

LEGAL PLURALISM IN SOUTH TAPANULI MARRIAGE: CUSTOM, ISLAM, STATE

Hamid Hanafi Hanan,^{1*} Achmad Gunaryo,² Tsania Miratush Sholichat,³
Ahmad Fadhol Aulawy⁴

¹²³Walisongo State Islamic University Semarang, Indonesia

⁴Mutah University, Jordan

*Correspondence: 24020780013@student.walisongo.ac.id

Citation: Hanan, Hamid Hanafi Hanan, Achmad Gunaryo, Tsania Miratush Sholichat, and Ahmad Fadhol Aulawy. 2026. "Legal Pluralism in South Tapanuli Marriage: Custom, Islam, State". *Walisongo Law Review (Walrev)* 8 (2):228-47. <https://doi.org/10.21580/walrev.2026.8.2.32338>.

Copyright (c) 2026 by Authors

This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License.



Abstract: The study of marriage in the South Tapanuli community generally treats customary, Islamic, and national law separately, while the cooperative interactions among these systems remain underexplored. This study aims to analyze the relationship between the three systems through the concept of cooperative legal pluralism. This research is normative legal research using conceptual and statutory approaches. The results show that the normative framework governing marriage in South Tapanuli conceptually integrates customary law, Islam, and national law to gain social, religious, and juridical legitimacy. The principle of *hombardo adat dohot ibadat* serves as a philosophical foundation that brings together customs and religion, while national law provides legal certainty. Despite the potential for conflict, especially around intermarriage norms, institutional coordination among customary, religious, and state provisions provides a framework for managing differences. The novelty of this research lies in the construction of cooperative legal pluralism as a conceptual model, wherein Islamic law determines religious validity, state law dictates formal recognition, and customary law establishes social legitimacy.

*Kajian perkawinan masyarakat Tapanuli Selatan umumnya membahas hukum adat, Islam, dan nasional secara terpisah, sementara interaksi kooperatif antarsistem masih kurang dikaji. Penelitian ini bertujuan menganalisis hubungan ketiga sistem tersebut melalui konsep cooperative legal pluralism. Penelitian ini merupakan penelitian hukum normatif dengan pendekatan konseptual dan peraturan perundang-undangan. Hasil penelitian menunjukkan bahwa kerangka normatif yang mengatur perkawinan di Tapanuli Selatan secara konseptual mengintegrasikan hukum adat, Islam, dan hukum nasional untuk memperoleh legitimasi sosial, keagamaan, dan yuridis. Prinsip *hombardo adat dohot ibadat* menjadi landasan filosofis yang mempertemukan adat dan agama, sedangkan hukum nasional memberikan kepastian hukum. Meskipun terdapat potensi konflik normatif, terutama dalam larangan perkawinan semarga, koordinasi institusional antara ketentuan adat, agama, dan negara memberikan kerangka untuk mengelola perbedaan. Kebaruan penelitian ini terletak*

pada konstruksi cooperative legal pluralism sebagai model konseptual, di mana hukum Islam menentukan keabsahan religius, hukum negara menentukan pengakuan formal, dan hukum adat menetapkan legitimasi sosial.

Keywords: *Legal Pluralism; Marriage Law; South Tapanuli.*

INTRODUCTION

Indonesia inherently possesses the characteristics of a highly pluralistic society, categorized not only by its immense ethnic, cultural, and religious diversity but also by the complex legal systems that live and develop within its populace. This structural condition gives birth to the empirical reality of legal pluralism a paradigm in which more than one legal system coexists and operates within the same social space (Flambonita, Novianti, and Febriansyah 2021). Within the Indonesian socio-legal context, society does not interact exclusively with state-enacted positive law; rather, it is continuously engaged with customary law and religious law, both of which have been practiced and internalized across generations (Simamora et al. 2024). Consequently, individuals and communities operate under the simultaneous influence of three distinct normative frameworks: customary law, religious law, and national state law.

Customary law represents one of the most deeply rooted normative systems in Indonesian history. Its existence evolves organically from the shared habits, values, norms, and social practices continuously maintained by local communities. It extends beyond the regulation of mundane social interactions to govern fundamental institutional aspects of human life, particularly marriage, kinship structures, inheritance, and communal dispute resolution. Parallel to this, religious law specifically Islamic law within Muslim-majority demographics derives its absolute legitimacy from theological beliefs. It serves as an indispensable guideline for human conduct, profoundly shaping familial and marital relationships (Simamora and Pasaribu 2025). Concurrently, national law holds a universally binding position founded upon the constitutional principle of Indonesia as a rule of law state (*Rechtsstaat*). Under this paradigm, every citizen is fundamentally obligated to comply with formal legislative and regulatory provisions designed to guarantee systemic order and legal certainty. The coexistence of these three distinct legal systems demonstrates that law within Indonesian society does not manifest as a monolithic entity. However, observing this phenomenon merely as the presence of multiple legal systems is theoretically insufficient. To accurately comprehend this dynamic, it is imperative to establish clear conceptual boundaries between intersecting, and often conflated, socio-legal phenomena: legal pluralism, legal conflict, the norm-practice gap, and legal uncertainty.

Legal pluralism, in its purest definitional sense, is simply the descriptive reality of these three normative systems sharing the same jurisdiction and governing the same social actors. However, pluralism inevitably breeds legal conflict when the substantive demands or formal

requirements of one system directly contradict those of another for instance, when customary provisions regarding the minimum age of marriage or property distribution clash with state statutes (Hariri and Babussalam 2024). Furthermore, this dynamic frequently results in a distinct norm practice gap, which represents the sociological divergence between the rigid, normative prescriptions codified by the state and the actual, fluid marriage practices executed by communities on the ground. When community practices satisfy customary and religious requirements but fail to fulfill the administrative prerequisites mandated by state law, it engenders legal uncertainty. This uncertainty strips individuals of formal legal protection, complicating personal status, child custody, and marital property rights, despite the marriage being viewed as completely legitimate within the community's localized perspective (Yuswalina 2016).

