

The Application of Kafā'ah and Weton in the Socio-Legal Development of Marriage Law in East Java

Suwarto Abbas,^{1*} Oyo Sunaryo Mukhlas,² Randy Vallentino Neonbeni³
Beni Ahmad Saebani,⁴ Loso Judijanto,⁵ Usep Saepullah,⁶ Dwanda Julisa Sistyawan⁷

Universitas Islam Negeri Sunan Gunung Djati Bandung, Indonesia^{1,2,4,6}

Sekolah Tinggi Ilmu Hukum Cendana Wangi, Indonesia³

IPOSS Jakarta, Indonesia⁵

Institut Islam Nahdlatul Ulama Temanggung, Indonesia⁷

Email: jurussangkanparan@gmail.com

Keywords:

Islamic law;

Kafā'ah;

Local wisdom;

Marriage law;

Socio-legal;

Weton count.

DOI:

<https://doi.org/10.19109/nurani.v25i2.28041>

Submitted:

April 30, 2025

Accepted:

October 8, 2025

Published:

October 31, 2025

Pages: 493 - 513

Abstract: *Kafā'ah (equivalence) constitutes a fundamental principle in Islamic marriage law, aimed at ensuring compatibility between the bride, the groom, and their respective guardians. In East Java, this principle intersects with the cultural practice of calculating weton a Javanese astrological system used to predict harmony and marital success demonstrating how religion and local traditions converge in shaping marital norms. This study aims to analyze the integration of weton practices into the concept of kafā'ah within the socio-legal framework of Islamic marriage law in Indonesia. Employing a qualitative approach, it draws on socio-legal analysis of primary Islamic legal sources, local customs, and state regulations. The data were obtained through document analysis, literature review, and interviews with religious leaders and community figures in East Java. The findings reveal that weton calculation is widely regarded as a cultural expression of kafā'ah, reflecting communal efforts to preserve marital harmony. Although rooted in tradition, it is often interpreted through a religious lens, thereby shaping community perceptions of marriage readiness. This dynamic interplay between Islamic jurisprudence and Javanese wisdom not only sustains local traditions but also enriches the understanding of compatibility in Indonesian marriage law. The study emphasizes the importance of incorporating cultural context into legal development, illustrating how practices such as weton serve to bridge the normative framework of Islamic law with the socio-cultural realities of Indonesia.*

Introduction

Marriage in Islam is not only regarded as a social contract but as a sacred covenant that preserves human dignity, ensures lineage continuity, and promotes a harmonious family characterized by *sakinah*, *mawaddah*, and *rahmah*. Through the Qur'an, the Sunnah, and the mechanisms of *ijtihad*, Islam offers guidance that retains its relevance across changing contexts and times. Islamic jurists have also emphasized the role of marriage in maintaining social balance and protecting individuals from moral and social disorder (Bukido et al., 2025).

In the Indonesian context, marriage has also been regulated by the state. The Marriage Law No. 1 of 1974, Article 1, defines marriage as a physical and spiritual bond between a man and a woman with the purpose of forming a happy and eternal family based on belief in the One Almighty God. This law establishes marriage not only as a private relationship but also as a public institution with legal and social consequences. Thus, both Islamic law and national legislation view marriage as fundamental to personal well-being and societal order.

One of the important principles in Islamic marriage law is *kafā'ah* (compatibility). Derived from the Arabic word *al-kufu*, meaning proportionality or balance, *kafā'ah* is interpreted as a form of equivalence between prospective spouses in matters such as religion, lineage, social status, and morality (Al-Jaziri, 1990; Barkah & Andriyani, 2020; Wijaya, 2021). Classical jurists emphasized this principle to reduce potential conflicts that could arise from disparities between spouses. The principle of *kafā'ah* is therefore not only theological but also sociological in its aim to ensure family harmony.

Although the Compilation of Islamic Law (KHI) in Indonesia, as stipulated in Article 61, states that disparities in wealth or social status cannot invalidate a marriage except in matters of religion, in practice the principle of *kafā'ah* continues to influence marital decision-making. In many communities, compatibility is still measured not only by religious commitment but also by education, social background, and economic stability (Elfia et al., 2024). This reveals that *kafā'ah* functions both as a normative principle and as a cultural value deeply embedded in society.

In Javanese culture, the assessment of *kafā'ah* is often combined with local traditions, particularly the calculation of *weton* a system based on Javanese calendrical cycles used to predict compatibility between couples. The belief that misaligned *weton* leads to disharmony or misfortune still strongly influences decision-making in many communities (Setyawan et al., 2024). Thus, *weton* practices intersect with the Islamic concept of *kafā'ah*, producing a hybrid framework of compatibility that merges religious, legal, and cultural values.

