak bersedia untuk itu, bahkan mereka tidak dimintai kesediaan sama sekali. Penelitian ini menggunakan metode deskriptif kualitatif. Pengumpulan data dilakukan dengan observasi, wawancara, dan dokumentasi. Studi ini menunjukkan bahwa putusan untuk menerapkan kawin paksa dikeluarkan oleh empat unsur pemegang otoritas adat, yaitu depati, ninik mamak, alim ulama, dan cerdik pandai. Hukum adat ini ditegakkan demi menjaga aturan agama, karena seorang laki-laki dan perempuan yang bepergian berdua sampai larut malam berpotensi melakukan berbagai pelanggaran norma agama, terutama perzinahan. Penerapan aturan kawin paksa dimaksudkan sebagai tindakan preventif terhadap pelanggaran-pelanggaran tersebut. Di sini peran adat adalah menjadikan kawin paksa sebagai hukuman adat yang dimaksudkan untuk menjaga norma agama.

**Kata Kunci:** Kawin Paksa; Otoritas Hukum Adat; Adat Perkawinan.



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## Introduction

Marriage in Islam is a sacred act because it has religious value. In principle, marriage in Islam is based on the willingness and agreement of the parties to be a condition for marriage, coercion (*ikrah*) is not permitted in marriage (Armia, 2011). Marriage has illegitimate consequences if the two bride and groom are not based on a sense of willingness. If one of the prospective bride and groom experiences coercion to carry out the marriage with the presence of a threat such as hitting, insulting and even killing, then the contract can be damaged (Sa'dan, 2016). Thus, the willingness and approval of the two bride and groom is important and becomes one of the important conditions before the existence of a contract in marriage.

Willingness and no coercion in this marriage is different from what happened to the people of Lekuk Lima Puluh Tumbi Lempur, Kerinci, Jambi. The occurrence of marriage in this community is due to coercion by local customs. This coercion is given to men and women who do not have marriage ties, both of them travel alone and return to the village late at night, they will be forced to marry, or if it is after 20:00 and past night, the two are considered to have eloped. If the couple returns to the village, both are required by custom to marry. The sanctions are carried out without considering the reason for them coming home at night, the consent between the two, the age of the partner,

Based on the data obtained in the field, there were forced marriages. First, couples N (male) and L (female), they married in 2015, at that time the two of them went to meet a married friend, but both returned at 06:00 in the morning (past midnight), so they are forced to marry, even though the two don't like each other (N (male), personal communication, March 8, 2017). Second, couples M (male) and R (female) are both victims of forced marriage, both are friends and traveled to Kayu Aro a long distance so they returned at 22:30, both were forced to marry even though the two were just friends and at that time M was still 18 years old and in grade 2 of senior high school while R was still fifteen years old and still in grade 3 of junior high school (R [woman], personal communication, April 20, 2017).

The customary tradition of forced marriage in the Lekuk Limapuluh Tumpi Lempur community is a tradition that has been carried out for a long time, in which the implementation by arresting and forcibly marrying partners based on several reasons demanding that custom has been violated. The traditions carried out by indigenous peoples are carried out in the midst of a society that holds tightly to religious and state values. Thus, it is an interesting thing to study as a consideration in practice where customary law becomes an authority that is implemented and needs to be obeyed. The motives of forced marriage need to be traced through empirical studies in order to uncover the main motives behind this tradition.

The study of forced marriage has become a hot topic of discussion lately,

because in the modern era there is no term coercion in marriage. In subsequent developments, research on forced marriages has been carried out with various aspects and views, such as the Masturiyah Sa'dan study which discusses the tradition of early marriage in the Madurese community where in practice they often experience coercion to marry, this study analyzes how forced marriages affect girls using Human Rights analysis, where This forced marriage tradition is contrary to human values which uphold the human rights of each individual, especially children who have the right to have their right to choose and get an education (Sa'dan, 2015).

Next Arif's research which discusses the views of the Krapyak kiai on forced marriage had a different view literally, but the same from an essential point of view. where the findings from this study are an appeal not to carry out forced marriages, even though in practice forced marriages are also legal marriages. In Islamic law, it does not justify forced marriages (*ikrah*). Likewise in positive law which requires the consent of both partners as a must, so there is no negotiation of the permissibility of forced marriage (Kurniawan, 2017). Then, Agus' research discusses the factors of forced marriage which are caused by parents, economics, education, customs, and environment. So that forced marriage has a negative impact on couples such as family conflicts, infidelity and even divorce (Mahfudin & Musyarrofah, 2019).