Marriage is arguably the most prominent legal arena where the complexities of these four concepts intersect. Marriage transcends the boundaries of a mere legal contract between two individuals; it is fundamentally a social, religious, and customary institution that fundamentally alters personal status, establishes new kinship networks, and dictates the rights and obligations of the spouses. In a pluralistic society, a single marriage is simultaneously governed by customary norms, religious strictures, and state administrative laws (Murdan 2016). This intricate intersection becomes particularly profound when analyzed within the context of the South Tapanuli society, a community characterized by deeply entrenched social and cultural constructions. The South Tapanuli region encompassing Padangsidempuan City, South Tapanuli Regency, Padang Lawas, North Padang Lawas, and Mandailing Natal is predominantly Muslim, yet it fiercely retains its traditional indigenous structures. Within this demographic, customary traditions (*adat*) and Islamic tenets hold parallel supremacy in dictating the socio-legal order of community relations, particularly in the execution of marriages (Setiadi, Khairunnisa, and Muhammad 2025). Simultaneously, this society remains structurally bound by the national marriage laws that dictate formal and administrative compliance.

The relentless interaction between customary law, Islamic law, and state law within South Tapanuli marriages ultimately generates a complex matrix of legal options for the community (Siregar, Siregar, and Rangkuti 2023). Marriages become the tangible locus where the *Living Law* (customary traditions), religious doctrine (Islamic law), and positive state law collide. However, while a number of previous studies have successfully mapped the existence of this legal pluralism, a significant research gap remains. Previous literature, notably the research conducted by Harahap (2019), has effectively established that the South Tapanuli community faces overlapping legal choices and routinely integrates customary, Islamic, and state systems into their marriage practices. While these preceding studies are foundational, they remain largely descriptive. They succeed in answering the preliminary question confirming *that* legal pluralism exists but they fall short of diagnosing *what type* of legal pluralism is actually occurring and analyzing precisely *how* it operates mechanically within

society. Earlier research has not sufficiently deconstructed how the community practically negotiates the norm-practice gap, nor how it resolves substantive legal conflicts to stave off legal uncertainty (I. Harahap 2019). To bridge this analytical gap, this article moves beyond the mere documentation of pluralistic existence to construct and propose a functional model of Cooperative Legal Pluralism. Rather than viewing the interaction of these three systems strictly through the lens of inevitable conflict or hierarchical supremacy, this research conceptualizes a structured, negotiated framework utilized by the South Tapanuli community. This proposed model elucidates how differing normative systems are not mutually exclusive, but are instead functionally compartmentalized and sequentially negotiated by the community to achieve comprehensive marital legitimacy.

The cooperative legal pluralism model operates through the following structured framework: Islamic law (religious validity)-functions as the foundational theological threshold. It strictly determines the religious validity (*syarat dan rukun*) of the marriage, satisfying the community's spiritual and moral obligations before God; state law (formal/legal-administrative recognition)-functions as the bureaucratic and protective threshold. It determines formal recognition through registration, thereby guaranteeing legal certainty, administrative integration, and subsequent state protection regarding civil rights, inheritance, and child status. Customary law (social and kinship legitimacy)-functions as the sociological threshold. It determines the social legitimacy of the union, dictating the integration of the spouses into the broader kinship network, assigning familial roles, and fulfilling inherited communal obligations. Community negotiation (conflict management)-functions as the active operational mechanism. It represents the deliberate, practical strategies employed by individuals, families, and customary leaders to manage overlaps, mitigate direct legal conflicts, and harmonize the varying demands of the three systems into a singular, socially cohesive marital event. Therefore, this research aims to comprehensively examine the pluralism of marriage law in South Tapanuli by applying this Cooperative Legal Pluralism framework. By distinctly separating the concepts of legal conflict, legal uncertainty, and the norm-practice gap, this article analyzes how the South Tapanuli community functionally navigates the demands of Islamic, customary, and state law. In doing so, this study endeavors to transform descriptive findings into a concrete conceptual contribution, offering a nuanced understanding of how legal pluralism operates empirically. Ultimately, this analysis will contribute to the broader jurisprudential discourse on developing a responsive national marriage law—one capable of structurally accommodating the undeniable reality of customary and Islamic living laws without sacrificing the imperative constitutional principles of legal certainty and state protection.

RESEARCH METHODS

This research is normative legal research, which examines law from an internal perspective with the aim of examining legal norms, legal principles, and legal doctrine. The

nature of this research is descriptive-analytical, which aims to provide a systematic, factual, and accurate picture of the interaction between customary law, Islamic law, and national law in marriage practice in South Tapanuli.

The main approach used is *the conceptual approach*. This approach is carried out by deviating from the views and doctrines that have developed in the legal sciences. In this case, the researcher uses the concept of legal pluralism introduced by Gurvitch to understand the existence of more than one legal system in a single social space. This concept is then elaborated through the typology of legal pluralism, namely: *Cooperative Legal Pluralism* (complementary cooperation), *Competitive Legal Pluralism* (competition/friction) and *Combative Legal Pluralism* (strong opposition).

RESULTS AND DISCUSSION

Legal pluralism and Marriage Actuality in South Tapanuli

The concept of legal pluralism, first introduced by Gurvitch in 1935 as a social condition allowing individuals to choose among various overlapping rules (Benda-Beckmann and Turner 2018), provides a crucial lens for moving beyond the paradigm of legal monism. Rather than viewing state law as the exclusively legitimate juridical authority, legal pluralism acknowledges the simultaneous and dynamic interaction of state, customary, and religious norms within a single social space. As an inevitable global phenomenon, it requires societies to navigate a complex balance between these various value systems, which can provide alternative avenues for justice but also trigger clashes of norms (Anggraeni 2023). However, analyzing this phenomenon requires moving beyond abstract definitions to observe how these overlapping systems interact on the ground. These interactions can be classified into three main typologies: cooperative, competitive, and combative legal pluralism. To systematically assess these dynamics, distinct observable characteristics must be established. Cooperative pluralism occurs when legal systems mutually reinforce one another, observable through practices such as joint dispute resolutions, shared enforcement, or state courts formally recognizing customary decisions. Competitive pluralism emerges when systems offer parallel avenues for justice, characterized by observable “forum shopping” where individuals strategically bypass customary leaders in favor of state courts, or vice versa, to secure favorable outcomes without mutual recognition between the institutions. Finally, combative pluralism is marked by direct contradiction, observable when state law actively criminalizes or invalidates local customary practices, or when communities openly defy state regulations. By establishing these concrete indicators, legal pluralism transforms from a static theoretical concept into a practical analytical framework. Rather than merely declaring the outcome of legal interactions, this article utilizes these observable characteristics to systematically test the socio-legal practices in South Tapanuli. Through this framework, the study empirically demonstrates how the people of South Tapanuli navigate the demands of customary law, Islamic law, and national law, revealing whether these overlapping authorities ultimately support, compete with, or contradict one another in everyday practice.

