

EXOAMI MARRIAGE BETWEEN SHARIFAH AND NON-SAYYID: STUDIES IN SOCIOLOGY AND FAMILY LAW

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ABSTRACT

This study aims to identify and analyze the factors that affect the obligation of equality of destiny in Sharifah marriage in East Jakarta. Equality of destiny is considered important in the Shari'ah marriage tradition, with several key factors influencing this view. The research method uses a qualitative approach with in-depth interviews with seven Habaib informants. Data were collected to explore their views on the obligation of equality of destiny and its implications in Sharifah marriage. The results of the study show that there are three main factors that underlie the equality of nasab: heredity, social factors, and madzhab teachings. First, descent is considered a mandatory tradition established by ancestors. Second, social factors reflect the negative consequences of marrying a child to an individual who is not equal to fate, such as insults and the absence of habaib. Third, the teachings of madzhab, especially from the Shafi'iyah and Hanabilah groups, set strict standards regarding equality of descent. The discussion revealed that these factors play an important role in maintaining tradition, social status, and harmony in the Shariah community. This research provides in-depth insights into how equality of nasab affects the social structure and marriage traditions among the Habaibs.

Keywords: Syarifah, Non-Sayyid, Habaib, Kafa'ah

ABSTRAK

Penelitian ini bertujuan untuk mengidentifikasi dan menganalisis faktor-faktor yang mempengaruhi kewajiban kesetaraan nasab dalam pernikahan Syarifah di Jakarta Timur. Kesetaraan nasab dianggap penting dalam tradisi pernikahan Syarifah, dengan beberapa faktor utama yang mempengaruhi pandangan ini. Metode penelitian menggunakan jenis penelitian kualitatif dengan pendekatan sosiologis dengan teknik wawancara mendalam dan observasi partisipatif, yakni wawancara mendalam terhadap tujuh informan Habaib. Data dikumpulkan untuk mengeksplorasi pandangan mereka mengenai kewajiban kesetaraan nasab dan implikasinya dalam pernikahan Syarifah. Hasil penelitian menunjukkan bahwa ada tiga faktor utama yang mendasari kesetaraan nasab: keturunan, faktor sosial, dan ajaran madzhab. Pertama, keturunan dianggap sebagai tradisi wajib yang ditetapkan oleh leluhur. Kedua, faktor sosial mencerminkan konsekuensi negatif jika menikahkan anak dengan individu yang tidak setara nasab, seperti cacian dan ketidakhadiran habaib. Ketiga, ajaran madzhab, khususnya dari kelompok Syafi'iyah dan Hanabilah, menetapkan standar ketat mengenai kesetaraan nasab. Diskusi mengungkapkan bahwa faktor-faktor ini berperan penting dalam menjaga tradisi, status sosial, dan keharmonisan dalam komunitas Syarifah. Penelitian ini memberikan wawasan mendalam tentang bagaimana kesetaraan nasab mempengaruhi struktur sosial dan tradisi pernikahan di kalangan Habaib.

Kata Kunci: Syarifah, Non-Sayyid, Habaib, Kafa'ah

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INTRODUCTION

There is a debate about the law of marriage between Sharifah and non-Sayyid in society (Nugroho Purbo, 2023). Some parties state that Sharifah's marriage to a non-Sayyid man, or ahwal, is considered haram and equivalent to adultery (Ardi et al., 2024). This question often arises among the public regarding the validity and law of marriage between Sharifah and non-Sayyid. There is a view that equates the marriage with adultery, causing confusion and controversy in understanding the Shari'ah marriage law (Ridwan & Hasan, 2022).