The persistence of these traditions has given rise to practical legal and social challenges, particularly cases of *wali adhal*, where guardians refuse to consent to a marriage due to perceived incompatibility. Data from Ngawi and Bojonegoro. Several regencies in East Java have reported a relatively high incidence of such cases in recent years, with approximately 45 percent linked to perceptions of incompatibility based on *weton*. These cases highlight how socio-cultural considerations can complicate the implementation of Islamic and national legal norms in practice (Yusdani et al., 2023).

Previous studies on *kafā'ah* have generally focused on its jurisprudential foundations (Az-Zuhaily, 1985; Al-Jaziri, 1990) or its theological justification. Some contemporary research has explored the socio-legal implications of marriage law in Indonesia (Nawawi, 2015; Kurniawan, 2018). However, few studies have systematically connected the doctrinal concept of *kafā'ah* with its actual application in local communities, particularly how Islamic law, national regulations, and cultural traditions converge and sometimes clash in shaping marital practices (Fauzi et al., 2024).

This gap in the literature underscores the urgency of examining kafā'ah within a socio-legal framework that considers both normative principles and lived realities. The phenomenon in Ngawi and Bojonegoro reflects broader challenges faced by many Indonesian communities where traditional values coexist with modern legal systems (Ansori, 2022). Without adequate academic inquiry, these tensions risk perpetuating unresolved disputes that affect not only individual marriages but also the wider social fabric.

The novelty of this study resides in its interdisciplinary approach, which integrates Islamic jurisprudence, Indonesian marriage law, and socio-cultural traditions. By analyzing kafā'ah through both doctrinal and empirical perspectives, this research provides new insights into how compatibility is constructed, contested, and negotiated in contemporary Indonesian society (Suryani et al., 2023). Moreover, the study highlights the role of local traditions such as weton in shaping legal and social outcomes, thereby contributing to the broader discourse on law, religion, and culture.

The purpose of this study is to integrate normative and empirical analysis to understand how the concept of *kafā'ah* in Islamic law interacts with local cultural practices and state regulations, as well as its implications for the settlement of marriage cases in Indonesia, especially those related to wali *adhal*.

In line with this goal, this research is directed by several research questions. First, this study asks how the concept of kafā'ah is understood in Islamic law and the extent to which the concept has implications in the framework of marriage regulation in Indonesia. The next question focuses on how socio-cultural practices related to kafā'ah develop in society, especially in Ngawi and Bojonegoro Regencies, highlighting the weton tradition as one of the practices that are often considered in marriage. Another question asked is how is the relationship between public perception of kafā'ah and the occurrence of wali *adhal* cases in marriage practice. In addition, this study also asks how the results of this study can contribute to the academic discourse on the harmonization between Islamic law, state law, and local cultural norms in marriage practices in Indonesia.

Method

This study employs a qualitative methodology utilizing an empirical juridical approach. This approach was chosen to examine how legal norms regarding guardianship in marriage are applied in the social practices of the people of East Java, especially related to the concept of kafaah and wethon calculation in Ngawi Regency and Bojonegoro Regency. The focus of the research is directed at the legal and social dynamics that arise when there is a case of wali *adhal* due to the mismatch between the prospective bride.

The primary data source was obtained from the results of in-depth interviews with Religious Court judges, religious leaders, and the public who had been directly involved in the wali *adhal* case. Meanwhile, secondary data were obtained from legal literature, laws and regulations related to marriage, decisions of the Religious Court, and scientific references relevant to the research problem.

Data collection was conducted through interviews, observations, and document analysis. The collected data is then presented descriptively to describe legal and social practices that occur in the field. Furthermore, data analysis was carried out by data reduction, categorization, and interpretation based on the perspective of Islamic law and positive law, resulting in a comprehensive understanding of the implementation of marriage law in the cultural context of East Java society.

Results and Discussion

Weton Tradition in Javanese Marriage

The weton tradition is one of the Javanese cultural practices that has an important position in determining the feasibility and sustainability of marriage. In the social practices of the people in the East Java region, especially in Bojonegoro and Ngawi Regencies, this tradition is still carried out with a fairly high intensity. Weton is basically a Javanese calendar system that combines the lunar calendar and the market cycle (Legi, Pahing, Pon, Wage, and Kliwon), which are then calculated to determine the match between two individuals who want to marry (Geertz, 1960).

The findings of the field research indicate that this tradition is perceived not merely as a hereditary ritual, but also as one that encompasses psychological, social, and religious dimensions. From a psychological point of view, the weton tradition functions as an instrument to reduce the anxiety of the bride and groom and their families against future uncertainties. Koentjaraningrat (1985) emphasizes that in traditional societies, this kind of cultural practice is often a mechanism of collective control over anxiety and hope, so as to create calm in the face of important events such as marriage.