For the people of South Tapanuli, marriage is not just a ceremonial tradition, but a complex intersection of customary law, Islamic law, and state regulations that illustrates a vibrant legal pluralism. In his research, Harahap states that marriage encompasses at least nine critical socio-legal values that dictate rights, obligations, and jurisdictional authority, demonstrating how traditional law cooperates with or operates parallel to formal legal systems; (I. Harahap 2019:65)

1. The arrival of the bride or Haroan boru in the male family acts as a customary legal contract that binds two large families, creating inter-kinship cooperation that reinforces local social order.
2. A new woman officially acquires communal rights in a village or bonabulu after marriage, following her husband's bonabulu, showcasing how customary citizenship and property laws operate locally, in contrast to a man whose status remains tied to his birth parents.
3. This wedding serves as a legally binding public transition ending solitude, marking the normative change in their status as husband and wife and functioning as customary verification alongside formal state marriage registration.
4. Marriage operates as the customary threshold for legal adulthood and capacity. In the South Tapanuli custom, a person is only granted the rights of an adult after marriage, which can compete with state civil codes that define maturity strictly by chronological age.
5. Marriage marks the institutionalization of social and legal responsibilities, in which married couples begin to be bound by community laws to participate in obligatory activities such as visiting relatives (siluluton) and joyful events (siriaon).
6. Husband and wife are bestowed new titles that follow the naming conventions of husband groups, establishing formal legal identities within the customary hierarchy that operate independently of state-recognized identities.
7. Marriage is a moment of legal entitlement, ensuring provisions in the form of food (pangupa) to strengthen the body and spiritual provision (tondi), symbolizing the customary legal protection provided to the new household.
8. The groom's family, in the presence of traditional kings (Raja Adat) acting as judicial arbiters, publicly expresses their willingness to accept the boru, functioning as an alternative dispute resolution and ratification forum.
9. The traditional kings formally declare that the inter-family bond is perfectly established, asserting customary judicial authority and demonstrating that customary laws cooperate seamlessly with religious solemnization (L.P. Hasibuan 1991:4).

The people of South Tapanuli view marriage as a highly regulated socio-legal institution where living customary laws frequently compete or cooperate with other normative systems. In its social structure, there is a strong customary jurisprudence preferring certain marital alliances considered ideal, especially the *Boru Tutulang* wedding (Taufika et al. 2025). This form involves the marriage of a man to his maternal uncle's daughter (*manyunduti*), perfectly illustrating a customary preference that aligns cooperatively with Islamic legal allowances. In addition, the community firmly mandates exogamy as a customary legal strategy to expand kinship networks and mitigate conflicts, provided these alliances do not clash with overlapping national or religious legal frameworks (Lubis 2018:54).

Beyond the kinship structure, qualitative legal criteria heavily influence the validation of marriages within this pluralistic environment. Shared trust operates as a binding customary norm closely linked to the enforcement of unwritten laws in the region. Furthermore, a marriage achieves maximum customary legal validity if there is socio-legal equality and mutual comprehension between the parties regarding their customary obligations. (Ritonga et al. 2024). This alignment of legal standing ensures married couples can securely exercise their rights in community activities and maintain their kinship group's prestige before the customary courts presided over by traditional kings (Rukiah Siregar 1979:66). Highlighting the potential for legal conflict, the South Tapanuli community strictly enforces customary prohibitions that heavily diverge from state or Islamic law. The first prohibition outlaws marrying a woman with the same clan name. While state law may permit a man to marry a woman with an identical surname (e.g., a Nasution marrying a Nasution), customary law criminalizes it (Hasibuan and Siregar 2026). Such unions are prosecuted as incestuous under customary penal codes, creating direct legal competition. Offenders risk severe extrajudicial sanctions like social excommunication and mandatory restitution fines, explicitly the obligation to slaughter buffaloes or goats. The second prohibition strictly restricts marrying a paternal aunt's daughter (*bou*). This transgression is legally termed "Marriage Piracy" and triggers customary prosecution (Syamsul Bahri Ritonga 2004:84–88).

Therefore, marrying a paternal aunt's daughter is treated as a major customary felony. If this illicit union occurs, customary law mandates a restorative justice process, symbolically equated with structurally renovating a house. To legally remedy this breach, offenders face the penal authority of traditional law through a hefty fine the slaughtering of a buffalo. Additionally, offenders face banishment from the indigenous legal jurisdiction. To avoid these painful extrajudicial sanctions and the intense conflict between permissive formal laws and restrictive customary laws, violators frequently choose to migrate, thereby escaping local customary enforcement entirely (E.St. Harahap 1960:104–5).

In South Tapanuli, the exogamous marriage tradition establishes binding legal precedents for post-marital residence and jurisdictional domains. A man is legally bound to find a partner from a different clan or tribe (H.M.D. Harahap 1987:47). For example, a

Harahap man must marry outside his clan (e.g., Siregar, Lubis, Nasution, or Hasibuan). By default, patrilocal residence rules dictate the wife falls under the jurisdictional domain of the husband's family, legally transforming her family into the "Easy" and the husband's into the "Boru Son" (H.M.D. Harahap 1987:46). However, legal pluralism accommodates exceptions that alter these residence laws. If a groom defaults on the customary dowry, a matrilineal contractual arrangement (Probing) allows him to compensate through labor. Other customary legal exceptions arise regarding inheritance law; if the wife is an only child, or lacks brothers, the husband relocates to protect her family's assets, demonstrating how customary property laws adapt to ensure lineage continuity and economic stability (Arpika, Ramadani et al., 2025). Finally, the various mechanisms of a bride's departure illustrate distinct customary legal procedures for conflict resolution, negotiation, and contract formation within a pluralistic setting:

1. Boru na dipamade: Represents full customary legal compliance, where the marriage is formally ratified through transparent, cooperative ceremonies involving traditional leaders and the community.
2. Boru tangko binoto: A semi-clandestine legal maneuver used when procedural violations or financial disputes preclude full customary endorsement, reflecting a compromise that evades public legal scrutiny.
3. Boru na marlojong: An elopement that directly conflicts with parental legal authority, utilizing alternative communal mechanisms to force marriage ratification against family vetoes.
4. Boru na pagincatkon: A levirate-style customary legal obligation where a woman marries her late brother's husband, acting as a surrogate mechanism to secure child custody and welfare within the family.
5. Boru na manginte bondul: A widow obligatorily marries her late husband's brother, functioning as a customary welfare and property retention law for orphans.
6. Boru na manaek (boru na manyompo): A unilateral customary tort claim where a woman presents herself at a man's home to demand legal responsibility and marriage for prior transgressions (e.g., adultery), acting as a mechanism for restorative justice.
7. Porda Dumpang: Demonstrates individual legal autonomy where a widow opts out of customary levirate obligations to legally marry a man outside the deceased husband's lineage.

