

MARGINALIZATION OF KHITBAH IN LOMBOK MUSLIM MARRIAGE IN WEST NUSA TENGGARA

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Abstrak

Penelitian ini mengkaji tentang pertama, apakah benar terjadi marjinalisasi khitbah dalam proses pranikah masyarakat muslim Lombok, kedua, apa landasan filosofis yang menyebabkan terjadinya pemunggiran tersebut. Ketiga, apa solusi alternatif agar khitbah dapat diterapkan di tengah-tengah masyarakat muslim sebagai proses pranikah. Data penelitian ini meliputi data primer dan data sekunder, data primer diperoleh dari responden, informan dan dan informan, dalam mengumpulkan data penelitian ini menggunakan teknik wawancara dan dokumentasi dan kemudian dianalisis dengan menggunakan metode deduktif. Penelitian ini menemukan bahwa khutbah memang terpinggirkan, hal ini dibuktikan dengan pelaksanaan khitbah hanya mencapai 42% dan 58% tidak menggunakan khitbah, landasan filosofis khutbah yang terpinggirkan adalah 59% karena faktor budaya, 22% karena faktor ekonomi, 14% karena faktor usia dan 5% karena faktor hukum. Alternatif Alternatif solusi untuk masalah ini membutuhkan peran aktif tokoh agama dan tokoh masyarakat dalam mengkampanyekan pentingnya peran khitbah dan pemerintah perlu membuat peraturan yang lebih mengikat

Kata Kunci: Alternatif Solusi, Implementasi, Kendala, Khitbah.

Abstract

This study examines the first, is it true that there is marginalization of khitbah in the pre-marital process of Lombok Muslim society, second, what is the philosophical basis that causes this marginalization. Third, what are the alternative solutions so that khitbah can be applied in the midst of Muslim society as a pre-

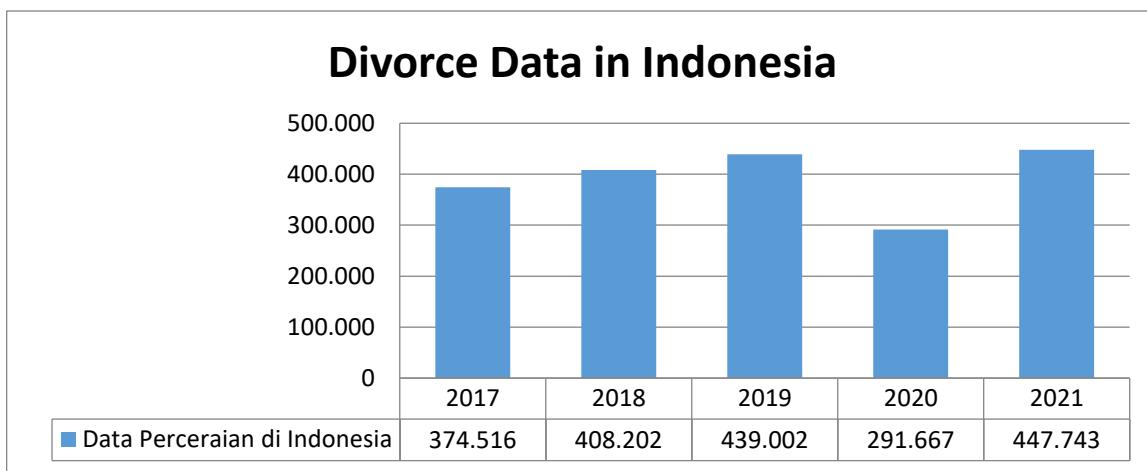
marital process. The research data includes primary data and secondary data, primary data obtained from respondents, informants and informants, in collecting data this research used interview and documentation techniques and then analyzed using a deductive method. This study found that sermons were indeed marginalized, this was evidenced by the implementation of khitbah only reaching 42% and 58% did not use khitbah, the marginal philosophical basis of sermons was 59% due to culture, 22% due to economic factors, 14% due to age and 5% due to social factors. law. Alternative solutions to this problem require the active role of religious leaders and community leaders in campaigning for the important role of khitbah and the government needs to establish more binding regulations.

