DOES KAF'AH APPLY TO THE DESCENDANTS OF THE PROPHET MUHAMMAD. EXAMINE THE CONCEPT OF KAFAAH TOWARDS THE ALAWITES IN MARTAPURA, BANJAR

Norlaila, Nadiyah, Anwar Hafidzi  
Collaboration of Students and Lecturers of the Faculty of Sharia, Islamic State University of Antasari, Banjarmasin

Abstract: This study emerged when there were problems among Habib and Syarifah in re-interpreting the concept of kafa'ah in marriage for the Alawiyin in the city of Martapura, South Kalimantan. This study is different from other researchers because the problem of endogamy is seen from sekufu or not in the sociological approach of society. The method used in this study is an empirical study with a sociological legal approach to the Alawiyin community who will hold a marriage. The finding of the research is that Kafa'ah in the alawiyin approach is as blood and as a descendant of the Prophet. If no similarity is found, then a discussion approach will be conducted on the agreement of all relatives to determine whether kafa'ah or not for the prospective companion later.


© 2020 The Authors. Published by Fakultas Syariah UIN Antasari.  
This is an open access article under the CC BY license (https://creativecommons.org/licenses/by/4.0)

Corresponding Author: Email: nadiyahseff1963@gmail.com, anwar.hafidzi@gmail.com
A. Introduction

Before a marriage occurs, there is a concept that is used to regulate the balance between the prospective husband and wife, the concept is called kafa’ah or kufu. kafa’ah or kufu means to be similar, balanced or compatible. ¹

As for the difference in the application of the concept of kafa’ah that the author found that occurred to the Alawites (alawiyyin). The occurrence of this difference can cause a problem that arises due to differences in the concept of kafa’ah, namely, the shift in the concept of kafa’ah and the occurrence of forced marriage, where many parents who determine a mate for their children by looking at the same level of lineage status.² This departs from the understanding that says that the social status of women is the reference for determining kafa’ah due to its position as the object of the suitor, therefore the term emerges for men if they lack social status that is "men who are not sekufu". Although parents have the right to determine their child’s potential spouse, but the child also has the right to choose who he or she wants to be her husband, because he is the one who will get married later.³

A head of household named Habib Habib SA and UA, said that he has a strong foundation on why child marriages perempun among his fellow Alawaiyyin. It has become a habit for the Alawaiyyin, especially in the Martapura region, if they want to marry their children, they hold fast to the similarity of their lineage with the prospective suitor. As long as the man who applied for the Alawaiyyin (Syarifah) is a (Sayyid) who is shoheh (proven fame of his lineage) then his application will be accepted.

The case is a problem for the author, because basically the concept of kafa’ah is not only judged from the status of lineage, there are still many factors that are a reference in the application of the concept of kafa’ah in marriage.

The result of a temporary observation according to Habib SA and Habib UA, kafa’ah is equality, equivalence, sekufu’, or similarity. Before the Alawaiyyin must know first about the virtues of the lineage of the Prophet Muhammad SAW, After that the Alawaiyyin can understand why the reason kafa’ah lineage is given a higher place even in Islamic law, which according to the Alawaiyyin, the descendants of the Prophet will be preserved until doomsday is coming. The


reason for the _Alawiyin is to keep the descendants of Rasulullah Saw so that they remain and are not interrupted, and there are already rules about _kafa'ah_ and his book. Therefore, according to Habib SA and Habib UA, _kafa'ah_ nasab in marriage must be given priority, if not given priority, automatically _Syarifah will_ marry a man who is not of the same lineage, her lineage will be cut off.

Fathurrahman Azhari, Zainal Muttaqien and Sulaiman Kurdi argue that there are several reasons or motivations among the _Alawiyin_ to perform endogamous marriages, among others, to maintain the glory of the lineage of the Prophet, to preserve the lineage of the _Alawiyin_, and to maintain kinship. As for the consequences that arise from the need to perform endogamous marriages among _Alawiyin_, that is, many _Syarifah_ who do not marry until old age, marriage is not attended if married not with fellow _Alawiyin_, differentiated in family relationships, lineage is cut off and not entitled to use the title _Habib_ or _Syarifah_.