Implementation of Marriage Regulations in the South Tapanuli Region

In South Tapanuli, the practice of marriage is divided into four main types that are commonly found in people's lives. These four types are based on different legal systems,

namely customary law, Islamic law, state law, and a combination of various legal systems (legal pluralism).

1. Marriage Islamic Law

In the study of legal dogmatics through normative legal research methods, the phenomenon of *marjamu* marriage in the South Tapanuli region is not merely viewed as a sociological reality, but rather as a doctrinal research object that demonstrates the contestation of principles and norms among legal systems. In contrast to the *maradat* marriage model, which stems from unwritten norms and the jurisprudence of traditional elders, *marjamu* marriage operates as an autonomous normative order rooted in Islamic law. This phenomenon is highly visible among communities with a strong religious base in the areas of Padangsidempuan City, Mandailing Natal Regency, and Padang Lawas Regency. By utilizing a conceptual approach and a statute approach, the community's institutional choice toward *marjamu* can be analyzed as a quest for legal certainty. Practitioners of *marjamu* normatively assert that *maradat* practices often contain theological syncretism and procedural burdens that are in disharmony with the principles of purity and simplicity in Islamic law.

Within the landscape of legal pluralism in Indonesia, the normative validation of a *marjamu* marriage depends on the fulfillment of the pillars and prerequisites codified in *fiqh munakahat*. Normatively, this Islamic legal architecture does not operate in a vacuum; rather, it enters into a multi-directional relationship with state positive law and living customary law (*living law*). Based on legal synchronization analysis, this interaction gives rise to three typologies of normative relationships: convergence (harmonious overlap), supplementation (doctrinal completion), and conflict of norms.

First, from the perspective of the statute approach, there is a harmonious normative convergence among Islamic jurisprudence, customary law, and state positive law (specifically Article 2 paragraph (1) of Law Number 1 of 1974 concerning Marriage). (Undang-Undang Nomor 1 Tahun 1974 1974) These three legal regimes intersect at the principle of maturity and legal capacity. While customary law validates capacity through communal social readiness, *fiqh munakahat* and state positive norms operationalize it through the requirements of physical puberty (*baligh*) and cognitive maturity (*aqil*). This convergence of principles reinforces the legal doctrine that a civil legal act, such as marriage, demands full accountability and the free consent of its legal subjects before God, the state, and society.

Second, through a conceptual review, the Islamic legal norms inherent in the *marjamu* practice serve to supplement the void of legal certainty and rights protection norms within customary law. Customary law generally situates marriage as a communal social alliance. However, doctrinally, Islamic law elevates the marriage contract into a sacred covenant (*mitsaqan ghalizha*), which has now been positivized into primary legal

materials in Article 2 of the Compilation of Islamic Law (KHI). This concept is no longer merely a moral teaching, but the absolute basis of the civil legal relationship between husband and wife (Samsidar et al. 2025). Furthermore, Islamic law (and the KHI) supplements customary governance by codifying guarantees of individual rights, such as the wife's absolute property rights over the dowry (*mahr*), alimony obligations (*nafaqah*), and formal procedures for marriage annulment and divorce. This normative doctrine provides definitive and measurable juridical protection for women, while simultaneously counterbalancing the patrilineal bias that is often deeply rooted in unwritten customary inheritance and property laws.

Third, constituting the most crucial finding in this normative research, there is an acute vertical and horizontal conflict of norms between the *marjamu* system (which aligns with the state) and the customary system regarding the marital impediment clauses. South Tapanuli customary law adheres to a principle of pure exogamy, which absolutely prohibits marriage between individuals of the same patrilineal clan (*sasolkot* or *semarga*). Customarily, this is an incestuous offense subject to sanctions of banishment and the mandatory slaughter of a buffalo as a fine. However, when examined using a statute approach towards primary legal materials—namely Article 8 of the Marriage Law and Articles 39 to 44 of the Compilation of Islamic Law (KHI)—positive law and Islamic law regulate marital impediments (*hurumat al-nikah* / *mahram*) in a limitative and exhaustive manner. Valid impediments are solely based on consanguinity (*nasab*), affinity (*mushaharah*), and fosterage (*radha'ah*).

In the study of legal dogmatics, there is not a single principle or article in Islamic sharia or the state constitution that prohibits marriage due to clan similarity (e.g., between two individuals surnamed Harahap or Nasution). Consequently, the same-clan prohibition creates a legal vacuum (*vacuum of law*) and a disharmony of norms. What is criminalized by customary law is, in fact, deemed valid, legal, and permissible (*halal*) according to positive and religious norms.

2. State Legal Marriage

The concept of marriage under Indonesian national law is primarily governed by Law Number 1 of 1974 concerning Marriage, as amended by Law Number 16 of 2019. According to Article 1 of the Marriage Law, marriage is understood as an innate bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family or household based on the Almighty. While religious and customary (*adat*) systems also regulate marriage, state law adds a crucial layer of formal recognition that these other systems do not inherently guarantee. This definition suggests that the state views marriage not just as an ordinary civil contract or a purely spiritual union, but as a sacred event that has profound legal, administrative, and social dimensions. As a consequence of the principle of the state of law (*rechtstaat*), national law exists to create

a social order, provide absolute legal certainty, and formally protect the rights of every citizen in the family institution, ensuring that the marriage is officially recognized and enforceable by the state apparatus.

In its development, the concept of marriage in Indonesia has undergone significant transformation to respond to the dynamics of community needs, especially through the intervention of the Constitutional Court such as in Decree Number 69/PUU-XIV/2016 and material updates in Law Number 16 of 2019 (Jahwa et al. 2024). What state law significantly adds in this context is robust legal protection that other normative systems often lack. For instance, the Constitutional Court's decision provides space for the creation of marriage agreements during the marriage bond, which aims to legally strengthen the economic rights and asset protection of married couples against unforeseen future disputes. Furthermore, while customary and religious laws often lack strict, standardized age requirements sometimes allowing underage marriages state law bridges this gap by enforcing strict age limits. The synchronization of the minimum age of marriage to 19 years for both men and women through Law No. 16 of 2019 reflects the state's efforts to prioritize the principles of gender justice, prevent child marriage, and fulfill the basic rights of children within a uniform framework of national law that supersedes local customary variations.