Keyword: *Alternative Solutions, Implementations, Khitbah, , Obstacles,*

Introduction

Indonesia has an emergency number of divorces¹, From year to year the number of divorces soars², in 2020 the divorce rate reached 291,677 cases and soared high in 2021 with a total of 447,743 cases. In detail, the development of divorce cases in the last five years can be seen in the diagram below³:

Diagram 1
Divorce Data in Indonesia



¹ Mursyid Djawas, Ridhwan, Soraya Devy, Asmaul Husna, The Government's Role in Decreasing Divorce Rates in Indonesia: The Case of Aceh and South Sulawesi, AHKAM - Volume 21, Number 1, 2021, hal 165

² Isnawati Rais, The impact of COVID-19 pandemic on divorce rates among Indonesian Muslim societies, Indonesian Journal of Islam and Muslim Societies Vol. 11, no. 2 (2021) hal 272

³ Badan Pusat Statistik Indonesia,
<https://www.bps.go.id/publication/2022/02/25/0a2afea4fab72a5d052cb315/statistik-indonesia-2> diakses pada 22 April 2022

Seeing this figure, the Indonesian government is nervous and immediately looks for problem-based solutions⁴. Based on research results, the biggest cause of divorce is due to quarrels that cannot be handled wisely by married couples⁵ and the numbers are staggering, namely 279,205 cases⁶. Apart from the dispute factor, economic factor is the second biggest cause with a total of 113,343 cases. The detailed causes of the causes of divorce can be seen in the table below⁷:

Tabel: 1
Causes of Divorce

No	Name	Number/cases
1	Disputes & Quarrel	279.205
2	Economic	113.343
3	Left one	42.387
4	Domestic violence	4.779
5	Drunk	1.779
6	Murtad	1.447
7	Punished to Prison	1.392
8	Gambling	993
9	Polygamy	893
10	adultery	449
11	Forced marriage	365
12	disability	360
13	Opium	349
14	others	2

This data shows that the number of divorces due to disputes and fights occupies the highest position with 279,205 cases. In response to this, the Indonesian government has actually tried to reduce the divorce rate by issuing various regulations including Law No. 1 of 1974 concerning marriage, compilation of Islamic law and pre-marital education⁸. All of these regulations aim to provide sufficient stock of

⁴ Muhammad Roy Purwanto, "Divorce and And Its Effects on The Social and Religious Life in Malang Indonesia", Talent Development & Excellence Vol.12, No.2s, 2020, hal 1988

⁵ Aulia Nursyifa, Shifting Causes of Divorce in Indonesia Due to Social Media In Sociological Perspective, Solid State Technology Volume: 63 Issue: 2s (2020) hal 9933

⁶ Bambang Eko Turisno Dkk, Negligence in Implementing Child Custody Decisions: A Threat to Child Protection in Indonesia, International Journal of Criminal Justice Science Vol 16 Issue 2 (2021), Hal 288

⁷ Badan Pusat Statistik Indonesia, <https://www.bps.go.id/publication/2022/02/25/0a2afea4fab72a5d052cb315/statistik-indonesia-2> di akses pada tanggal 23 April 2022

⁸ Eva F. Nisa, Thebureaucratizationof Muslim marriage in Indonesia, Journal of Law and Religion, 2018 hal 7

knowledge for the prospective marriage partner so that they are able to solve family problems wisely, not by divorce⁹.

An important process in building a strong family in these regulations is the khitbah which aims so that each partner before marriage knows for sure both physically and physically his partner¹⁰, this is important because marriage brings together two individuals who are very different both physically and psychologically to live together for a short time. This difference opens up opportunities for conflict in the household which sometimes ends in divorce¹¹. In an effort to minimize the occurrence of conflicts because of these differences, careful preparation is needed and a pre-marital procession is needed so that each prospective partner knows each other and understands the physical criteria and character of each¹².

The concept of khitbah (proposal) was then accommodated by the Indonesian government in the Compilation of Islamic Law which became a reference and guideline for the Indonesian Muslim community as a preparation for pre-wedding processions¹³. In addition to the khitbah, the Indonesian government also made policies regarding pre-marital education¹⁴ as an effort to equip prospective partners to really have mature knowledge before entering into marriage¹⁵, Of course this is intended so that the household building becomes strong so that it can reduce the divorce rate which the government considers to be the cause of Indonesia's weak human resources¹⁶.