Values in society view marriage as a social event with legal consequences. Therefore, marriage not only serves to strengthen socio-cultural ties, but also has religious and legal implications for married couples and their extended families (Santoso et al., 2022). Religious and cultural values are intertwined and interact to produce various laws and regulations that a community follows. In the context of marriage, there are legal issues related to social and customary aspects, such as dowry, kafa'ah (sekufu), and wedding parties (*walimah*). One of the legal and social realities in marriage is kafa'ah, which is equality between men and women. (Rahman, 2019) Kafa'ah or equality is an important factor in achieving the goal of marriage, namely forming a household that is sakinah, mawaddah, wa rahmah. In Indonesia, marriage between sharia women, who are descendants of the Prophet Muhammad SAW, and men who are not from the sayyid group has become a debate. This can be observed in several regions in Indonesia that have Sayyid communities, such as Bondowoso and Sidoarjo (East Java), Yogyakarta, and Cikoang (South Sulawesi) (Ridwan Nurdin, 2021) as well as in Condet East Jakarta.

Historically, the existence of many Habibs in Indonesia, especially in Jakarta, can be traced back to the time when para-Habibs from Hadramaut, Yemen, and the surrounding region came to Indonesia by ship. They settled in various areas such as Palembang, Jakarta, and others. One of them who came to Jakarta was my grandfather, who was from Hadramaut. He settled in Condet, Kramatjati, and played a role in the spread of Islam. The Habibs who settled in Jakarta, especially in the Condet area, many married native Betawi or indigenous women. When a Habib marries a woman outside the descendants of the Prophet Muhammad (PBUH), their child is still considered to be Habib. On the other hand, if a woman descended from the Prophet Muhammad PBUH married a native man, their child could not be called Habib. This phenomenon explains why there are many Habibs in this area. Some Habib in the past who spread Islam married indigenous women, so their children were born as Habib. (H. M. bin S. bin M. Alatas, 2024)

When a Habib marries a woman who is not a descendant of the Prophet Muhammad SAW, their child is still considered a Habib. This indicates that Habib's lineage, which is derived from the Prophet Muhammad, emphasizes more on the paternal path (R. Alatas & Sari, 2024). In the Habaib community, the identity of a Habib is inherited through the father, not the mother. This history and tradition are deeply rooted in Arab culture and the interpretation of Islamic sharia applied by the community (Ardi et al., 2024). In many cultures, including Arabic culture, paternal lineage is often considered more important in determining family identity and social status (Haya Zabidi, 2020). This is in line with patriarchal practices in many societies that emphasize the importance of male descendants to continue family names and

cultural heritage (Nur, 2023). In this context, a Habib who marries a woman outside the descendants of the Prophet Muhammad will not lose his status as a Habib, and this status will be passed on to his children, maintaining the continuity of the lineage.

On the other hand, if a woman descended from the Prophet Muhammad PBUH married a native man, their child could not be called Habib (Sirait & Rokan, 2023). This tradition reflects the view that the lineage of the Prophet Muhammad can only be inherited through the male line. In many Habib communities, there is a strong belief that in order to maintain the purity and continuity of the lineage, marriage should be between Habib and a woman who is also descended from the Prophet Muhammad. Marriage outside this lineage is considered to be able to break the chain of descent that is considered sacred (Mustafa & Bahram, 2020). This has significant social implications for women descended from the Prophet Muhammad, as their choice of marriage can determine the status and identity of their children in the community. Therefore, marriage for women descended from the Prophet Muhammad is not only seen as a personal bond but also as a responsibility for the sustainability of the bloodline that is considered sacred (Ridwan Nurdin, 2021).

Differences in determining Habib's status for children can have a wide impact on the social and cultural dynamics of the Habaib community. Children of women descended from the Prophet Muhammad who marry indigenous men may experience differences in social acceptance and status within their communities compared to children from Habib marriages with women outside the descendants of the Prophet Muhammad (Fitri et al., 2023). These differences in treatment can also affect individual identity and social relationships within the community. Although this tradition has deep roots in history and culture, there are also modern challenges faced by the Habaib community in balancing between maintaining tradition and facing rapid social change. Discussions about gender roles, individual rights, and changes in family structures become relevant in this context, as the Habaib community must also navigate between preserving their cultural heritage and adjusting to evolving social realities.