In the social dimension, the calculation of weton is believed to be able to maintain harmony between families. Marriage in Javanese society is not only seen as a bond between two individuals, but also as the union of two large families. Therefore, prudence in determining a partner, including through the calculation of weton, is considered an effort to reduce the potential for conflict in the future. Decisions based on the results of weton calculations are usually accepted as a form of family consensus. This is in line with the view of Clifford Geertz (1960) who sees that cultural symbols in Javanese society have an integrative function, namely binding individuals in a social unity through rituals and collective symbols.

In addition, weton also functions as a means of cultural communication between generations. The older generation, especially parents or village elders, have a dominant role in determining the results of the calculation and providing legitimacy for the decision. Thus, the weton tradition serves to preserve the authoritative role of parents in their children's marriage. This mechanism is in line with the characteristics of Javanese society which still emphasizes the value of *unggah-ungguh* (manners) and respect for family authority (Alisa & Susilo, 2022; HS & Abdain, 2023; Safitri & Mustafa, 2021).

Another noteworthy aspect is its religious dimension. Although weton comes from pre-Islamic traditions, the practice is still adapted to Islamic values. In daily practice, the people of East Java often combine the calculation

of weton with Islamic prayers, such as the recitation of istighosah or tahlilan before determining the wedding day. This shows the syncretism between local traditions and religious teachings, which reflects the characteristics of Javanese Islam as described (Alisa & Susilo, 2022; HS & Abdain, 2023; Safitri & Mustafa, 2021). This adaptation shows the flexibility of Javanese culture in maintaining tradition while accommodating the dominant Islamic values.

Belief in weton in determining marriage is basically not positioned as an absolute binding determinant, but rather as a means of cultural endeavor. If the results of the calculation indicate a mismatch, the community typically seeks a compromise, such as selecting a more favorable wedding date or conducting a special ritual intended to avert misfortune (Wimra et al., 2023). This practice shows that the Javanese people still hold the principle of harmony, which is prioritized over the results of mere calculations.

In the modern context, the weton tradition is often seen as a local wisdom that has psychological relevance. Cultural psychology studies confirm that local traditions can play a role as a coping mechanism in dealing with uncertainty (Alisa & Susilo, 2022; HS & Abdain, 2023; Safitri & Mustafa, 2021). When a prospective spouse or family feels doubtful about the future of the household, the weton calculation can serve as a calming cultural justification. Thus, this tradition is not only symbolic, but also practical in managing anxiety.

In addition, the practice of weton shows how the Javanese people interpret marriage not only as a legal contract, but also as a cosmological event. The involvement of Javanese calendar elements in determining the time of marriage shows the belief that human events are closely related to the order of the universe. This thinking is in line with the theory of functionalism of Malinowski (1948), which states that cultural rituals serve to provide meaning and a sense of security in the face of life's uncertainties.

In the context of the development of marriage law in East Java, the weton tradition has given rise to interesting discourses related to the harmonization between state law, religious law, and customary law. Law Number 1 of 1974 concerning Marriage in Indonesia emphasizes the formal legal aspects that regulate the validity of a marriage based on religious law and civil registration. However, the practice of weton that is still carried out by the community shows that customary law still has a significant space in influencing marriage decisions (Yusuf et al., 2025).

This phenomenon illustrates the reality of legal pluralism in Indonesia, where state law, Islamic law, and customary law continuously interact and influence one another. The weton tradition, although not regulated in positive law, is still socially recognized as a mechanism for the legitimacy of marriage. According to Hooker (1978), this condition is a characteristic of pluralistic societies in Southeast Asia, which tend to maintain customs as a source of social law even though there are modern state rules.

From the point of view of legal development, recognition of weton practices requires a more inclusive approach to local wisdom. The development of marriage law in East Java cannot be separated from the fact that the community still holds fast to this tradition. Therefore, the cultural jurisprudence approach can be one of the strategies in integrating local wisdom

with the formal legal system (Alisa & Susilo, 2022; HS & Abdain, 2023; Safitri & Mustafa, 2021).

Although the *weton* tradition carries significant socio-cultural value, it is not immune from criticism. Some argue that the practice may foster discrimination, particularly when the results of the calculation are regarded as an obstacle preventing a couple from marrying. In some cases, the results of the *weton* calculation that are considered inappropriate can cause conflicts between families or even cancel marriages (Jumarim et al., 2024; Setiawan et al., 2024). This suggests that *weton* traditions can be contrary to the principle of freedom of choice of partners guaranteed in modern law and human rights.

In addition, another challenge comes from the younger generation who are increasingly exposed to modernity. Many young couples in urban areas began to perceive *weton* traditions as irrational and preferred practical considerations, such as financial and emotional readiness. This phenomenon reflects a transformation of values among contemporary Javanese society, where modern rationality begins to replace traditional beliefs (Hefner, 1987).