The above noble aspirations and ideals must then be confronted with the empirical reality of community traditions that do not care about the khitbah

⁹ Yunitasari Dkk, The effects of health education on increasing knowledge, attitudes, and stunting prevention in pre-marriage couples in bangkalan madura, EurAsian Journal of Biosciences . Jan-Jul2020, Vol. 14 Issue 1, p2519-2525.

¹⁰ Dea Salma Sallom dan Kholil Syu'aib, Matchmaking In Pesantren: The Role of Wali Mujbir in Matchmaking with Maqasid Sharia Perspectives, Al-Risalah Vol. 22 No. 1, June 2022 hal 82

¹¹ Love Obiani Arugu, Social indicators and effects of marriage divorce in African societies, The Business & Management Review, Volume 4 Number 4 2014, hal 378

¹² Ariel Kalil, Family Resilience and Good Child Outcomes A Review of the Literature, Centre for Social Research and Evaluation, Ministry of Social Development, Te Manatu- Whakahiato Ora 2003 hal 12

¹³ BAB III Pasal 11-13, Kompilasi Hukum Islam.

¹⁴ Pendidikan Pra nikah memberikan bekal pengetahuan , keterampilan dan kemampuan bagi pasangan calon pengantin sehingga memiliki kesiapan dan kematangan yang memadai, lihat Nawal Arafah Yasin dalam <https://jatengprov.go.id/publik/cegah-kdrt-pendidikan-pranikah-wajib-untuk-remaja/#:~:text=%E2%80%9CPendidikan%20pranikah%20akan%20membekali%20pengetahuan,kesiapan%20dan%20kematangan%20yang%20memadai>. Diakses tanggal 25 April 2022

¹⁵ Peraturan Direktur Jendral Bimbingan Masyarakat Islam No 379 Tahun 2018, lebih lengkap tentang ketahanan keluarga berdasarkan bimbingan pra nikah lihat, Mohammad Hossein Mehrolhassani Dkk, Evaluation of Pre-Marriage Counseling Program in Iran: A Narrative Review of Structural, Procedural, and Outcome Dimensions, EBHPME Volume 2, Issue 3, September 2018; 208

¹⁶ Akhmad Yafiz Syam Dkk, Effects of Fiscal Health on Human Development Index in Indonesia: Regional Government Performance Mediating Role, International Journal of Innovative Science and Research Technology, Volume 4, Issue 10, October – 2019 hal 54

procession as pre-marital preparation and even try to marginalize the khitbah. Based on initial observations, researchers found that 8 out of 10 marriages did not use khitbah¹⁷ and based on initial interviews it was found that there were community leaders who suggested that young people not use the khitbah in their marriage process because according to him the khitbah made it difficult for the community's marriage process to be related to the payment of the pisuke tradition¹⁸.

This condition triggers researchers to conduct a more in-depth study of the reality of the clash between the ideals of government regulations (das sollen) and their empirical reality (das sein). This desire is stated by the researcher in a title "Marginalization of Khitbah in the marriages of the people of Lombok, West Nusa Tenggara". This study examines three formulations of the problem, namely first, is it true that there is marginalization of khitbah in the pre-marital process of Lombok Muslim society, second, what is the philosophical basis for this marginalization. Third, what are the efforts to synchronize government regulations with local customs so that khitbah can be applied in the midst of Muslim society as a pre-marital process.

Lombok is a very interesting research location considering that the population is predominantly Muslim¹⁹ and has a very high level of religiosity, this is at least evidenced by the spread and rapid development of Islamic boarding schools. In addition, Lombok is known as the island of a thousand mosques²⁰. This consideration is a logical consideration considering one that underlies a person's actions is depending on the values one believes in²¹.

This research is very important because it can reveal the fundamental reasons for the marginalization of khitbah which will then affect the divorce rate which is now a serious problem for this nation and this research can also be a reference material in transforming Islamic law, custom and positive law in Indonesia.