The Middle Eastern nuances are very thick along Jalan Raya Condet, East Jakarta. Rows of perfume shops, prayer utensils, and Muslim clothes adorn almost the entire street. Arab-faced residents also seem to dominate the Condet area. They live in harmony side by side with local residents from the Betawi tribe. Tracing the origins of people of Arab descent who settled in Condet was carried out by visiting the Kramat Tomb located at the northern end of Jalan Raya Condet. This cemetery contains a number of graves of habibs or scholars of Arab descent who came to the Condet area in the early 19th century (Dean Pahrevi, 2019).

A number of studies have been conducted, including M. Abdul Rozak.(M. Abdul Rozak, 2023) Mustafa and Bahram.(Mustafa & Bahram, 2020) which states that there are two views, namely Most parents recommend that their children marry fellow descendants of the Prophet Muhammad SAW or Habib.(Salami, 2020) This advocacy is based on the belief that marriage with a sekufu (kafa'ah) couple is more recommended. Based on the opinion of scholars as well as the teachings of the Qur'an and Hadith, the concept of sekufu in marriage is considered important to consider. Meanwhile, some others state that sharifah is allowed to marry a non-Sayyid because there is no explicit prohibition in the Qur'an and Sunnah regarding this and

emphasizes piety as the main criterion. Most of the previous studies have emphasized the normative aspects and Islamic law related to *sekufu* marriage. In this context, this study tries to fill the gap by providing a broader and deeper empirical perspective. The theoretical framework used in this study is based on social construction theory and social change theory, which allows researchers to understand how tradition and modernity interact and influence each other in the context of marriage in the Habaib community.

METHOD

This study falls under the category of qualitative field research, utilizing a sociological approach with in-depth interview techniques and participatory observation (Aziz, 2023). Data was collected from various informants consisting of Habaib, Sharifah, and community leaders in Condut. Data analysis was carried out with a descriptive-analytical approach to describe the informant's perception and experience regarding marriage between Sharifah and non-Sayyid. (Ismail Suardi Wekke, 2019) This approach allows researchers to gain an in-depth understanding of the views and practices of marriage within the Habaib community, as well as its implications for their social and cultural dynamics.

The main problem to be answered in this study is how the Habaib community in Condut perceives marriage between Sharifah and non-Sayyid, as well as what factors influence their views. This study also seeks to understand the impact of this view on social and cultural relations within the Habaib community. Thus, this study aims to identify and analyze various existing perceptions, as well as look at how tradition and modernity interact in the context of marriage in this community.

RESULT AND DISCUSSION

The Concept of *Kafâah* in a Review of Islamic Law

In the Arabic dictionary, the term *kafâah* is derived from the word كَفَأَ, which means similarity, equivalence, and compatibility (Ahmad Warson Munawwir, 1984). This term implies that life partners must have equal qualities or status to achieve harmony in the marriage relationship. In the complete dictionary of the Indonesian Language, *kafâah* is interpreted as balanced (Muzammil, 2019), which refers to the principle of balance and suitability in the selection of life partners. This balance involves factors such as religion, morality, and social status, which are considered important in ensuring the harmony and sustainability of the relationship (Haya Zabidi, 2020). The Qur'an also uses a term rooted in the word *kafâah* to indicate the importance of compatibility in marital relationships, emphasizing that life partners must have commensurate qualities to create a stable and harmonious relationship (Amin, 2019). This shows that the principle of *kafâah* is not only relevant in the context of language, but also has significant implications in the practice of marriage in the context of Islam.

وَلَمْ يَكُنْ لَهُ كُفُوًا أَحَدٌ ۖ

and there is nothing equal to Him.