Some of the research above, generally examines forced marriage which is complemented by various analyses, to make it easier to find differences or similarities with the research that the author conducted, the researchers grouped this literature into several sections, namely the tradition of forced marriage, forced marriage in various perspectives, and effect of forced marriage. Then, the author's position in this position is trying to complete the existing previous studies. The focus of the shooting in this paper is the extent to which the forced marriage process occurs and how the customary law authorities deal with this forced marriage.

## **Method**

This research is a field research, using a qualitative-descriptive method. Data was collected through observation, interviews and documentation in the Lekuk 50 Tumbi Lempur Kerinci community, Jambi. The data collected is based on two sources, namely primary and secondary sources. Primary data was obtained by conducting direct interviews with informants, namely customary law authorities at Lekuk Limapuluh Tumbi Lempur, while secondary data was obtained from literature in the form of books and journals.

## Results and Discussion

### Forced Marriage in the Frame of Sharia and Custom

Forced marriage, if interpreted first, can be divided into two words, namely married and forced, married means that a change in the status of a man and a woman becomes husband and wife (Sapitri, 2020). While the word forced is an act that means pressing, pressing and so on which gives a necessity without any choice whether to want it or not (Mufidah, 2016). Seeing this definition, forced marriage has the meaning of a marriage carried out by a man and a woman which is carried out on the basis of coercion or pressure by another party and not of their own volition. Forced marriage can also be interpreted as marriage that is carried out after certain events such as the arrest of unmarried male and female partners, no family ties, no mahram ties, where the two are together in and or in a quiet place with indications that have unlawful marital relations. Forced marriage is basically an attempt to avoid the occurrence of acts that are prohibited by religion, because of this effort there are sanctions that apply if there is a partner who violates (Muhdi, 2020).

The purpose of marriage in the Shari'a is God's commandment to obtain legitimate offspring in a peaceful and orderly household bond. The purpose of marriage according to Islam besides having offspring is to uphold religion, prevent immorality and build an orderly family (Zulqurnaini, 2016). So that the roles and functions of the family can be achieved, namely the function of education, the function of sexual regulation, the function of socialization, the function of affection and the function of protection (Ali & Murdiana, 2020).

Marriage that is carried out by force is an act that is prohibited by religion as in the hadith of the Prophet Muhammad, namely:

*"From Abu Hurairah r.a. that Rasulullah Saw. said: it is not permissible to marry a widow before consulting her and may not marry a girl (virgin) before asking permission from her. They asked, "o Messenger of Allah, how to know permission?" He replied, "with him silent." (Narrated by Bukhari) (Albani, 2007).*

The hadith explains that before getting married a woman must be asked for her willingness first, because the act of marriage is an eternal association between husband and wife, harmony and longevity will not be realized if the willingness of the prospective wife is not known. Forced marriage in text is not clearly stated in the text, but this forced marriage is often termed *ijbar*, which has the meaning of an action to do something followed by responsibility (Muhammad, 2001).

The word *Ijbar* comes from the word *ajbara-yujbiru ijbaaran*, which has the same meaning as *akraha*, *arghama*, and *alzamaqahranwaqahran* means coercion or obliges (Gunawan, 2019). *Ijbar* literally means a marriage that is carried out with or on the basis of coercion in which there is no willingness between the two parties (Syaukani, 2006).

If seen from the explanation above in Islam forced marriage is known as *Ijbar* which is where there is coercion of marriage originating from parents, so the authors assess forced marriage that occurs in the Lekuk Lima Puluh Tumbi Lempur community as a sanction from custom, then this includes *ikrah* (coercion). According to the fuqaha', *ikrah* is one of the causes of the invalidity of a marriage.

The majority of scholars, except for the Hanafi priests, agreed that the marriage contract carried out by the two bride and groom must be on a voluntary basis, namely consensual without coercion. on the basis of the will of the bride and groom, if one of the two feels compelled then the contract is invalid, but if the unwillingness becomes voluntary then it will still be valid (Mughniyah, 2005). However, even though it will be considered valid if the two brides and grooms are mutually willing or mutually willing, the jury of scholars still believes that the contract is valid if there is a consent *qabul* and it is represented by the guardian (Mughniyah, 2005). Because the consent or willingness of both men and women is very important in marriage, this is because marriage is a strong and long bond between husband and wife to live together so that marriage can be *maruf* (Armia, 2011).