Based on observation and description as previous research, the authors wanted to examine further how the concept _kafa'ah_ in the marriage _Alawiyin_ and other forms of _kafa'ah_ anything in implementing the

_Alawiyin_ in marriage in Martapura Banjar Regency. Due to examine these issues we can find out how the process of implementation of _kafa'ah_ in their marriage _Alawiyin_ and other forms of _kafa'ah_ what in apply the _Alawiyin_ the marriage in Martapura, Banjar Regency.

B. Kaf’aah in the Approach of Islamic Law

Etymologically _kafa’ah_ comes from the Arabic language, namely _كَافَأَ_ which means similarity, equivalent and mate. In terms of _kafa’ah_, it is the compatibility or correspondence between a man and a woman who will hold a marriage in terms of religion, science, morals, social status and property. Compatibility or equality between the groom and the bride in religious terms is called _kafa’ah_ or _sekufu_.

According to Slamet Abidin and Aminuddin, what is meant by _kafa’ah_ is a man who is comparable to his prospective wife, equal in position, comparable in social level and equal in morals and wealth. So the pressure in _kafa’ah_ is balance, harmony and harmony, especially in terms of religion, namely morality and worship. Because if _kafa’ah_ is defined as equality in wealth or nobility, then it will mean the formation of caste, while in Islam the existence of caste

---


*Journal homepage: http://jurnal.uin-antasari.ac.id/index.php/jils/*
is not justified, because human beings on the side of Allah SWT are the same. Only piety distinguishes it.5

*Kafa’ah* is a right for women and their guardians. Because an unbalanced, compatible marriage will cause ongoing problems, and most likely lead to divorce, therefore, it can be annulled. 6

C. The position of *kafa’ah* in marriage

In this case, the scholars differ on whether *kafa’ah* is one of the legal requirements in marriage or not. In this case there are two opinions, namely:

First opinion, *kafa’ah* is not a legal requirement in marriage. This is the opinion of Jumhur ulama, among them are Abu Hanifah, Malik, As-Syafi’i and Ahmad in a narration from him. This opinion is narrated from Umar and Ibn Mas’ud. The majority of scholars argue that *kafa’ah* is considered very important in the continuation of a marriage, although it is not a legal requirement in a marriage. The second opinion, that *kafa’ah* is a legal condition of marriage. This is according to the school of Imam Ahmad in the famous history of him, Ats-Tsauri and some Hanafiyah. They refer to a fixed number of propositions (tsabit), they do not explicitly state the enactment of conditions and are not strong in opposing the nash-nash already mentioned above. 7

D. Various Concepts of Kafa’ah

Opinions of the Imams of fiqh schools agree on the existence of *kafa’ah*, although they have different views in applying it. 8

1) The Hanafi school argues that there are six kinds of *kafa’ah*, namely: descent, Islam, independence, admirable morals, wealth, and profession.

2) Madzhab Syafi’i argues that there are six kinds of *kafa’ah*, namely: religion, lineage, work, independence, and free from disability.

---


3) Madzhab Hambali argues that there are six kinds of kafa'ah, namely: religion, lineage, profession, independence, and free from disability. However, there is one more thing, which is about wealth.

4) Madzhab Maliki argues that there are two kinds of kafa'ah, namely: religion and free from physical disabilities.

E. Definition of Endogamous Marriage and Its Causes

Endogamous Marriage is a marriage system that requires marriage with a life partner who is seklan (one tribe or descent) with him, or prohibits a person from marrying a person from another clan or tribe. According to Kamus Besar Bahasa Indonesia (KBBI), that marriage endogamy is a principle of marriage that in its social environment requires people to find a mate in the same environment.9

F. Research Methods

The type of research used in this research is law research empirical, in the form of field research. The approach of this research is a descriptive-qualitative approach, namely the data collected in the form of the author's interviews with informants. In this study, the location that the author took is in Martapura District, Banjar Regency. The case that the author found in Martapura District, which is located in Indra Sari Subdistrict and Tanjung Rema Darat Subdistrict.

The data used are primary data and secondary data, the source of data in this study is the informant. Data collection techniques were observation, interviews, and documentation. Data processing and analysis techniques are editing, description, matrix. After the data is collected in full, the author then analyzes the data to obtain research results. Then analysis is done descriptive Qualitative based on the theoretical foundation of Chapter II. The research stage is the preliminary stage, the data collection stage, the data processing and analysis stage, the final preparation stage (completion).