The verse explains that the nature of Allah's monotheism is single and no one equals it, but in the context of *kafâah*, the meaning is different. *Kafâah* describes the existence of similarities and harmony between God's creatures (Qodariah Barkah,

2020). Linguistically, *kafâah* or kufu means equal, balanced, or having harmony and conformity. In the context of marriage according to Islamic law, *kafâah* refers to the balance and harmony between the prospective husband and wife. This means that the couple must have an equal level in aspects such as social, moral, and wealth, so that neither party feels disadvantaged in the marriage. The main focus of the *kafâah* principle is on balance and harmony, with a special emphasis on religious aspects, including morals and worship, to ensure that the marriage relationship is well-run and mutually supportive (Muklisiin, 2023).

In the context of marriage, Islamic law refers to the balance and harmony between the prospective husband and wife in various aspects such as social, moral, and economic. The purpose of *kafâah* is so that both parties do not feel burdened in carrying out the wedding. *Kafâah* is considered an important factor in creating couple happiness and can help protect women from the risk of failure or instability in the household (Sahrin Anas, Sutisna, 2024). Although Islam advocates *kafâah* in the selection of a partner, it does not affect the validity of the marriage itself (Atikah & Jailan, 2023). *Kafâah* is the right of women and their guardians in the marriage process (Dean, 2020). If the marriage does not meet the principles of *kafâah*, this can lead to prolonged problems and potentially increase the likelihood of divorce, so the marriage can be annulled (Muhtarom, 2018).

The jurists have different views on the types of *kafâah*. According to Wahbah Az-Zuhayli in Islamic Fiqh (Wahbah az-Zuhayliy, 1989), madhhab Maliki divides *kafâah* into two categories: religion and condition (Abū 'Abdillāh Sadr ad-Dīn Muhammad bin 'Abd ar-Rahmān, 2007). Here, the condition in question is free from defects that can affect decisions, not conditions related to honor or descent. In this case, *kafâah* requires equality between husband and wife. Meanwhile, according to the Hanafi madhhab, there are six types of *kafâah*: religion, Islam, independence, nasab, property, and profession. (Putri, 2023) This school argues that *kafâah* does not only revolve around freedom from defects that can annul marriage, such as mental illness, leprosy, or bad breath. On the other hand, madhhab Shafi'i also identifies six types of *kafâ'ah*, which include: religion, purity, independence, nasab, freedom from defects that can affect decisions, and profession (Wahbah az-Zuhayliy, 1989).

According to the Hambali madhhab, *kafâah* is divided into four categories: religion, profession, nasab, and prosperity, as stated in Islamic Fiqh by Wahbah az-Zuhayli (Wahbah az-Zuhayliy, 1989). This school agreed on the importance of *kafâah* in the religious aspect. In addition, madhhab Maliki and Shafi'i agree that *kafâah* includes independence, nasab, and profession, and both agree that freedom from defects that can affect choices is an important element in *kafâah* (Wahab, 2024).

According to the view of madhhab Hambali, madhhab Maliki, and the clearest opinion in madhhab Shafi'i, *kafâah* is considered a common condition in marriage, not as a condition that determines the validity of marriage (Khanif, 2020). This means that even though a woman is not equal in terms of *kafâah*, the marriage contract is still valid. However, the guardians have the right to object to the marriage and have the right to annul it if they feel it is necessary to protect their reputation (Jamilah dan Isa, 2019). If the guardian chooses not to exercise their right of objection, the marriage is still considered valid. If *kafâ'ah* is considered a valid condition for marriage, then a

marriage without meeting the conditions will not be valid, even if the guardians have waived their right (Wahbah az-Zuhayli, 1989).

Kafâah is not a condition that determines the validity of a marriage, but it can be a reason to annul the marriage if necessary (Hafidzi, 2020). Most fiqh scholars are of the opinion that *kafâah* is the right of a woman and her guardian. This means that if a woman is going to marry a man who is not as *kufu*, then the guardian or woman has the right to refuse the marriage (Sadiqin, 2024). *Kafâ'ah* aims to ensure a balance and good communication between husband and wife in building a household, so that it can facilitate the creation of a happy and harmonious family life (Atikah & Jailan, 2023).