Then, the implementation of customs in marriage in Indonesia in general has various rules and sanctions, some are different from one another, some are the same or even similar, as is the case with the customs that exist in the Lekuk Lima Puluh Tumbi Lempur community. Lekuk Limapuluh Tumbi Lempur is an area located in Gunung Raya, Kerinci district, Jambi province. Using this term is a collection of several customary areas namely Lempur Tengah, Lempur Hilir, Lempur Mudik, Manjuntol Lempur and Desa Baru Lempur (Toni & Yulia, 2021). Indigenous peoples in the region still maintain their traditions and customs to this day (Ramadan, 2020). One of the traditions and customs that still exists and is carried out today is the custom of forced marriage.

### **The Phenomenon of Forced Marriage in the Kerinci Community, Jambi**

The phenomenon of forced marriage started with sanctions for unmarried men and women, they left the village alone together and when they returned to the village until evening, the two of them were given sanctions and forced to marry by village traditional leaders. Forced marriage in the context that occurs in the Lekuk Limapuluh Tumbi Lempur Kerinci community is a forced marriage caused by customary sanctions for unmarried men and women where both of them go on trips leaving the village and return late at night and don't even come home all night. then traditional leaders will sanction both of them and be forced to marry.

This is as explained by Mr. Kahar who is a *Depati Agung* (traditional leader), he explained that in general the community has understood and implemented the rules of the marriage law, but under certain conditions there are times when these laws cannot be implemented. Namely when there are customary sanctions for forced marriage, forced marriage occurs when there is a violation of religious and customary rules, namely there are men and women who commit immorality and

or return home after 20:00 at night, if this happens then the two of them will be married immediately because according to the rules In accordance with prevailing customs, men and women are prohibited from traveling until late at night because it will have a negative impact on the perpetrators and their families (Kahar, 2017).

The practice of forced marriage has existed and been carried out for a long time, as explained by Mr. Liman as *Depati Muncak*, he explained that this custom existed around the 1950s. unmarried women have committed acts that are forbidden for both so that the tiger pounced on them. So that the traditional leaders and the community gathered in the traditional house for deliberations regarding the incident resulting in a decision to agree on customary rules, namely forced marriage of couples who leave after 20:00, with the aim of closing the loophole for the community to commit acts that are prohibited by religion (Liman, 2017).

This sanction applies to men who are not married and women who are not married, then both of them leave the village until late at night. considered to have eloped and if the couple returns home, both of them must marry, regardless of the couple's age, whether they like it or not, and without asking why they came home so late.

The plot of forced marriage is that at one time there was a man and a woman, both of them returned and passed the specified time and were seen by the local residents, then the residents would flock to the woman's house then one of the residents called the *Depati, Ninik-Mamak, Alim-Ulama, dan Cerdik-Pandai* to be able to discuss with couples who are caught coming home late into the night and the families of both parties. According to Mr. Kahar's explanation, this deliberation was attended by traditional leaders, *Depati, Ninik-Mamak, Alim-Ulama, dan Cerdik-Pandai*, the community present, the couple who was caught coming home at night and the families of the two couples. In this deliberation, only the *Depati* and *Ninik Mamak* have a role in deciding,

After the deliberation is over, the *Depati* will provide options for the family to be able to carry out the marriage by giving time for one week. If within the stipulated period of time the wedding reception is not held, the couple is deemed to have refused, so that the family of the man and woman are subject to customary sanctions, namely being banished according to custom. This means that the two families are no longer involved in any traditional events and matters related to adat.

Of course, the application of the custom of forced marriage to the *Lekuk Lima Puluh Tumbi Lempur* community does not just apply, but there are several factors that underlie the implementation of this custom. As for the factors underlying the imposition of forced marriages on the *Lekuk Limapuluh Tumbi Lempur* community, as the results of the author's interview with *Harditon* as *Depati Anum*, he explained that there used to be a man and a woman who were traveling from the lake late at night, both on foot and on their way, the woman was pounced on by a tiger, from the information obtained, the men and women were suspected of

having committed acts prohibited by religion, therefore the community and the Deputy Agung formed a rule that prohibited men and women who were not muhrim from traveling and coming home late at night (Harditon, personal communication, April 22, 2017).