Ultimately, a state-legal form of marriage is a marriage that fulfills all administrative requirements and is fully legal under state law, with marriage registration being the most critical addition that distinguishes it from purely religious or customary unions (such as *nikah siri*). Registration provides tangible proof of the union, securing the lineage of children, inheritance rights, and access to state public services. In general, the people of South Tapanuli follow the laws and regulations that apply in marriage, especially related to this marriage registration. Most marriages in South Tapanuli are recorded at the Office of Religious Affairs (KUA). The people there have a good understanding of the importance of marriage registration. They recognize the positive benefits of formally recorded marriages such as legal standing for wives and children and the severe negative consequences of non-recorded marriages, which strip families of state legal protection. Usually, marriages that are not registered with the Office of Religious Affairs are marriages that are performed because of *Marlojong* (elopement) or marriage due to pregnancy out of wedlock, where couples seek to bypass the state's strict administrative procedures. Nevertheless, formal marriage with state law must be carried out based on the Marriage Law Number 16 of 2019 regarding the amendment of Law Number 1 of 1974, which firmly enforces the requirement for both brides to be over 19 years old, ensuring a standard of maturity and formal protection that local customs might otherwise overlook (Dwi Hartanto 2008).

3. Traditional Weddings

The law on customary marriage is a tangible manifestation of unwritten positive law

that grows organically without going through a written codification on the state sheets, but has a strong institutional authority in regulating the order of social life. The existence of customary law is a logical consequence of historical roots and social reality, where traditional norms became the first legal system practiced by society long before the entry of the influence of religious law and national law. Within some cultural groups, these binding rules are created and agreed upon as a hereditary legal obligation to govern important aspects, including sacred wedding events. In some South Tapanuli communities, for example, traditional marriage is not just a formality ceremony, but a normative affirmation of maturity for couples and the surrender of legal and social responsibility to begin actively participating in community structures.

Normatively, the classification of traditional marriage systems can be divided into exogamy, endogamy, and eleutrogamy, illustrating dynamic legal pluralism. The exogamous system requires individuals to seek mates outside their clan; in some South Tapanuli communities, marrying an identical surname is strictly forbidden because it constitutes a severe normative violation that risks triggering customary sanctions of fines and absolute social exclusion. On the other hand, the endogamy system legally mandates that marriages take place within one's own kinship circle to maintain structural lineage. The eleutrogamy system reflects a cooperative legal pluralism model, where the boundaries of customary marriage are adjusted and subject to the provisions of Islamic law as well as the applicable state laws. This phenomenon indicates the existence of a complex plurality of laws, in which societies actively navigate and combine different normative value systems to achieve full legal validity.

A form of customary marriage, often referred to as *maradat* marriage, is a binding legal institution that is entirely based on the procedures, values, and normative rules that apply in some South Tapanuli communities (Rasyid and Siregar 2022). One of the striking features of this customary system is the absence of a formal age limit, which often creates a normative conflict with state law regarding marriage age limits. This reflects the view that maturity from a customary legal perspective prioritizes shifts in social status and institutional responsibility over mere biological age, diverging significantly from the formal state legal framework (Ramdhani et al. 2024).

In some South Tapanuli communities, customary legal obligations are stratified into different ceremonial tiers, namely Custom Hiking and Customs Customs (Manalu et al. 2023). Rather than mere physical celebrations, these tiers represent distinct levels of institutional capacity and binding legal validation. Custom Hiking constitutes a basic legal compliance marker for normative marriage. Meanwhile, Customs Customs functions as the highest normative validation within the societal structure. This stratification demonstrates that customary law possesses a deeply structured, hierarchical authority in validating marital bonds, far beyond mere descriptive ceremonies.

Consequently, the main differences between Custom Hiking and Customs Customs lie in their corresponding customary legal consequences and institutional rights. The

chosen tier serves as a definitive marker of social eligibility and structural rights. First, lower tiers restrict certain customary privileges, reflecting strict normative boundaries. Second, specific traditional attributes are legally prohibited from being displayed outside the household. Third, structural symbols are restricted. Fourth, the installation of regular institutional attributes is forbidden. Fifth, the customary titles granted to the groom in Custom Hiking are hierarchically limited. Conversely, in Horja Godang (another name for Customs Customs), the groom receives elevated structural titles, signifying full customary legal capacity and institutional recognition. Importantly, customary law across the region is not uniform but demonstrates significant jurisdictional variation. This uniqueness can be seen from specific rules determining eligibility for grand ceremonies. For example, in the Padangsidempuan City area, eligibility to execute Customs Customs is primarily regulated by the family's economic capacity (Suryani and Triganda Sayuti 2022, 19). However, in Mandailing Natal, customary regulations differ significantly, where organizing the grand traditional ceremony is strictly limited to individuals possessing royal lineage (R. B. Harahap 2019).

From a normative legal perspective, the execution of these ceremonies also acts as a rigorous mechanism for customary sanction. Community groups that fail to adhere to correct procedural norms will lose their structural rights to hold Customs Customs. These customary sanctions impose severe, permanent consequences; if a person violates the norms of customary marriage, their future descendants inherit this legal exclusion, permanently losing the right to practice similar rituals. This emphasizes that strict procedural compliance is a binding legal obligation required to maintain social legitimacy within the pluralistic legal structure. Further illustrating the conflict between systems within this pluralistic landscape is the traditional consumption of fermented drinks during customary ceremonies in North Padang Lawas (Harahap 2024).

While this practice is deeply rooted in local structural traditions, it creates a direct normative conflict with the principles of Islamic law regarding intoxicants. The persistence of such traditions highlights the complex legal friction within specific districts, where deeply institutionalized customary practices occasionally contradict religious legal frameworks, forcing communities to continuously negotiate the overlapping boundaries of cooperative legal pluralism in their daily realities. Finally, the immense obligations tied to these rituals further underscore the coercive power of unwritten positive law. Although executing grand customs demands extraordinary expenditure, many individuals view it as a non-negotiable customary legal obligation. The willingness to liquidate essential economic assets to fulfill these requirements proves that unwritten traditional norms possess a binding legal authority equal to formal state regulations. This confirms that customary law is not merely a ceremonial tradition, but a robust legal institution with profound sanctioning capacity and immense normative influence over its subjects.