In general, *kafâah* is a customary condition in marriage, not a condition that determines the validity of marriage (Muzakki, 2017). In other words, a marriage that is carried out without considering *kafâah* is still considered valid. However, to achieve harmony and happiness in family life, having a similar foundation and understanding between couples is essential. Therefore, choosing a partner who is a *sekuflu* is very important to create a harmonious and happy family.

Sociological and Legal Implications for Children Married to Sharifah and Non-Sayyid

Kafa'ah or equality in marriage is an important principle in the Islamic tradition, especially among the Habib community. *Kafa'ah* covers various aspects such as religion, work, righteousness, and especially *nasab*. In the context of Habaib, maintaining the purity of the *ahlul bait* lineage is the main focus, because they view the *nasab* as a source of glory that must be maintained. However, when the marriage between Sharifah and Non-Sayyid occurs, the issue of *nasab* becomes the main issue, especially related to the status of the child born from the marriage. This discussion will highlight the sociological and legal implications of this condition, as well as the dynamics that emerge in Sharifah's marriage practice in the modern era.

According to the view of fiqh, as long as the sharifah and its guardian are *ridha*, marriage with Non-Sayyid is considered valid (Fattah, 2013). However, the validity of the marriage contract does not necessarily eliminate the debate related to social and legal implications, especially the fate of the child who is born (Junaidi, 2014). Sharifah married Non-Sayyid, children born no longer had the status of *habiban* – boys did not become Sayyid, and girls did not become Sharifah. This status shows the disconnection of the privileges of the *nasab*. However, the legal view recognizes the validity of the contract as long as the pillars of marriage are fulfilled, including the consent of the nearest guardian.

In social practice, the principle of *kafa'ah* is often a tool to maintain the exclusivity and social status of the Habaib community (Nasution, 2022). However, in the modern era, many individuals in this community are beginning to challenge these norms, especially when love and personal choice are key factors in marriage. When a Sharifah marries a Non-Sayyid, there is a dualism between the validity of the marriage according to the Shari'i and the social pressures they may face. The children of this marriage are often at a crossroads, facing the stigma of a community that still upholds the purity of the *nasab* (Nurliana, 2023).

Islamic law affirms that children born from legitimate marriages have a destiny to their father. However, in the context of Habaib, the pure *habiban* lineage can only

be continued if both parents are from the Sayyid community (Kusmardani, 2023). As a result, children from mixed marriages lose their status of *habiban*. Legally, although children have inheritance rights and other rights, social recognition of their identity is often questionable. This shows the difference between formal legal views and social practices in the community.

The disconnection of the status of *habiban* often has an impact on children's psychology (Islami, 2023). In a community that values bloodline in a high regard, these children may feel excluded or perceived as less privileged than those who have a pure *nasab*. This kind of discrimination can affect children's confidence and their social relationships in society (Riva'i, 2024). On the other hand, children who are educated with an inclusive approach tend to be better able to face these social pressures.

Wali has a crucial role in determining whether Sharifah's marriage is legal or not. As long as the wali and Sharifah agree, the marriage is considered valid, even if it involves Non-Sayyid (Maghfirah, 2023). However, if one of the parties is not happy, then the marriage becomes invalid. This condition emphasizes the importance of deliberation and mutual agreement in maintaining family and community harmony. In extreme cases, disagreements between guardians and the woman can lead to conflicts that damage family relationships.

Although tradition emphasizes the importance of *kafa'ah*, the modern era presents a challenge to these norms (Kusmardani, 2023). Many individuals, including Sharifah, have begun to consider marriage as a personal right that should not be restricted by tradition. This creates a conflict between efforts to preserve cultural heritage and respect for individual rights. In some cases, mixed marriages have even become a symbol of resistance to traditional norms that are considered to limit personal freedom (Junaidi, 2014).

To reduce the stigma against children from mixed marriages, inclusivity-based education is needed (Sharma & Bhambri, 2024). The Habaib community can be invited to understand that the value of a person's glory does not only depend on his *nasab*, but also on his morals and contributions to society. Fatwas that encourage acceptance of children from mixed marriages can be the first step towards creating a more inclusive environment.