Overall, the *weton* tradition in marriage in the Javanese people, especially in the East Java region, is a cultural practice that is full of social, psychological, and religious meanings. This tradition functions as a mechanism for controlling anxiety, a means of maintaining family harmony, as well as an instrument for preserving cultural authority. In the legal context, the practice of *weton* shows the reality of legal pluralism in Indonesia, which demands an inclusive approach to local wisdom (Mustopa, 2024). Despite facing criticism from the perspective of modernity, the *weton* tradition remains relevant as part of Javanese cultural identity and a source of social legitimacy in marriage.

Kafa'ah as a Principle in Choosing a Partner

The results of research on the practice of marriage in the Bojonegoro and Ngawi areas show that the community not only adheres to local customary traditions, but also internalizes the Islamic concept of *kafa'ah* as an important part of the process of choosing a partner. *Kafa'ah*, which is terminologically interpreted as equality or compatibility between prospective husband and wife, is one of the crucial considerations for the family in avoiding domestic incompatibility in the future (Al-Ghazali, 2000).

The communities in these two regions perceive marriage not merely as an external bond but as a social and spiritual institution that requires a strong and enduring foundation. The principle of *kafa'ah* is considered to be able to guarantee the creation of a family of *sakinah*, *mawaddah*, *wa rahmah* because the similarity of values and harmony of background minimizes the potential for conflict (Nasution, 2009). The results of interviews with several local religious leaders show that although the legal requirements for marriage remain based on formal Islamic law *ijab kabul*, *wali*, *witness*, and *dowry* the fulfillment of these elements of equality remains a normative guideline in society.

In its implementation, *kafa'ah* in Bojonegoro and Ngawi has several dimensions. First, the religious dimension is the main benchmark. The similarity of faith and worship practices is considered the most important foundation in building a household. Marriage with a couple of different

religions is very rarely accepted, and even tends to be rejected by society because it is considered to have the potential to cause spiritual disharmony in the family (Rahman, 2012).

Second, the dimension of morality occupies an important position. Similarities in behavior, integrity, and social reputation are seen as factors of compatibility. A man with a history of bad behavior or deviant habits will find it difficult to be accepted as a partner, even if he is economically capable (Jumarim, 2024). Morality is an indicator of self-quality which is believed to be able to support the sustainability of the household.

Third, the dimension of social status still has a significant effect. Although Islam does not place social status as a legal condition for marriage, in public practice, similarity of status can reduce the potential for tension between two extended families. For example, a woman from a respectable family tends to be expected to marry a man who has a commensurate social status so that there is no inequality that causes a sense of inferiority or superiority in the relationship (Hassan, 2015).

Fourth, the dimensions of employment and the economy are also indicators of equality. The people of Bojonegoro and Ngawi see the importance of the economic stability of the future husband to ensure the survival of the family. In local traditions, financial ability is seen as the husband's primary form of responsibility towards the family, in line with the principle of alimony in Islamic law (Afifah, 2022; Alisa & Susilo, 2022; Kutrotun, 2017; Putri et al., 2019; Sujari & Bawono, 2023).

In Islamic juridical discourse, kafā'ah is not classified among the pillars or legal conditions of marriage; rather, it is regarded as a right of the bride or her guardian to assess the compatibility of the prospective spouse. (Nasution, 2009). This means that even if a marriage remains legally valid even if the principle of equality is ignored, the family has the right to reject the marriage if it feels that it is not worth it.

In the context of Bojonegoro and Ngawi, the role of guardians and extended families is very dominant. The decision to accept or reject a potential spouse often involves the collective consideration of the family, not just the individual bride-to-be. This is in line with the concept of family in Javanese culture which emphasizes togetherness (communal values) over individuality (Koentjaraningrat, 2009). As a result, the principle of kafa'ah becomes not only a personal guideline, but also an instrument of social control that ensures balance between families.

Neglect of kafa'ah is often seen as potentially causing domestic disharmony. Some divorce cases in religious courts in Bojonegoro, for example, are motivated by mismatches in social status and differences in values that have been a concern of the family since the beginning but have been ignored. Data from interviews with KUA officials stated that although there are no explicit rules about kafa'ah legally, the social practice of the community makes this principle a moral standard in marriage.

In terms of Islamic law, the majority of scholars of the Shafi'i madhhab view that kafa'ah is the right of women and their guardians which, if not fulfilled, can be a reason to demand the annulment of marriage (fasakh) (Al-Jaziri, 2001). This indicates that although it is not as binding as the

fundamental principles of marriage, the principle of equality nonetheless possesses strong juridical legitimacy. In practice in East Java, this position is strengthened by the legitimacy of local customs that help maintain household harmony through the harmony of values and backgrounds.