4. Marriage with Legal Plurality

The fourth form of marriage, known as marriage with a plurality of laws, shows the diversity of the legal systems that concurrently govern the course of marriage. From a normative legal perspective, this model is not merely based on a singular set of legal rules, but formally recognizes and incorporates more than one applicable legal system into a single legal event. The practice itself can be realized in several configurations. For example, marriage can be carried out by fulfilling the provisions of Islamic law alongside positive state law. Another alternative is a marriage that is deemed legal according to local customary law while also being recognized by state administrative law (Rijal Amri Siregar 2023:156). In fact, there are also marriages whose execution is bound by Islamic law and customary law simultaneously. This multiplicity of governing norms provides the foundational evidence for analyzing how different legal orders operate and intersect within a single social institution.

In a more complex legal constellation, marriages in the South Tapanuli region serve as the central substantive evidence of this phenomenon. Here, marriages are often not only based on a single system of norms, but are subject to the intertwined provisions of customary law, Islamic law, and state law as a whole (Keebet von Benda-Beckmann and Bertram Turner 2018). This practice is manifested in a conceptually compelling sequence that highlights the differentiated functional roles of each legal system. First, religious validity is established through the implementation of a marriage contract or *ijab kabul* which strictly fulfills the principles and requirements of Islamic sharia. Second, formal legal recognition is achieved through registration at the Office of Religious Affairs (KUA) to obtain legal certainty from the state. Finally, social and kinship legitimacy is solidified through the *maradat* procession both on the traditional scale of *menuk* and *godang* to strengthen family ties in the presence of traditional kings and communities.

However, simply following three sets of rules sequentially does not automatically prove legal cooperation; without further analysis, it merely indicates legal coexistence. To bridge this analytical leap, a normative evaluation of the South Tapanuli marriage process reveals a genuine cooperative legal pluralism characterized by mutual accommodation and the absolute absence of institutional displacement. Rather than competing for jurisdictional supremacy, these three legal systems fulfill differentiated functional roles that actively support one another. This inter-system integration is symbolically represented in the local motto "*hombardo adat dohot ibadat*", which affirms that customs and religion are two pillars that run harmoniously and complement each other. Furthermore, this cooperation is proven through the negotiated resolution of conflicting requirements. Although friction occasionally arises between differing normative standards such as customary prohibitions on certain mixed marriages that differ from the permissive provisions of *fiqh* the people of South Tapanuli proactively negotiate a point of balance to maintain social harmony (Septiarini, Mahrani and Lubis

2025). Thus, the diversity of law here is not seen as a trigger for conflict or a mere overlapping of rules, but rather as an intentional, cooperative alignment of roles that provides full recognition of legality from theological, juridical, and sociological perspectives.

Marriage Law Pluralism in South Tapanuli: Cooperative, Competitive, or Combative?

In South Tapanuli, the pluralism of marriage law is normatively reflected in practices that demonstrate the existence of a cooperative relationship between different legal systems, theoretically known as cooperative legal pluralism. From a normative perspective, this can be observed in the community's legal behavior, which generally applies two or more legal systems simultaneously in the implementation of marriage. As the majority of the population is Muslim, Islamic law serves as the supreme religious guideline and the primary normative foundation. Muslim marriages in South Tapanuli are inherently based on the absolute provisions of Islamic law, particularly concerning the *ijab kabul* (declaration and acceptance). Normatively, the community understands the essentiality of the marriage contract (*akad nikah*) as the fundamental legal basis for a legitimate marriage (Tanjung et al. 2023).

After fulfilling the marriage contract according to the strict tenets of Islamic law, the people of South Tapanuli have several legal options that reflect doctrinal synergy. They can choose to formalize the marriage through state law by registering it at the state's religious affairs office, and/or follow customary law through a series of *maradat* traditional ceremonies, or synergize all three legal frameworks. If a couple chooses to implement only Islamic and state laws, the specific customary law rituals may be omitted. However, this omission does not signify that Islamic and state laws are hierarchically superior in a way that totally negates customary law; rather, it highlights a flexible, cooperative relationship among the norms. Furthermore, regarding the application of customary law, it is important to qualify that in this predominantly Muslim setting, customary marriages are not conducted in a legal vacuum. Traditional leaders accept the application of Islamic and state laws without full customary ceremonies, and conversely, religious leaders can accommodate the prioritization of customary ceremonies provided that the fundamental pillars and conditions of an Islamic marriage (*rukun dan syarat nikah*) have been strictly fulfilled and do not contradict Islamic principles (*'urf sah*).

The cooperative shape between Islamic law and customary law can be normatively traced in the local legal maxim, "Hombardo Adat Dohot Ibadat," which conceptually means that customary practices are in perfect harmony with religious teachings.(Sholichat et al. 2026). Historically and normatively, this motto emerged as a conflict resolution mechanism after the two legal systems experienced a period of dialectical tension. In the past, strictly Islamic or purely traditional weddings were often avoided by orthodox figures from opposing sides. However, through continuous legal harmonization and doctrinal synthesis over time, figures emerged who deeply understood the convergence of these two aspects, concurrently

serving as both revered traditional leaders and religious clerics. This dual role effectively bridged the normative gap between the two systems.

Although the living law tends to be highly cooperative, normative friction or competition between legal rules still inevitably exists reflecting elements of competitive legal pluralism albeit not at a destructive level. This normative conflict is most clearly exemplified in the rules regarding marriage prohibitions. To analyze this through a normative legal lens, we can construct a mini case analysis of same-clan (*marga*) marriages. First, under the customary norm, marriage between individuals of the same clan is strictly prohibited (the exogamy principle), as they are considered inherently related by blood under customary logic. Second, under the Islamic norm, based on the principles of *fiqh munakahat*, the criteria for prohibited marriages (*mahram*) are distinct; Islamic law does not prohibit a marriage merely because the prospective couple shares a surname or clan, provided they are not closely related by blood, marriage, or fosterage. Third, under state law, formal legal recognition is determined by statutory requirements which generally defer to the religious permissibility of the marriage. This intersection creates a profound conflict between social legitimacy (demanded by custom) versus religious and formal legal permissibility (granted by Islam and the State). The problem surfaces starkly when a Muslim man wishes to marry a Muslim woman who happens to share the same last name but is not his *mahram*. They find themselves trapped between two competing rules of law that are deeply embedded in their societal beliefs. The resolution mechanism for this difficult normative situation goes beyond simply annulling the marriage or proceeding without parental blessing. To demonstrate the operation of cooperative pluralism even in the presence of competitive elements, the community typically engages in complex family negotiations involving both customary leaders and religious authorities. Often, the marriage is legally formalized through state registration and Islamic rites, while social legitimacy is subsequently restored through the fulfillment of specific customary sanctions or rituals designed to rebalance the social order.