The sociological and legal implications for children of Sharifah and Non-Sayyid marriages reflect the complexity between tradition and modern social dynamics. Although this marriage is legal according to Islamic law, the social stigma against children born from the marriage is still a challenge (Sopiah et al., 2023). To overcome this, an approach that balances respect for tradition with the values of inclusivity is needed. Religious institutions and families can play a role in building a broader understanding of the importance of respect for individual rights without sacrificing cultural values.

Table 1: Comparative Sociological and Legal Implications for Children from Marriages Between Sharifah and Non-Sayyid

Aspect	Sociological	Legal
Lineage Status	Children are considered to lose their <i>habib</i> lineage status as it can only be inherited through Sayyid (paternal) lineage.	Under Islamic law, lineage is still established through the biological father (Non-Sayyid father).

Social Acceptance	Children often face stigma or discrimination in communities that emphasize the importance of lineage.	The law does not differentiate between children based on lineage, but social practices may influence perceptions.
Inheritance Rights	Not directly affected, but societal views may limit informal recognition.	Children have full inheritance rights from their father according to Islamic inheritance laws.
Religious Identity	The child's identity is often perceived as less distinguished within Habaib communities.	The child's religious identity remains valid as a Muslim, unaffected by the <i>habib</i> lineage status.
Child Psychology	May lead to feelings of inferiority or identity crises due to social discrimination.	The law does not address psychological aspects but promotes equality of rights and treatment for children.
Marriage Legitimacy	Socially recognized only if approved by the guardian and community, despite cultural resistance.	The marriage is valid as long as the pillars and conditions of marriage are fulfilled, regardless of community objections.

Habaib's Perception of Sharifah and Non-Sayyid Marriage in East Jakarta

Habaib's perception of marriage between Sharifah and non-Sayyid in East Jakarta reflects the complexity of the relationship between religious tradition and contemporary social dynamics. In this context, the concept of *kafâ'ah* (equality) is one of the main focuses, where equality in terms of religion, nasab, and social status is expected to be fulfilled to maintain harmony in the household. In addition, there is special attention to the preservation of the nasab or lineage, which is often considered important in maintaining the integrity and glory of the Syarifah lineage. In East Jakarta, the debate on this also includes how these practices interact with local values and rapid social change. The following will examine Habaib's views on marriage between Sharifah and non-Sayyid, and outline the challenges faced in maintaining tradition while adjusting to current social realities.

In this study, the author found 7 Habaib informants who expressed their perceptions regarding the consent or disapproval of marriage between Sharifah and non-Sayyid.

Table 2: Habaib Perception Data related to Sharifah and non-Sayyid Marriage in East Jakarta

No	Informant's Name	Kafâ'ah Law	Purpose of Kafâ'ah	Kafâ'ah Standardization
1	Habib Ahmad bin Ali Al-Muhdar	Mandatory	Maintaining the lineage	Ancestry, Agama, Akhlak
2	Habib Ali bin Salim BSA	Not mandatory	Establishing compatibility	Religion, Morals, Economics

3	Habib Umar bin Abdullah Al-Haddad	Recommended	Family harmony	Religion, Morals
4	Habib Salim bin Umar Al-Athas	Shari'ah	Bloodline purity	Nasab, Religion
5	Habib Zaid bin Mahdi Al-Kaff	Tradition	Social stability	Economy, Morals, Religion
6	Habib Hasan Bin Husein Al-Kaff	Mandatory	Maintaining the lineage	Ancestry, Religion, Morals
7	Habib Yahya bin Ali Al-Idrus	Mandatory	Maintaining the lineage	Ancestry, Religion, Morals