Within the framework of national law, Law No. 1 of 1974 on Marriage does not provide explicit regulation regarding kafā'ah. However, Article 2 paragraph (1) emphasizes that marriage is valid if it is carried out according to the laws of each religion and its beliefs (Nasrullah et al., 2024). Thus, the practice of kafa'ah carried out by the people of Bojonegoro and Ngawi can be seen as the application of the principles of Islamic law in the socio-cultural realm.

Furthermore, this practice contributes to the formation of unwritten legal norms that live in society (living law). In progressive legal theory, law is not only understood formalistically but also stems from developed social values and practices (Rahardjo, 2009). This means that kafa'ah can be positioned as a bridge between religious norms, local customs, and state law in developing marriage law in Indonesia, especially in East Java.

The people of Bojonegoro and Ngawi not only consider kafa'ah as an Islamic principle, but also combine it with local traditions, such as weathon calculations. Wethon is a Javanese dating system used to assess match matches based on birthdays. Although it comes from the Javanese tradition with a cosmological pattern, its application often runs parallel to the consideration of kafa'ah (Bukido et al., 2023).

The integration of kafā'ah and weton reflects a form of legal syncretism, wherein religious principles and customary traditions function in a complementary manner. This also shows the flexibility of the people of East Java in adapting Islamic teachings without leaving the roots of local culture. In some cases, if the results of the wethon calculation show a mismatch, but the couple has been considered kafa'ah, then the final decision will emphasize more on the aspect of Islamic equality (Ibnudin et al., 2025; Setiawan et al., 2024). On the other hand, if the kafa'ah is felt to be less fulfilled, the results of the wethon calculation can be used as additional considerations to strengthen the family's rejection.

In academic studies, there is a debate about the relevance of kafa'ah in the modern era. Some scholars consider that emphasizing social status or work in the principle of kafa'ah is no longer relevant to the spirit of Islamic egalitarianism which emphasizes piety as the main measure (Engineer, 2004). However, others argue that maintaining this principle is actually important as a preventive instrument in reducing domestic conflicts (Hassan, 2015).

In the context of Bojonegoro and Ngawi, the results of the study show that people do not see kafa'ah as an obstacle to modernity, but as an instrument of harmonization between religious teachings, moral values, and social practices. Therefore, kafa'ah is still maintained as a substantive principle, not just a traditional symbol.

The principle of kafa'ah in the Bojonegoro and Ngawi communities has proven to have great significance in the process of choosing a partner. Although not classified as a legal requirement for marriage under Islamic law, this principle functions as a right of women and their guardians and as a social

mechanism for maintaining domestic harmony (Dikuraisyin et al., 2024). The dimensions of religion, morality, social status, and work are the evaluative frameworks applied by society.

The existence of *kafā'ah* not only influences family structure but also enriches the dynamics of marriage law in Indonesia by introducing legal practices that emerge from the interaction between religious principles and customary traditions. The integration between *kafa'ah* and *wethon* shows that there is a dialectical process between Islamic sharia and Javanese culture in forming a living law that is relevant to the needs of the community. Thus, *kafa'ah* can be seen as an adaptive principle that not only has a normative basis in Islam, but also contributes to the development of marriage law in East Java.

Islamic Law's Perspective on the Weton Tradition

The *weton* tradition is one of the Javanese cultural practices that still survives today, especially in the context of marriage. In general, *weton* is the calculation of the birthday of the prospective couple to find out the compatibility, harmony, and prediction of the good and bad of domestic life in the future. In Javanese society, this practice is often used as an important consideration before getting married, sometimes even more dominant than other considerations such as psychological, social, and financial readiness. The presence of *weton* in Javanese marriage traditions generates discourse within the perspective of Islamic law, particularly because Islam provides clear normative provisions regarding marriage, including its validity, conditions, and underlying principles.

In Islamic law, local traditions such as *weton* can be categorized as part of the 'urf or customs of the community. Ushul fiqh scholars have long discussed the role of 'urf in the formation of Islamic law. In general, 'urf is acceptable as long as it does not contradict the principles of sharia. This is emphasized in the rules of *fihiyyah* which states that *al-'adah muhakkamah* (customs can be made into laws) (Saende et al., 2023; Said, 2019). However, further classification distinguishes between 'urf *sahih* and 'urf *fasid*. 'Urf *sahih* is a habit that is in harmony with the *shari'a*, does not damage the principles of the creed, and does not violate the provisions of sharia. On the other hand, 'urf *fasid* is a custom that is contrary to sharia, contains elements of *shirk*, or is detrimental to one of the parties (Saende et al., 2023; Said, 2019).