G. Result of Research and Discussion

According to Habib Saleh, there are many among the Alawiyyin endogamous marriages, they adhere to the advice of the Prophet who advocated same-sex marriage to the descendants of the Prophet's descendants, namely a Habib married to Syarifah and vice versa. This is done to

---

maintain and maintain the lineage so that it is not broken. "We among the Alawiyin are very careful of this lineage, if possible this lineage will continue to be connected and maintained until the Day of Judgment" said Habib Saleh Al Habsyie.

The concept of kafa’ah applied by the Alawiyin from then until now is the concept of kafa’ah nasab. The purpose of applying the concept is none other than to maintain the lineage, maintain the lineage and follow the salaf. When the Prophet Muhammad SAW recommended look for good descendants, then the good descendants are only from the lineage of the Prophet SAW, look for a good religion, then no one knows a good religion except from the family of the Prophet Muhammad SAW look for the pious or obedient, then although sometimes they make mistakes but they will quickly repent. So, the application of the concept of kafa’ah nasab also comes from Rasulullah Saw and the evidence is clear.

Habib Umar Abdullah Al Habsyie applied the concept of kafa’ah in marriage, that is, to preserve the lineage of Rasulullah Saw which has always been guarded and maintained by the Ahlul Bayt. The concept of kafa’ah of this lineage is applied from generation to generation and we (Alawiyin) want this lineage to continue to exist until the Day of Judgment. If it turns out that there is a marriage outside the lineage (not the same lineage) among Syarifah or Habib, then we will not punish "invalid" the marriage and also not prohibit as long as the guardian of the marriage agrees. because in terms of the legality of a legal marriage, it just violates kafa’ah. We strictly avoid that from happening, because both the Alawiyin and nonparties -Alawiyin will certainly issue different opinions. If the Alawiyin have a strong opinion then the non -Alawiyin also have a strong opinion, and we (Alawiyin) will not blame their opinion, because we know the legal basis they hold and we also have a strong proposition or hold, therefore It is very important that this issue of kafa’ah is applied in order to avoid such things, not only important for the Alawiyin but also important for the Non-Alawiyin.

We are very sorry and sad if there is Syarifah who married Ahwal, and most of us do not want to attend her wedding. Therefore, one should of Alawiyin itself on the concept kafa’ah lineage endogamy, or marriage in the family, because if not we(Alawiyin)who else can take care of and preserve the lineage of the Prophet until today.

Habib Mohammad Ali Bahasyim argues that the application of the concept of kafa’ah in marriage is the best way to preserve the lineage of the Prophet, in addition to strengthening the brotherhood of fellow Habaib and has carried out the tradition that exists for generations. Applying kafa’ah nasab to the marriage of the Alawiyin is nothing but to protect and maintain the descendants of Rasulullah Saw so that they will always exist on this earth until today.
However, Habib Mohammad Ali Bahasyim himself apparently prioritized all forms of kafa’ah. His opinion does not directly prioritize kafa’ah nasab. If it isto the nailed kafa’ah of lineage alone, it does not guarantee the pleasure and goodness of Allah SWT in the marriage. What is certain is to be nailed to his Religion, if his religion is good then others will easily follow. According to him, kafa’ah is broad, not limited to the elements of religion and lineage only, but also looking at the nature or character of the couple and their economic and social responsibilities as a complement to the elements of kafa’ah previous.

According to Sayyid Hussein Al Qudsy, the application of the concept of kafa’ah in the marriage of the Alawiyin, they adhere to the advice of the Prophet SAW who recommended that the dzuriyyat of the Prophet SAW should marry with fellow dzuriyyat of the Prophet SAW as well. The mating system sekufu ‘orsenasab on the Alawiyin much going through an arranged marriage by parents and some are given the opportunity to elect their own candidate partner. Most of those who were married were paired with their own families such as cousins and other families besides their mahrams. Or it can also be sought by the leaders of the Alawiyin.

Form kafa’ah used the Alawiyin is kafa’ah lineage, because if kafa’ah not in kedepankan lineage, automatic syarifah will marry ahwal vice versa Habib married ahwal. This will lead to the severance of the noble lineage of the Prophet Muhammad SAW. We the people Alawiyin strongly urgeto Habib this earth in order to explain to the children, especially the syarifah the importance kafa’ah and glorious lineage owned.