From the results of these interviews, the authors concluded that there were three factors causing forced marriages to be enforced in the Lekuk Lima Puluh Tumbi Lempur community, namely: First, the religious factor, since forced marriage was enforced due to the incident of a man and a woman who were both unmarried and then returned returning home from the lake on foot until evening, on the way back both of them were pounced on by a tiger. From the existence of this incident until now the community considers that they are carrying out actions that are prohibited by religion, as explained by Mr. Muher as Depati Parbo Singo said that if there are men and women both of them together at night, it is not impossible if they have done things that are prohibited by religion (Muher, personal communication, 27 May 2017).

Based on the results of the interviews above, it is known that the community thinks that if men and women who are not muhrim and who are not married commit acts that are prohibited by religion, they will certainly get punishment from God, as in the case of being attacked by a tiger. This becomes a social control in the community, this socio-religious control is constructed through forced marriage as an effort by the community to prevent adultery which is prohibited by religion even though the first control is within oneself, if there is no self-control it will lead to self-defeating behavior. which is prohibited by religion. If seen as a means of protecting religion, the imposition of customary sanctions on forced marriage is the goal of Islamic law, namely by protecting every human behavior by not criticizing it.(Amalia, 2017). Maintaining the good name of religion is one part of the enforcement of forced marriage customs.

*Second*, Social Factors, this factor is based on the social construction of the community, the aim is to maintain family honor and the honor of daughters making it one of the factors underlying the enforcement of customs, family expectations for children are very large, because children are the honor of the family itself, so when marriage occurs forced is not only the name of the child who is tarnished badly in society but the family name will also be affected. Therefore, the family, through their parents, forbade their children to leave the lurah if it is late at night, especially with a partner who is not a mahram.

*Third*, the customary factor, this factor aims more at the protection of customs, in custom known as customary rules which have to be carried out as social control in regulating their indigenous peoples.(Suta et al., 2021). So that this forced marriage custom becomes social control for the people of Lekuk Lima Puluh so that they do not commit acts that are prohibited by religion by imposing rules that men and women are not allowed to go out until late at night. The positive impact of forced marriage on adat is to maintain existence and carry out the function of social control of the indigenous peoples themselves.

The existence of these three factors illustrates that the purpose of enforcing forced marriages is not just a formality but rather the protection of religion, society and custom itself. However, from the enforcement of forced marriage customs, it is also necessary to look at the impacts that will be found, both positive and negative. Positively, of course, the implementation of this custom is beneficial by protecting religion, maintaining family honor and maintaining the existence of adat. However, the negative impact after forced marriage also needs to be studied, especially for the community and the perpetrators who carry out the forced marriage, this will be explained as follows:

#### 1) Impact on perpetrators of forced marriage

The existence of the enforcement of forced marriages has had various impacts, from household disharmony to divorce, as was the case with the couple M (male) and R (female), both of whom were victims of forced marriage, both were friends and traveled to Kayu Aro. with a long distance so they returned at 22:30, the two were forced to marry even though the two were just friends and at that time M was still 18 years old and in grade 2 of senior high school while R was still 15 years old and still in grade 3 of junior high school. The existence of the marriage they live in has an impact on divorce at a relatively young age of marriage, namely 9 months (R [female], personal communication, April 20, 2017).

This was also experienced by the couple N (male) and L (female), they married in 2015, at that time the two of them went to meet a friend who was married but at that time the two returned at 06:00 in the morning (past midnight), so they are forced to marry, even though the two are not consensual, the impact of their marriage relationship ends in divorce (N [male], personal communication, March 8, 2017).

Based on this incident, the authors conclude that the couple who married both were not based on consensual but coercion, and with their age being relatively young and immature, so this affected household life. Because basically a forced relationship will find it difficult to accept each other. Most couples feel unable to live a relationship because it is not based on love and coupled with a negative view of society, the community thinks that the couple who is carrying out their forced marriage has committed an act that is prohibited by religion, namely adultery, even though in reality this may not be the case, so the couple feels marginalized and ostracized by the people around him.