¹⁷ Observasi Awal dilakukan dari Tanggal 15-20 Februari 2022

¹⁸ Wawancara Awal dilakukan Pada Tanggal 25 -27 Februari 2022 Pada Pukul 16.00-18.00 Wita

¹⁹ Direktorat Jendral Kependudukan dan Pencatatan Sipil Kementerian dalam Negeri Mencatat Jumlah penduduk NTB Adalah 5,43 Juta Jiwa dari jumlah tersebut sebanyak 5,22 juta jiwa beragama islam, lihat Viva Budy Kusnandar, Jumlah Penduduk Beragama Islam di NTB menurut Kabupaten dan Kota, Databoks, <https://databoks.katadata.co.id/datapublish/2022/03/07/penduduk-beragama-islam-di-lombok-timur-terbanyak-se-ntb-pada-2021#:~:text=Direktorat%20Jendral%20Kependudukan%20dan%20Pencatatan,penduduk%20di%20NTB%20ber-agama%20Islam>. Diakses pada 29 April 2022

²⁰ Muh Hasanain dan Baiq Muslimatushalihah, Reactualize the Role and Function of Mosque in Developing the Education of Ummah: Study in East Lombok West Nusa Tenggara Province, International Journal of Multicultural and Multireligious Understanding, Volume 8, Issue 10 October, 2021 Hal 510

²¹ Richard P. DeShon dan Jennifer Z. Gillespie, A Motivated Action Theory Account of Goal Orientation, Journal of Applied Psychology Vol. 90, No. 6, 2005, hal 1096 –1127

Methods

This research is empirical legal research²² which examines the application of khitbah law in real practice in society. The research data includes primary data and secondary data, the primary data is data obtained from respondents, informants and sources, the respondents in this study are the perpetrators of the marriage and people directly involved such as the parents of the bride and groom, the informants are religious and community, and the sources are experts in marriage law.

Data collection techniques in this study used interview, observation and documentation techniques. Through interview observation techniques with respondents, informants and resource persons the authors obtained data on application, philosophical foundations or inhibiting factors for the application of khitbah and efforts to synchronize customary and positive laws in resolving problems with the implementation of khitbah. Documentation techniques to obtain secondary data such as regional data and so on. The data that has been collected in the inventory and classified is then analyzed using the deductive method to then draw conclusions.

Discussion

Application of Sermons in Pre-Marriage for the Muslim Community of Lombok Per Regency in 2021

To be able to find out about whether there is really a marginalization of khitbah in Lombok, the primary data is to know the application of khitbah to marriages in Lombok's Muslim community. The application of khitbah in Lombok, West Nusa Tenggara is not optimal. This can be proven from the field data obtained by researchers as recorded in the following table²³:

Tabel 2

Number of marriages with khitbah and without khitbah

NO	Original village of couple	Regent	Number	KHITBAH	NON KHITBAH
1.	Jelantik	Lobar	9	4	5
2.	Bajur	Lobar	11	9	2
3.	Bukit Tinggi	Lobar	7	1	6

²² Lisa Webley, QUALITATIVE APPROACHES TO EMPIRICAL LEGAL RESEARCH, Oxford Handbook of Empirical Legal Research (eds) Peter Cane and Herbert Kritzer OUP 2010 hal 6

²³ This data is the result of interviews and observations of researchers for 3 months from May to June and August based on a predetermined sample, the data is inventoried and processed by researchers then draws results.

4.	Mekarsari	Lobar	5	-	5
5.	Gelangsar	Lobar	19	2	17
6.	Kebun Ayu	Lobar	8	3	5
7.	Montong	Lobar	5	4	1
8.	Peimbung	Lobar	10	2	8
9.	Sekarbela	Mataram	24	8	16
10.	Majelok	Mataram	48	41	7
11.	Kampung arab	Mataram	37	20	17
12.	Mandalika	Mataram	12	2	10
13.	Bonder	Loteng	42	24	18
14.	Gubuk jero	Loteng	4	-	4
15.	Jelantik	Loteng	18	1	17
16.	Paok Motong	Loteng	4	2	2
17.	Jago	Loteng	40	5	35
18.	Rumbuk	Lotim	15	5	10
19.	Lendang	Lotim	7	5	2
		Nangka			
20.	keruak	Lotim	6	2	4
21.	Sakra	Lotim	20	5	15
22.	Beber	Lotim	11	3	8
23.	Masbagik	Lotim	9	7	2
		timur			
		Total Jumlah	371	155	216