In this context, *weton* practices can be positioned ambivalently. On the one hand, if the calculation of *weton* is only understood as a cultural tradition or a symbol of prudence that reinforces social and familial aspects, then it can still be accepted as 'urf *sahih*. For instance, the calculation of *weton* is often employed as a means to reinforce ties between extended families, to strengthen marital commitments, and to serve as a vehicle for deliberation in decision-making. This tradition, to a certain extent, serves to maintain social harmony. Thus, the practice can be seen as in harmony with *maqasid al-shari'ah*, especially in terms of maintaining social order (*hifz al-'ird wa al-nasl*) (Saende et al., 2023; Said, 2019).

However, on the other hand, the practice of *weton* becomes problematic when it is believed to be an absolute determining factor for the good and bad of

domestic life. This kind of belief has the potential to go beyond the boundaries of monotheism, because it implicitly links the destiny of life to the calculation of birthdays or a numerical system that has no basis in sharia. If the community believes that the results of the weton calculation can annul or perpetuate the marriage without other considerations, then the practice is included in the category of 'urf fasid. In this case, weton can resemble a form of tathayyur (believing in bad luck due to certain signs) which is clearly forbidden in Islam (Al-Qaradawi, 1997).

It is important to emphasize that Islam teaches that the true sources of blessing and harmony within a household are piety, virtuous character, and mutual harmony between spouses. The Prophet Muhammad PBUH in a hadith narrated by al-Bukhari emphasized four criteria for choosing a partner: beauty, wealth, descent, and religion, with priority given to religious factors. This principle emphasizes that marriage compatibility should be based on sharia values, not on the calculation of birthdays. Therefore, when weton is prioritized over the piety or moral readiness of the partner, then the practice is contrary to the teachings of Islam (Rahman, 2009).

In addition, in the context of Islamic legal philosophy, the position of weton can also be analyzed from the perspective of maqasid al-shari'ah. The purpose of sharia in marriage is to maintain religion (hifz al-din), preserve offspring (hifz al-nasl), maintain honor (hifz al-'ird), and uphold the order of domestic life. If the weton tradition prevents the achievement of this goal, for example by canceling the marriage of a couple who actually love each other and have readiness, then it is automatically contrary to maqasid. On the other hand, if this tradition is used only as a medium of cultural communication between families, without undermining the basic principles of Islam, then it can still be tolerated as part of local wisdom (Dusuki & Bouheraoua, 2011).

In the practice of Javanese society, it is not uncommon for weton calculations to cause conflicts. For example, when two families have agreed to marry their child, but the results of the weton calculation are deemed "unsuitable," the marriage plan is canceled. This condition results in psychological as well as social disadvantages, affecting not only the bride-to-be but also the extended family. From the perspective of Islamic law, annulling a marriage solely because the result of the weton count can be categorized as an act of harm (mafsadah), and any greater mafsadah must be avoided in accordance with the principle of dar' al-mafasid muqaddam 'ala jalb al-masalih (rejecting harm takes precedence over attracting benefits) (Saende et al., 2023; Said, 2019). Thus, such practices cannot be justified within the framework of Islamic law.

On the other hand, the weton tradition can also be analyzed through the concept of 'urf 'amali (practical habits). In the history of Islamic law, many socio-cultural practices are accepted as 'urf, such as customs in the contract of sale and purchase, the determination of dowry, or the ceremonial rites of celebration. Therefore, it is possible that weton is accepted as 'urf on the note that it is not believed in absolute and does not contain shirk beliefs. This aligns with the principle of flexibility in Islamic law, which allows for the accommodation of diverse local cultures provided they do not contradict the fundamental principles of sharī'ah (Ibn Ashur, 2006).

In the context of marriage law in Indonesia, the existence of the weton tradition does not have a positive legal basis. Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law (KHI) does not mention weton as a legal condition for marriage. The existing requirements are only limited to the pillars of marriage as stipulated by the sharia, namely the presence of prospective brides, guardians, witnesses, *ijab kabul*, and dowry. Thus, the calculation of weton has no juridical significance in the context of national law, but only lives as a cultural practice. In this case, the perspective of Islamic law can be a guideline for the community to place weton proportionally, which is limited to custom, not as an absolute determinant (Nasution, 2010).

Therefore, it can be concluded that the weton tradition can be formulated in three main points. First, weton can be categorized as 'urf, which is a community habit that functions to maintain social harmony. As long as it is understood as a cultural symbol, it is included in the 'urf sahih. Second, if weton is believed to be the absolute determinant of the fate of the household, then it falls into the category of 'urf fasid which is contrary to tauhid and the principles of sharia (Sirait et al., 2024). Third, Islamic law affords flexibility to accommodate local cultural practices, provided that they do not conflict with the principles of faith and the objectives of *maqāṣid al-sharī'ah*. Therefore, the role of ulama, traditional leaders, and the community is very important to straighten out the understanding so that the weton tradition does not turn into a form of superstition that threatens the faith, but remains part of the cultural identity that does not hinder the purpose of marriage in Islam.