#### 2) Impact on society

The existence of this forced marriage custom has an impact on the community, namely many parents forbid their children to go out of the village until late at night. As explained by Endang's mother, the existence of this forced marriage rule made Endang's mother as a parent to be protective of her



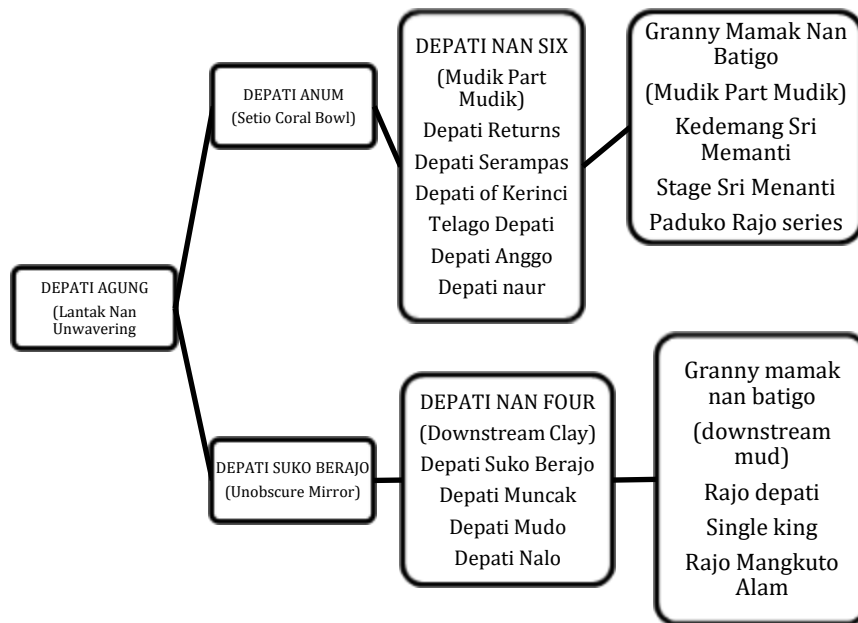
children, especially daughters. He emphasized to his daughter not to go out to play until evening and even the ending mother required her child to go home before the sunset call to prayer (Endang, personal communication, 19 April 2017).

Another impact is the great concern of parents if their children go out of the house and oblige them not to come home at night because the community also feels concerned about the spouse who is subject to customary sanctions. In general, the imposition of sanctions will have an adverse impact on the family that receives the sanction, such as the family's good name will be tarnished and the provision of customary fines or even expulsion from adat (Zulqurnaini, 2016). If you look at the positive impact of having these customary rules, it is the increasing seriousness of families in looking after their children. So that the people of Lekuk Limapuluh Tumbi Lempur feel safe and secure because they no longer hear bad news caused by the customary sanctions of forced marriages.

#### **Customary Law Authority in Forced Marriage in Kerinci, Jambi**

Talking about customary law authority, those who have customary law authority are Jambi Lekuk 50 Tambi Lempur Kerinci customary holders. The task of the customary leader is to take care of everything. Everything that must be done, must be conveyed to stakeholders before being forwarded to anyone who is interested, whether it is the depati, ninik mamak, intellectuals, religious scholars, parents or other members of the community. Customary stakeholders are responsible for carrying and conveying what happened. Stakeholders cannot decide on cases on their own, but through four types of joint meetings (Tasman, 2014).

The following is the natural customary institutional scheme of Lekuk Limapuluh Tumbi Lempur (Tasman, 2014):



The explanation about the *Depati*, *Ninik-Mamak*, *Alim-Ulama*, dan *Cerdik-Pandai* is as follows:

### 1) *Depati*

*Depati* is a person who holds the highest authority in adat and plays an important role in the social life of the community. A *depati* is elected and appointed based on his lineage and descent to lead a clan and a *Depati* cannot be appointed from another lineage. To be able to assume the title of *depati*, several conditions must be met, such as being a little rich (not lacking financially), being pious and brave, having authority, having leadership qualities, and being able to defeat the masses. The *depati* is appointed according to custom, usually attended by boys and girls. *Depati* is the person who holds the highest authority in adat as in the proverb "Eats up, decapitates and kills dead" means all matters that reach him and are tried in the traditional house. So that the results of the decision can not be changed by anyone. *Depati's* are appointed according to lineage and successors because *Depatis* cannot be appointed from other lineages.