CONCLUSION

In the South Tapanuli region, which includes the city of Padangsidempuan as well as the districts of South Tapanuli, Padang Lawas, North Padang Lawas, and Mandailing Natal, the community actively navigates three legal systems simultaneously within the institution of marriage: customary law, state law, and Islamic law. Rather than operating as isolated entities, these three systems run concurrently and complement one another to ensure that marriage is recognized from multiple perspectives. For the Muslim majority, the wedding procession is always anchored in Islamic law through the marriage contract (*akad nikah*) as the primary basis for religious validity. Once religious obligations are met, people generally register their marriage at the Office of Religious Affairs (KUA) to secure formal legality in accordance with state law, and perform *maradat* (customary) ceremonies to fulfill traditional obligations and attain social legitimacy. This integrative practice reflects the theory of cooperative legal

pluralism, in which legal diversity fosters accommodative rather than conflicting relationships. The local community reconciles differences among the legal systems through the principle of "*hombar do adat dohot ibadat*", which affirms that customs are in line with religious teachings. However, legal plurality does not inherently produce legal certainty; when overlapping systems prescribe divergent consequences—such as the normative discrepancies between *fiqh* norms and customary clan (*marga*) marriage prohibitions—they can generate legal uncertainty. Nevertheless, because traditional leaders, religious figures, and state authorities continue to work hand in hand without significant competition, such potential friction is effectively mitigated. Thus, while legal diversity in South Tapanuli directly confers religious, customary, and social legitimacy, this cooperative legal pluralism also contributes to legal certainty when the three systems are successfully coordinated, thereby maintaining the noble values of the community. [W]

BIBLIOGRAPHY

- Anggraeni, Rr Dewi. 2023. "Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints." *Ahkam : Jurnal Ilmu Syariah* 23(1):25–48. <https://doi.org/10.15408/ajis.v23i1.32549>.
- Arpika Ramadani, Susi Fitria Dewi, Junaidi Indrawadi, and Monica Tiara. 2025. "Praktek Tradisi Pabagaskonpada Adat Tapanuli Di Rambahan Baru, Kecamatan Rao Selatan, Kabupaten Pasaman." *Triwikrama: Jurnal Multidisiplin Ilmu Sosial* 10(2). <https://cibangsa.com/index.php/triwikrama/article/view/3538/3034>.
- Benda-Beckmann, Keebet Von, and Bertram Turner. 2018. "Legal Pluralism, Social Theory, and the State." *The Journal of Legal Pluralism and Unofficial Law* 50(3):255–74. <https://doi.org/10.1080/07329113.2018.1532674>.
- Dwi Hartanto. 2008. *Undang-Undang Republik Indonesia Nomor 1 Tahun 1974 Tentang Perkawinan Dan Kompilasi Hukum Islam*. Yogyakarta: Putaka Yustisia.
- E.St. Harahap. 1960. *Perihal Bangsa Batak*. Jakarta: Bagian Bahasa Djawatan Kebudayaan.
- Flambonita, Suci, Vera Novianti, and Artha Febriansyah. 2021. "The Concept Of Legal Pluralism In Indonesia In The New Social Movement." *Jurnal Analisa Sosiologi* 10:361–73. <https://doi.org/10.20961/jas.v10i0.45939>.
- Harahap, Ikhwanuddin. 2019. "Pluralisme Hukum Perkawinan di Tapanuli Selatan." *MIQOT: Jurnal Ilmu-ilmu Keislaman* 43(1):64. <https://doi.org/10.30821/miqot.v43i1.656>.
- Harahap, Nurhanipah. 2024. "Analisis Makna Simbolik Dalam Prosesi Tradisi Pernikahan Suku Bangsa Batak Mandailing Di Tapanuli Selatan, Sumatera Utara." *Jurnal Budaya Etnika* 8(1):31. <https://doi.org/10.26742/jbe.v8i1.2962>.

- Harahap, Risalan Basri. 2019. "Analisis Kritis Peran Dalihan Natolu Dalam Perkawinan Masyarakat Batak Angkola Tapanuli Selatan." *Jurnal AL-MAQASID: Jurnal Ilmu Kesyariahan dan Keperdataan* 5(1). <https://paperity.org/journal/346499/jurnal-al-maqasid-jurnal-ilmu-kesyariahan-dan-keperdataan>.
- Hariri, Achmad, and Basuki Babussalam. 2024. "Legal Pluralism: Concept, Theoretical Dialectics, And Its Existence In Indonesia." *Walisongo Law Review (Walrev)* 6(2):146-70. <https://doi.org/10.21580/walrev.2024.6.2.25566>.
- Hasibuan, Ahmad Soleh, and Sawaluddin Siregar. 2026. "The Tuhor Tradition In Marriage Among The South Tapanuli Community The Dialictic Between Custom and Islamic Law." *Sahaja: Journal Sharia and Humanities* 5(1):38-50. <https://doi.org/10.61159/sahaja.v5i1.793>
- H.M.D. Harahap. 1987. *Adat Istiadat Tapanuli Selatan*. Jakarta: Grafindo Utama.
- Jahwa, Elvina, Desi Pitriani Siregar, M. Riski Harahap, Ihsan Mubarak, and Ali Akbar. 2024. "Konsep Perkawinan Dalam Hukum Islam dan Hukum Nasional di Indonesia." *INNOVATIVE: Journal Of Social Science Research* 4(1):1692-1705. <https://doi.org/10.31004/innovative.v4i1.8080>.
- L.P. Hasibuan. 1991. *Pangupa: Buku Nenek Moyang Masyarakat Tapanuli Selatan*. Medan: Mitraco.
- Lubis, Khatib. 2018. "Semiotik Fauna Dalam Acara Mangupa Pada Perkawinan Adat Tapanuli Selatan: Kajian Ekolinguistik." *LINGUISTIK: Jurnal Bahasa dan Sastra* 3(1):33. <https://doi.org/10.31604/linguistik.v3i1.33-45>.
- Septiarini, Septiarini, Mahrani, Silvia, and Fatma Anggraini Lubis. 2025. "Denotasi Mitos Pernikahan Semarga Pada Adat Mandailing Di Wilayah Tapanuli Selatan." *Literasi Bahasa dan Sastra jurnal* 2(1). <https://doi.org/10.63462/n80j3b44>.
- Manalu, Rosita, Isjoni, and Yanuar. 2023. "Perkawinan Satu Marga(Perkawinan Adat Batak Angkola Di Kecamatan Sipirok Kabupaten Tapanuli Selatan Sumatera Utara)." 9(13):561-70. <https://doi.org/10.5281/zenodo.8157413>.
- Murdan. 2016. "Pluralisme Hukum (Adat Dan Islam) Di Indonesia." *Mahkamah: Jurnal Kajian Hukum Islam* 1(1). <https://www.syekhnurjati.ac.id/jurnal/index.php/mahkamah/article/view/573/503>.
- Padlan Padil Simamora, Nurul Hak, Dinda Difia Madina, Ahmad Rezy Meidina, Mega Puspita, and Anwar Zein. 2024. "Acculturation of Islam and the Sinamot Tradition: Marriage Dynamics of the Angkola Batak Community 1980-2023." *IBDA` : Jurnal Kajian Islam Dan Budaya* 22(1):141-56. <https://doi.org/10.24090/ibda.v22i1.10610>.