Socio-Psychological and Religious Analysis

Marriage practices in East Java represent a meeting point between normative Islamic values and local cultural traditions that have been passed down through generations. Two important concepts that are often present in this discourse are *kafa'ah* in Islamic law and the calculation of weton in the Javanese tradition (Ibnudin et al., 2025). Socio-psychological and religious analysis of this practice is important to understand how East Java people build meaning and legitimacy in marriage, as well as how the practice interacts with the development of marriage law in Indonesia.

From a sociological perspective, weton practices function as a social mechanism that helps communities maintain order and local cultural legitimacy. As stated by Durkheim (2014), traditions and rituals have the function of maintaining social cohesion and strengthening collective solidarity. In the context of East Java society, weton is a symbolic means to strengthen social ties between two large families.

The calculation of weton is not just numerology, but a social instrument that organizes expectations and reduces the potential for conflict between families. When the calculations show good results, both parties gain social legitimacy that the marriage is worth continuing. On the other hand, if the outcome is considered poor, then it is often used as a basis for postponing or reviewing the wedding plan. This process reflects the existence of a social agreement on the norms that bind the community, in which traditions are seen as having legitimate authority (Geertz, 1976).

In addition, weton plays a role in maintaining social harmony by preventing uncertainty. In a society that still holds collective values, uncertainty in marriage is often a source of anxiety. Through this traditional calculation, society finds a sense of order, which indirectly strengthens social stability. This is in accordance with the view of Berger and Luckmann (1990) that social reality is constructed through institutions and traditions that are considered objective by the community.

Within the psychological domain, the calculation of *weton* functions as a mechanism that instills a sense of security for both individuals and families. Social psychology theory emphasizes that humans tend to seek certainty to reduce anxiety (Fiske & Taylor, 2017). The weton tradition offers a kind of "mental map" that helps individuals navigate the uncertainty regarding the future of marriage.

This sense of security is not just a belief in the results of the calculation, but rather in its symbolic function. Individuals feel that they have fulfilled the norms of tradition, so the psychological burden of possible social criticism can be reduced. In cultural psychology, this is known as a collective coping strategy, which is a joint strategy to overcome stress through cultural symbols and practices (Hwang, 2012).

In addition, the practice of weton also fosters positive expectations. The results of calculations that are considered good give confidence that the marriage will last and be happy. The effect of self-fulfilling prophecy can appear here: belief in positive outcomes encourages individuals to behave in accordance with those expectations (Merton, 1996). On the other hand, negative results sometimes cause anxiety, but they still have a control function, which encourages individuals to be more careful in making big decisions.

In this framework, the weton tradition can be understood as a psycho-cultural system that supports the emotional well-being of the community. It provides symbolic reassurance, despite lacking a rational or scientific foundation. In social reality, however, this kind of symbolic force is often more decisive than its empirical validity.

In contrast to weton which is rooted in Javanese cosmology, kafa'ah is a normative concept in Islamic law that emphasizes equality and eligibility in marriage. In the framework of fiqh, kafa'ah is understood as the equivalence of prospective spouses in aspects of religion, nasab, property, and social status. However, the majority of scholars emphasize that religion is the most important aspect (al-Jaziri, 1990).

The hadith of the Prophet Muhammad PBUH provides a normative basis that religious criteria must take precedence in choosing a partner. In a hadith narrated by al-Bukhari (1997), the Prophet said that a person usually marries for four things wealth, descent, beauty, and religion but what should be chosen is religion because it determines the happiness of the household. Thus, kafa'ah in the religious dimension directs Muslims to place faith and morals as the main foundation in marriage.

The application of the principle of kafā'ah is consistent with the objectives of Islamic shari'ah (maqāsid al-shari'ah), particularly in safeguarding lineage (ḥifẓ al-nasl) and preserving religion (ḥifẓ al-dīn). Marriages based on religious equivalence are believed to be more able to create

a harmonious household and in accordance with Islamic values (Asa'ari et al., 2023; Zakaria, 2014).

Socio-psychological and religious analysis shows that there is a dialectic between weton and kafa'ah. Weton gives space for social and psychological legitimacy, while kafa'ah emphasizes religious legitimacy. In practice, the people of East Java often do not treat the two as binary oppositions, but as two instruments that can complement each other.