Based on the custom of Lekuk Limapuluh Tumbi Lempur, to hold the title of *depati* one must meet the requirements as the proverb says "*simbai ekornya, tajam tajinya, nyaring kokoknya*". *Simbai ekornya* means that this person is rather well off (not lacking). *Tajam tajinya* meaning brave because it is true, authoritative, has a leadership character. *Nyaring kokonya* means clever words, and able to overcome the masses. Candidates for *depati* who have met the requirements and can be crowned as *depati*, then their title is raised by also being proclaimed by the *depati* at the gedang house (building) which is attended by the male children of the Batino child and other guests in a traditional ceremony called *kenduri*

*ske*. Candidates for *Depati* after being elevated to the title in a traditional ceremony (*kenduri ske*) then he officially serves as *depati*.

As a leader, the *depati* must fulfill the following responsibilities in the Gunung Raya District community. Firstly, *depati* takes care of his nephews. *Depati* pays attention to his nephew in every move he makes. *Depaty* orders his nephew to do good and forbids his nephew to do evil. Secondly, if there is a dispute between nephews (boys or girls), resolve it according to the local customary wisdom of the Gunung Raya district regarding disputes that arise in the community (Kahar, 2020).

## 2) *Ninik Mamak*

*Ninik Mamak*, the second highest ranking person after the *Depati*, became the *Depati*'s accomplice, fulfilling his role as a traditional leader. *Ninik Mamak* is associated with inheritance rights which are passed down from generation to generation within a clan.

## 3) *Alim Ulama*

*Alim ulama* are people who study religious laws which will become guidelines in adat, namely "adat basandi syarak, syarak basandi Kitabullah". *Alim ulama* are experts in the Islamic religion who have been hereditary as lecturers and advisors to Muslims. Historically, the *Alim Ulama* was considered the center of conscience-oriented mosques and madrasas, where Muslims often gathered to discuss issues related to society, the ummah, and faith. *Alim ulama* assist *Depati* in guiding the spirituality of the community to the right path in worldly life towards the path to the hereafter.

## 4) *Cerdik Pandai*

*Cerdik pandai* are a group of people who are knowledgeable and good at solving problems in social life in society, so that smart people are considered as advisors to the *Depati*. *Cerdik pandai* status can be obtained by anyone who is knowledgeable and knowledgeable. *Cerdik pandai* are usually a group of people who work as *depati*, *ninik mamak*, village and community heads who hold bachelor's degrees.

The traditional leaders of Lekuk Limapuluh Tumbi Lempur, Gunung Raya District, Kerinci Regency consist of *Depati*, *Ninik-Mamak*, *Alim-Ulama* and *Cerdik-Pandai*, who are known as four types of people. The *Depati*'s role is to guide, direct and resolve disputes that occur in the social life of the community, such as the issue of Forced Marriage. In carrying out his role as a traditional leader, the *Depati* is assisted by *ninik mamak*, *alim-ulama*, and *cerdik-pandai*, when there is a violation of customs, such as a couple returning late at night who is not muhrim, the *depati*, *ninik mamak*, *alim-ulama* and *cerdik-pandai* have an important role as a breaker in the issue of imposing sanctions on forced marriages.

## Conclusion

Based on the explanation above, it can be concluded that the custom of forced marriage is a sanction for couples who come home late at night, after 20.00. The implementation of this custom is inseparable from the existence of religious, social and customary factors. The religious factor protects religion and enforces religious orders and prohibitions, such as prohibiting adultery. Social factors, the construction of people's understanding of forced marriage partners, are considered consensual. The customary factor, namely the maintenance of the existence and continuity of inherited traditions. The impact of forced marriage on perpetrators is the psychological impact of family disputes that lead to divorce, and the impact on society is the overprotectiveness of parents towards their children. In establishing this law, the authority of customary law is held by four types of people, namely *depati*, *ninik mamak*, *alim-ulama*, and *cerdik-pandai*. Forced marriage was enforced in order to protect religion. Prohibition to go home at night allotment for men and women who are not muhrim go out and come home late at night. It is also feared that the two of them will commit adultery, because this is an act that is prohibited by religion.