This table presents data on the perception of seven Habaibs on the concept of *kafâ'ah* in marriage between Sharifah and non-Sayyid in East Jakarta. The first informant, Habib Ahmad bin Ali Al-Muhdar, views *kafâ'ah* as an obligation that aims to maintain the lineage with nasab, religious, and moral standards. Likewise, Habib Hasan bin Husein Al-Kaff and Habib Yahya bin Ali Al-Idrus argue that *kafâ'ah* is obliged to maintain the lineage of the same standard. Meanwhile, Habib Ali bin Salim BSA considers *kafâ'ah* not mandatory, but important to realize harmony with religious, moral, and economic standards. Habib Umar bin Abdullah Al-Haddad suggested *kafâ'ah* as a way to achieve family harmony with religious and moral standards. Habib Salim bin Umar Al-Athas saw *kafâ'ah* as a sharia that is necessary to maintain the purity of the lineage, with nasab and religious standards. On the other hand, Habib Zaid bin Mahdi Al-Kaff considers *kafâ'ah* to be an important tradition for social stability with economic, moral, and religious standards.

The Habaib in East Jakarta have various views on the importance of *kafâ'ah* in marriage between Sharifah and non-Sayyid. The majority, such as Habib Ahmad bin Ali Al-Muhdar, Habib Hasan bin Husein Al-Kaff, and Habib Yahya bin Ali Al-Idrus, saw *kafâ'ah* as an obligation to maintain the lineage, emphasizing nasab, religion, and morals. Others, such as Habib Ali bin Salim BSA and Habib Zaid bin Mahdi Al-Kaff, consider it an encouragement or tradition, focusing on social harmony and stability. Overall, they agreed that balance in nasab, religion, morals, and economics is important for the harmony and harmony of marriage.

There are three main factors that underlie the necessity of equality of destiny in Sharifah marriage in East Jakarta: descent, madhhab adhered to, and social factors. Habib Ahmad bin Ali Al-Muhdar stated that his sons and daughters should marry the Shari'ah or Shari'ah because this tradition has become a necessity in his family. If this tradition is violated, his descendants will not be recorded in the nasab book and his family can face ridicule and insults. In addition, non-compliance with these traditions is also considered to disrupt social harmony in their communities, as unequal marriages are considered to undermine the existing order (Habib Ahmad bin Ali Al-Muhdar, 2024).

In contrast to the view of Habib Umar bin Abdullah Al-Haddad who argued that the marriage of a Sharifah does not have to be with a Habib. However, if his soul mate is a Habib, it is considered more important. According to Habib Umar, the most important thing in marriage is to achieve family harmony. To achieve this goal, a balance in religious and moral aspects is very important. He emphasized that

marriage should be based on the compatibility of spiritual and moral values, not solely on lineage. This is different from other views that emphasize the purity of the bloodline. Thus, Habib Umar encourages each individual to consider personal and spiritual harmony in choosing a life partner, in order to achieve a happy and harmonious family life (Habib Umar bin Abdullah Al-Haddad, 2024).

A different view was expressed by Habib Zaid bin Mahdi Al-Kaff, who considered that marriage between a Sharifah and a Habib is a tradition and not mandatory. According to him, this marriage focuses more on social stability and the sustainability of economic, moral, and religious relationships. Habib Zaid argues that while this tradition has deep roots in culture and history, it is important to consider the social and economic aspects of marriage. He emphasized that the tradition functions to maintain stability and harmony in society, while maintaining the integrity of morals and religious values in every relationship (Habib Zaid bin Mahdi Al-Kaff, 2024).

Equality of destiny is a very important aspect in the marriage tradition among Sharifah. This issue has become a topic of debate among scholars and has given rise to various arguments. The Shafi'i and Hambali madzhab groups are strong supporters of the *kafâ'ah* principle applied in Shari'ah marriage. In the Habaib marriage tradition, the heredity factor is the most important element. This tradition emphasizes that their sons and daughters should marry individuals who have equal destiny, regardless of the spouse's occupation or economic status. In addition, deep religious beliefs also play an important role. The Habaibs, who generally follow the Shafi'i madhhab, make nasab one of the main considerations in determining *kafâ'ah*, which reflects the importance of heredity in the context of their marriage.