H. The application of concept kafa’ah the Alawiyin in Martapura Banjar

a. Applying Concepts kafa’ah General

When I understand the application of the concept of kafa’ah the informant3, the authors conclude that although the Alawiyin implementation of kafa’ah also common.10 This is also due to the consideration that according to the majority of scholars kafa’ah is not a legal requirement of a marriage, so the application of the concept of kafa’ah in terms of lineage is not always a must to be applied in a marriage. The application of this concept of kafa’ah is in line and based on the opinion of the scholar Ibn Hazm that kafa’ah is not a necessity in marriage in accordance with the words of Allah SWT in QS Al-Hujurat/49: 10.

"The believers are indeed brothers. therefore make peace between your two brethren and fear Allah, that ye may receive mercy."

b. Applying the Concept of Kafa’ah Nasab Fully The full

Application of the concept of kafa’ah nasab was done by informants 1, 2 and 4. This factor is related to the provision that states that kafa’ah is owned by women, therefore kafa’ah is more emphasized against women (Syarifah).

The application of the concept of kafa’ah is in accordance with the purpose of kafa’ah itself as explained by Wahbah Az-Zuhaili, that the happiness of the household will usually be realized, if done by people who are sekufu. In other words, that the degree of harmony of the household ark is highly determined by those who marry sekufu’.

The interesting the application of the concept of thing about kafa’ah based on this lineage is applied through marriage in Islam.\textsuperscript{11} It is thus a factor application of the concept kafa’ah in the Alawiyyin in Martapura Banjar Regency. Islam does not prohibit marriage at all as long as there is no compulsion from either party. This is as explained in the hadith of the Prophet.

"A girl cannot be married until she is asked for permission."

Given that the concept of kafa’ah is not a legal requirement in a marriage, then the application of kafa’ah in terms of lineage is also not a measure of the legality of marriage. Therefore, the concept of kafa’ah nasab applied by the Alawiyyin is basically just a form of desire in maintaining the glory of nasab of the Prophet.

I. The form of kafa’ah The Alawiyn

The form of kafa’ah used in the Alawiyyin Martapura Banjar Regency in general is focused on lineage. This is evident from interviews with informants that circle Alawiyyin prioritize marriage endogamy until kafa’ah in terms of lineage to form kafa’ah which is considered by the Alawiyyin in Martapura Banjar Regency. Although the majority of the Alawiyyin apply form kafa’ah of consanguinity as the main provisions of the draft kafa’ah, but some people use concept kafa’ah in general.\textsuperscript{12}

For, the the Alawiyyin Habaib basically have the freedom or right to choose and determine their prospective wives, both those who come from the Alawiyyin (Syarifah) and those who do not come from the Alawiyyin (women Ahwal). However, it is highly recommended to marry a Syarifah. While Syarifah is considered to have no choice or freedom to determine her future husband. The only choice is to be required to marry a Habib or a fellow Alawiyyin. Because if


Does Kaf'aah Apply To The Descendants Of The Prophet Muhammad. Examine The Concept Of Kafaah Towards The Alawites In Martapura, Banjar

Syarifah marries an Ahwal, it will cut off the noble lineage of the Prophet Muhammad SAW from himself and his family.

It is important to understand that the form of kafa'ah most important is basically religion, considering that without supplies and knowledge in terms of religion, it is the main problem in the family. This is as described by Allah swt. in QS. Al-Hujurat/49: 13.

Rasulullah saw. also explains that the form of kafa'ah the most important is in matters of religion.

J. Conclusion

Based on the results of research conducted by the author can be concluded as follows:

1. Kafa'ah is an important factor that can encourage the creation of happiness of husband and wife and will ensure the safety of women from failure or upheaval of the household. The application of concept of kafa'ah themarriagein Alawiyyin in Martapura that since the past until now they always apply the concept kafa'ah lineage, they ignored the rich and poor, department or position, for those all important wedding Habib and syarifah not get out of line.

2. The form of kafa'ah applied by the Alawiyyin in Martapura mostly uses kafa'ah nasab, they adhere to the advice of the Prophet SAW who recommended that the dzuriyat of the Prophet should marry with fellow dzuriyat of the Prophet as well. However, there was one informant who had a different opinion from some previous informants, in this case he preferred all forms of kafa'ah. He has the principle that if he does not have all the forms of kafa'ah then he is considered not sekufu '.

BIBLIOGRAPHY


*Journal homepage: http://jurnal.uin-antasari.ac.id/index.php/jils/*