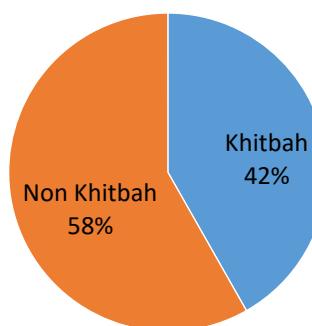
Based on this data, it can be seen that of the 371 marriages conducted in Lombok, West Nusa Tenggara, there were 216 marriages carried out without khitbah and 155 marriages with khitbah. The highest number of marriages without khitbah occurred in Jago Village, Central Lombok Regency with 35 marriages, followed by Bonder Village with 18 marriages, and then Mataram Arab Village with 17 marriages..

In West Lombok the highest number of marriages without khitbah occurred in the village of Gelangsar with 17 cases, followed by Penimbung with 8 marriages and then in Bukit Tinggi Village with 6 cases. This figure is a very high number and should be an important concern for the government. The percentage of the number of Khitbah and Non-Khitbah marriages can be seen in the following diagram

Diagram 2:

Percentage of marriages with and without khitbah

Marriage Data base on Khitbah and Non Khitbah



Based on the diagram above, it can be concluded that the marriage of the Lombok Muslim community without using khitbah is higher at 58% than those who use khitbah which is only at 42%. Seeing the figures above, the researchers concluded that there had indeed been a process of marginalization of sermons in Lombok, West Nusa Tenggara.

The philosophical basis for the marginalization (inhibiting factor) of khitbah in the marriages of the Lombok Muslim community

Various reasons are used as the basis for marriage in the Muslim community of Lombok, so they do not apply Khitbah as a pre-marital process. The reasons are as follows;

1. Cultural Factor

Factors that influence the practice of marriage which is not preceded by a khitbah are due to cultural factors. The culture of Lombok's Muslim community is accustomed to marriage by pulling, generations are now following in the footsteps of their predecessors so that they join in to marry by pulling.

The habit of marrying by means of attraction is still valid and well accepted by the community, so that in the view of the community, carrying out marriages by means of attraction is not a disgrace²⁴.

2. Law Factor

²⁴ Interview with Zainuddin, Head of South Penimbung Hamlet, Penimbung Village, Gunungsari District, West Lombok Regency, NTB on May 13 2022 at 16.00 WITA

The law of khitbah is a law that is considered foreign by the Muslim community of Lombok, its application requires knowledge such as how to preach the boundaries of khitbah and so on. The youth of Lombok had very little knowledge about it, so they chose the way of marriage by attracting no khitbah or proposal²⁵.

3. Economic Factor

Sasak community marriages go through several stages, namely the pre-contract stage, the contract procession stage and the post-akad stage. Each stage requires costs that are relatively high, for example, before entering into a contract to get a guardian, one must complete the pisuke payment²⁶. Like a person who is married to the application/khitbah process, inevitably he has to agree to the pisuke payment required by his guardian. In this process, the guardian usually asks for a relatively high amount of payment of 30-50 million, if you don't agree, the marriage will not take place. But for someone who is married in a non-khitbah way, pisuke payments can be negotiated up to the lowest payment of 5-10 million. This reality builds the community's mainside that marriage with the khitbah model is only done for people who are ready with high funding, but for those who are not ready with funding it is better to marry by interesting. for underprivileged communities²⁷.

4. Age Factor

Lombok community marriages are mostly done at the age of under 19 years. For this type of marriage, it is impossible to apply khitbah because of course the woman's parents will not accept it, so marrying by stealing or pulling is an alternative choice²⁸.

The explanation above shows that there are four factors (philosophical foundations) that lead to the marginalization of the application of the khitbah as a pre-marital procession. The data can be seen in the following table;

²⁵ Interview with Hery Zarkasih Academician of UIN Mataram on May 25 2022 at 09.00 WITA

²⁶ An amount of money that must be paid to the bride as the cost of thanksgiving or begawe

²⁷ Interview with Yahya Head of Limbungan Gunungsari Hamlet on May 27 2022 at 18.00 WITA

²⁸ Interview with Pasakh Residents of Sekotong West Lombok Regency on May 29 2022 at 14.00 WITA.