Table 3: Factors Affecting the Obligation of *Kafâ'ah* Nasab in Sharifah Marriage

No	Factors of Obligation for Equality of Nasab in Shariah Marriage	Explanation
1	Descendents	It is a tradition that is required based on the decree of their ancestors.
2	Social	Marrying a child to someone who is not worthy of his or her nasab may result in a negative judgment, a marriage that is not recognized by habaib, and the child will not be registered in the nasab record. This factor is also influenced by relationships within the Habaib community.
3	The Madhhab Embraced	Based on the opinions of several groups in madhhab Shafi'iyyah and Hanabilah who apply strict rules regarding equality of nasab among Shari'ah.

This table presents data on illustrates the three main factors that underlie the obligation of equality of nasab in marriage among Sharifah. First, the hereditary factor shows that equality of destiny is part of a tradition that is closely guarded by their ancestors. Second, social factors emphasize that marrying a child to someone who is not equal to the nasab can result in negative consequences such as insults, the absence of habaib in the ceremony, and the absence of the child in the nasab book, showing

the importance of equality of nasab in maintaining social relations and status in the Hasabib community. Third, the madzhab factor reveals that equality of nasab follows the teachings of madzhab Shafi'iyah and Hanabilah, which emphasizes strict standards regarding equality of nasab. Overall, this table illustrates how heredity, social impacts, and madhhab teachings shape the view of equality of destiny in Shari'ah marriage, emphasizing the importance of these aspects in maintaining tradition and social harmony.

Based on Habaib's perception of marriage between Sharifah and non-Sayyid in East Jakarta, there are various views on the significance of *kafâ'ah* in marriage relationships. Some informants, such as Habib Ahmad bin Ali Al-Muhdar, Habib Hasan bin Husein Al-Kaff, and Habib Yahya bin Ali Al-Idrus, view *kafâ'ah* as an essential obligation that aims to maintain the continuity of the lineage, with an emphasis on nasab, religion, and morals. On the other hand, Habib Ali bin Salim BSA and Habib Zaid bin Mahdi Al-Kaff consider *kafâ'ah* as an encouragement or part of a tradition that focuses on social harmony and stability. Meanwhile, Habib Umar bin Abdullah Al-Haddad and Habib Salim bin Umar Al-Athas prioritized family harmony and the purity of the lineage. Although there are differences in judgment, most Habaib agree that balance in various aspects such as nasab, religion, and morals is crucial to achieving harmony in marriage.

CONCLUSION

The conclusion of Habaib's analysis of perceptions of marriage between Sharifah and non-Sayyid in East Jakarta shows that there are differences of opinion regarding the importance of *kafâ'ah*. The law of *kafâ'ah* is considered a condition that involves equality in aspects of nasab, religion, morals, and sometimes economics. Habaib such as Habib Ahmad bin Ali Al-Muhdar, Habib Hasan bin Husein Al-Kaff, and Habib Yahya bin Ali Al-Idrus considered *kafâ'ah* as an obligation to maintain the lineage, focusing on nasab, religion, and morals. This view emphasizes the importance of preserving family identity and harmony in marriage. On the other hand, Habib Ali bin Salim BSA and Habib Zaid bin Mahdi Al-Kaff view *kafâ'ah* more as an encouragement or tradition that supports social harmony and stability, without making it an absolute requirement. They consider religious, moral, and economic aspects important for domestic harmony, but do not always consider *kafâ'ah* to be a valid condition. Meanwhile, Habib Umar bin Abdullah Al-Haddad and Habib Salim bin Umar Al-Athas emphasized family harmony and the purity of the lineage. thus, although there are differences in the emphasis and interpretation of the *kafâ'ah* law, there is agreement that balance in aspects of nasab, religion, morals, and other factors is important to achieve harmony and harmony in marriage. This diverse approach reflects flexibility in the application of traditional principles in accordance with contemporary needs and realities.

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