- Ramdhani, Rahmat, Hosen, Puji Pratiwi, and Sawaluddin Siregar. 2024. "Tradisi Mangolat Dalam Adat Perkawinan Masyarakat Tapanuli Selatan Perspektif Hukum Islam." *Itiqadiyah: Jurnal Hukum dan Ilmu-ilmu Kesyariahan* 1(2):112-24. <https://doi.org/10.63424/itiqadiyah.v1i2.63>.
- Rasyid, Arbanur, and Sawaluddin Siregar. 2022. "Fenomena Menarik Perkawinan Dibawah Umur Menjadi Trend Masa Kini di Bittuju Tapanuli Selatan." *AL-MANHAI: Jurnal Hukum dan Pranata Sosial Islam* 4(1):61-68. <https://doi.org/10.37680/almanhaj.v4i1.1571>.
- Rijal Amri Siregar. 2023. "Pencatatan Perkawinan Ditinjau Menurut Peraturan Menteri Agama Nomor 20 Tahun 2019 Tentang Pencatatan Perkawinan (Studi Kasus KUA Kecamatan Di Lingkungan Kabupaten Tapanuli Selatan)." Skripsi, UIN Syekh Ali Hasan Ahmad Addary Padangsidempuan, Padangsidempuan.
- Ritonga, Raja, Sumper Mulia Harahap, Asrul Hamid, Andri Muda, and Zuhdi Hsb. 2024. "Portion of Married Daughters in Inheritance Share among Angkola Batak Community." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 19(1):78-103. <https://doi.org/10.19105/al-lhkam.v19i1.7342>.
- Rukiah Siregar. 1979. *Pelajaran Adat Tapanuli Selatan: Bona-Bona Ni Partuturon*. Medan.
- S, Samsidar, Marilang M, and Andi Muhammad Akmal. 2025. "Hukum Islam Dalam Perkawinan Di Indonesia: Telaah Sosial Budaya Dan Implikasinya." *EKSPOSE: Jurnal Penelitian Hukum dan Pendidikan* 24(1):53-61. <https://doi.org/10.30863/ekspose.v24i1.9517>.
- Setiadi, Fadlan Masykura, Khairunnisa Khairunnisa, and Adamu Abubakar Muhammad. 2025. "Coexisting in Faith: The Role of Local Traditions in Muslim-Christian Relations in South Tapanuli." *Jurnal Dialog Kemenag* 48(2):262-79. <https://doi.org/10.47655/dialog.v48i2.1223>.
- Sholichat, Tsania Miratush, Achmad Gunaryo, Hamid Hanafi Hanan, and Ishmah Auliya Salsabila. 2026. "Cooperative Legal Pluralism in Resolving Jarimah Khalwat Cases in Aceh." *Walisono Law Review (Walrev)* 8(1):67-81. <https://doi.org/10.21580/walrev.2026.8.1.31171>.
- Simamora, Harapan, and Ilhamsyah Pasaribu. 2025. "An Islamic Legal Review of Forced Marriage to a 'Boru Tulang' in Mandailing Custom: A Case Study in Simbolon Village, Padang Bolak Subdistrict, North Padang Lawas Regency." *Family Law Review* 5(1). <https://ejournal.iainkendari.ac.id/index.php/kalosara>.
- Siregar, Fatahuddin Aziz, Ibrahim Siregar, and Sahputra Rangkuti. 2023. "Contestation of Customary and Islamic Law: Mangupaand Tuorin HorjaRitual at Tapanuli Muslim Community Wedding." *Asy-Syir'ah : Jurnal Ilmu Syari'ah Dan Hukum* 57(2):232-54. <https://doi.org/10.14421/ajish.v57i2.1330>.

- Suryani, Dini, and Ageng Triganda Sayuti. 2022. "Sanksi Adat Perkawinan Semarga Masyarakat Batak Angkola Di Kecamatan Batang Angkola Kabupaten Tapanuli Selatan." *Zaaken: Journal of Civil and Business Law* 3(1):1-22. <https://doi.org/10.22437/zaaken.v3i1.16365>.
- Syamsul Bahri Ritonga. 2004. *Roppak Tutur Menurut Adat Angkola Sipirok*. 4th ed. Medan: Forkala Sumut.
- Tanjung, Melfayenti, Rolambok Hutasoit, Asna Sinaga, Arip Surpi Sitompul, and IAKN Tarutung. 2023. "Aktualisasi Pluralisme Agama Pada Masyarakat Di Desa Hutatoruan X Kecamatan Tarutung Kabupaten Tapanuli Utara Kabupaten Tapanuli Utara." 3(2). <https://j-innovative.org/index.php/Innovative>.
- Taufika, Ryan, Aulia Rahma Ritonga, Arianto, and Noviawan Rasyid Ohorella. 2025. "Consistency of Dalihan Na Tolu vs. Same-Clan Marriage: The Intersection of Customary Law and Islamic Theological Doctrine." *Pharos Journal of Theology* (106.2). <https://doi.org/10.46222/pharosjot.106.208>.
- Law no. 16 of 2019 concerning Marriage
- Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 concerning Marriage
- Yuswalina. 2016. "Qanun Perspektif Pluralisme Hukum Di Indonesia." *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 16(2):117-40. <https://doi.org/10.19109/nurani.v16i2.937>.