Tabel 3

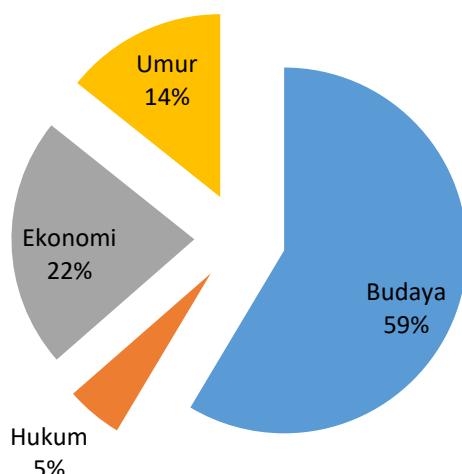
Factors Inhibiting the Application of Khitbah in Marriage in the Lombok Muslim Community

No	Original village of couple	Regent	Number of non khitbah	Reason for no use khitbah			
				Cultural	Law	Economic	Age
1.	Jelantik	Lobar	5	3		1	1
2.	Bajur	Lobar	2	1			1
3.	Bukit Tinggi	Lobar	6	4		2	
4.	Mekarsari	Lobar	5	4	1		
5.	Gelangsar	Lobar	17	8		2	7
6.	Kebun Ayu	Lobar	5	2		2	1
7.	Montong	Lobar	1	1			
8.	Penimbung	Lobar	8	4		4	
9.	Sekarbela	Mataram	16	5	2	5	4
10.	Majelok	Mataram	7	5			2
11.	Kampung arab	Mataram	17	7		10	
12.	Mandalika	Mataram	10	5		5	
13.	Bonder	Loteng	18	16			2
14.	Gubuk jero	Loteng	4	2			2
15.	keruak	Lotim	4	2	2		
16.	Sakra	Lotim	15	13	2		
17.	Masbagik timur	Lotim	2				
Total Amount			142	82	7	31	20

The data above shows that 82 people are married to non-khitbah due to culture, 7 people are due to legal factors, 31 people are due to economic factors and 20 people are married to non-khitbah because of age. The percentage can be seen in the following diagram:

Diagram 3
Percentage of Causes of Marginalization of Khitbah

Causes of Factor of Marginalization Khitbah



This data shows that 59% of the marginalization of khitbah is caused by a culture that already thrives in society, followed by economic factors of 22%, age factor of 14% and legal factor of 5%. The percentage of these causal factors is important to know as a reference for policy holders to determine the scale of priorities that must be put forward in designing alternative solutions to solving the khitbah problem.

Problem-based alternative solutions in solving the problem of preaching marginalization

Khitbah as a pre-marriage process that has an important role in building a strong family, it turns out that its application encounters various obstacles, ranging from cultural, economic, age and legal factors. To overcome this problem, an alternative solution is needed as below.

To overcome problems that are based on the name of culture, in this case cooperation between religious leaders, community leaders and the community is needed to unify perceptions of the importance of khitbah in society, the agreement is then made into village regulations or awig-awig which prohibits marriage except

using khitbah. This technique has proven to be effective as practiced in the village of Bajur, out of 11 marriages only 2 couples had non-khitbah marriages.²⁹.

For problems caused by economic factors, this must change the marriage system of the Lombok people who apply the pisuke system, the pisuke system should be abolished because it is not in accordance with the principle of convenience in marriage as exemplified by the Prophet. All kinds of money expenditures such as hut clamps, hut cramps, pelengkak, pisuke and other things need to be the concern of marriage practitioners to be minimized and if necessary eliminated.

In order to overcome the problems with the application of khitbah caused by legal factors, massive socialization of the urgency of khitbah in building a strong family is a necessity that cannot be bargained for. In this case, of course, the role of government elements, religious leaders and community leaders is needed.

Conclusion

The urgency of khitbah as a pre-marital process in the Muslim community of Lombok is ignored and marginalized. This is evidenced by the number of marriages using khitbah which is much lower, reaching 216 marriages compared to marriages using khitbah, which is only reaching 155 marriages.

The philosophical basis for the marginalization of khitbah in the marriages of the Muslim community of Lombok is due to culture, economy, age and due to legal factors. An alternative solution in resolving this problem is to maximize the role of religious and community leaders in making a binding rule, then by removing the pisuke system and campaigning for urgency khitbah in building a strong marriage.

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