## References

- Albani, M. N. (2007). *Ringkasan Shahih Muslim, Jilid I*. Pustaka Azzam.
- Ali, Z. Z., & Murdiana, E. (2020). Peran dan Fungsi Keluarga dalam Pendampingan Pendidikan Anak ditengah Pandemi Covid-19. *SETARA*, 2(1). <https://doi.org/10.32332/jsga.v2i01.2379>
- Amalia, N. R. (2017). Penerapan Konsep Maqashid Syariah Untuk Realisasi Identitas Politik Islam Di Indonesia. *Dauliyah*, 2(1). <http://dx.doi.org/10.21111/dauliyah.v2i1.806>
- Armia, M. I. (2011). *Kawin Paksa dalam Perspektif Fiqih Islam dan Gender* [Skripsi]. UIN Maulana Malik Ibrahim.
- Asy-Syaukani, A.-I. (2006). *Ringkasan Nailul Authar*. Pusataka Azzam.
- Endang. (2017, April 19). [Komunikasi pribadi].
- Gunawan, A. (2019). *Pandangan Hukum Islam Terhadap Praktik Kawin Paksa* [Skripsi]. UIN Sultan Maulana Hasanudin.
- Harditon. (2017, April 22). [Komunikasi pribadi].
- Kurniawan, A. (2017). Kawin Paksa Dalam Pandangan Kiai Krapyak. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 9(1), 101–124.
- Mahfudin, A., & Musyarrofah, S. (2019). Dampak kawin paksa terhadap keharmonisan keluarga. *Jurnal Hukum Keluarga Islam*, 4(1), 75–93.
- Mufidah, C. (2016). Rekonstruksi Kesetaraan dan Keadilan Gender dalam Konteks Sosial Budaya dan Agama. *Jurnal Egalita*, 1(1). <https://doi.org/10.18860/egalita.v0i0.1910>
- Mughniyah, M. J. (2005). *Fiqh Lima Madzhab*. Lentera Baristama.
- Muhammad. (2001). *Fiqh Perempuan “Refleksi Kiai atas wacana agama dan gender*. LKIS.
- Muhdi. (2020). Kawin Tangkap Perspektif Maqashid Al-Syari’ah Dan Undang-Undang Positif. *Shakhsiyah Burhaniyah: Jurnal Penelitian Hukum Islam*, 5(2). <https://doi.org/10.33752/sbjphi.v5i2.1635>

- Muher. (2017, Mei 27). [Komunikasi pribadi].
- N (Lk). (2017, Maret 8). [Komunikasi pribadi].
- R (Pr). (2017, April 20). [Komunikasi pribadi].
- Ramadani, Y. (2020). Tradisi Wisuda Secara Adat Di Masyarakat Lekuk 50 Tumbi Lempur Kabupaten Kerinci. *Jurnal Antropologi: Isu-Isu Sosial Budaya*, 22(1). <https://doi.org/10.25077/jantro.v22.n1.p29-37.2020>
- Sa, M. (2015). Menakar tradisi kawin paksa di Madura dengan barometer HAM. *Musāwa Jurnal Studi Gender Dan Islam*, 14(2), 143–156.
- Sa'dan, M. (2016). Memilih Pasangan Bagi Anak Perempuan: Kajian Fiqih & HAM. *Jurnal Ilmiah Al-Syir'ah*, 14(1). <https://dx.doi.org/10.30984/as.v14i1.308>
- Sapitri, I. (2020). *Praktik Kawin Paksa Pada Masyarakat Bugis Bone Akibat Adanya Hak Ijb'Ar Orang Tua Perspektif Hukum Islam* [Skripsi]. IAIN Bone.
- Suta, I. W. B., Budiarta, I. N. P., & Sukadana, I. K. (2021). Keabsahan Perkawinan Ngerorod (Kawin Lari) di desa Kelusa, Kabupaten Gianyar. *Jurnal Interpretasi Hukum*, 2(1). <https://doi.org/10.22225/juinhum.2.1.3099.184-188>
- Tasman, A. (2014). *Tambo Adat Lekuk 50 Tumbi Lempur*. Lembaga Adat.
- Toni, I., & Yulia, R. (2021). Perkembangan Desa Wisata Lekuk 50 Tumbi Lempur Kabupaten Kerinci (2015-2020). *Galanggang Sejarah*, 3(4). <https://ejournal.pamaaksara.org/index.php/gS/article/view/288>
- Zulqurnaini, A. B. (2016). *Pandangan Hukum Islam Terhadap Nikah Paksa Karena Titumbukne (Studi Kasus di Kecamatan Mlarak)* [Skripsi]. IAIN Ponorogo.