For instance, when the outcome of the weton calculation is deemed unfavorable but both parties are regarded as having strong religious compatibility, the decision to proceed with the marriage remains socially acceptable. On the other hand, a good weton result is sometimes not enough if differences in principles are found in the religious aspect. Thus, this social practice shows the priority of values, where religion remains the main basis, but tradition adds value in the socio-psychological dimension.

This condition is in line with the theory of cultural hybridization, in which the identity and practices of society are shaped by the interaction between global values (religion) and local values (culture) (Bukido et al., 2023). In the context of East Java, Islam provides a normative framework, while weton contributes cultural legitimacy. The two complement each other in building the social foundation of marriage.

In the development of marriage law in Indonesia, especially in East Java, the dialectic between weton and kafa'ah shows that the law not only functions as a written norm, but also interacts with social and cultural practices. This confirms Friedman's (2011) view that the legal system consists of substance, structure, and legal culture.

The substance of marriage law in Indonesia clearly places religion as the legal basis for marriage (Law Number 1 of 1974 jo. Law Number 16 of 2019). However, the legal culture of the community still accommodates traditional practices such as weton. In this context, formal law does not directly negate tradition but instead operates in parallel with it.

This socio-psychological and religious approach also emphasizes the need for a space for dialogue between national law, religious law, and customary law. Thus, the sustainability of marriage law in East Java is not only determined by formal regulations, but also by people's acceptance of the religious traditions and values they adhere.

Sociologically, weton functions to maintain social order and give legitimacy to local culture. Psychologically, it provides a sense of security, reduces ambiguity, and fosters positive hope. Meanwhile, religiously, kafa'ah emphasizes the importance of equivalence, especially in the religious aspect, in line with Islamic principles of domestic happiness (Afifah, 2022; Sujari & Bawono, 2023; Setiawan et al., 2024). The dialectic between weton and kafa'ah reflects the encounter of local traditions with religious norms that continue to be processed in shaping marriage practices in East Java.

Thus, this socio-psychological and religious analysis shows that the development of marriage law in East Java cannot be separated from the dynamic interaction between religion, culture, and the psychological needs of the community. Both are not merely remnants of the past but function as

adaptive mechanisms that continue to hold relevance in shaping contextual social and legal structures.

Integration of Local Wisdom and Sharia Principles

In Javanese tradition, weton is understood as part of a dating system used to read a person's character, compatibility, and fate. Weton is calculated based on the date of birth and the Javanese market, then combined to assess the potential for harmony or conflict in the household (Magnis-Suseno, 1997). The people of Ngawi and Bojonegoro, although the majority are Muslim, still maintain this tradition as a form of respect for their ancestors as well as a way to seek faith before carrying out a marriage contract.

The practice of weton in marriage is understood not as an expression of absolute destiny, but rather as a social and cultural construct. This means that if the results of the weton calculation show a mismatch, the community does not necessarily cancel the marriage. Instead, it is usually followed by other efforts, such as performing ruwatan or joint prayer, which essentially shows that the Javanese people integrate Islamic spiritual values through prayer with their ancestral traditions. Thus, weton is positioned not as a legal condition for marriage, but as a cultural instrument to add a sense of calm and confidence (Koentjaraningrat, 2009).

On the other hand, the principle of kafa'ah in Islamic law is used as a normative guideline. Kafa'ah is understood as equality between the bride and groom in various aspects, such as religion, morals, descent, and social status (Ibn Qudamah, 1997). In fiqh, kafa'ah aims to ensure the harmonious survival of the household by considering social and spiritual equivalence.

The communities of Ngawi and Bojonegoro regard kafā'ah as the primary standard for determining the feasibility of a marriage. Greater emphasis is placed on the similarities of religion and morals, considering that both are considered to be the moral foundations in building families (Miqat et al., 2023; Setiawan et al., 2024). Thus, even though the weton tradition is still carried out, the community still places the principle of kafa'ah as a higher reference because it comes from sharia teachings which are believed to bring benefits to the world and the hereafter (Mansur et al., 2024).

The results of the study found a distinctive harmonization pattern. Weton is used as a form of local wisdom to increase belief, while kafa'ah is used as the basis of sharia to ensure the sustainability of the household. This integration creates a compromise space that does not negate one party, but rather strengthens each other (Mansur et al., 2024).

For example, in the case of marriage in Bojonegoro, when the couple has the results of the weton calculation that are considered incompatible, the family continues the marriage because it has fulfilled the elements of kafa'ah in religion, such as similarity of faith and moral piety. The decision shows that sharia principles are prioritized, while local traditions are used as a complement that enriches the spirituality dimension of marriage. This is in line with the concept of *maslahah al-mu'tabarah* which emphasizes that the law must bring benefits and avoid losses (Shatibi, 1997).

The integration between weton and kafa'ah is actually rooted in the concept of *maslahah*. Shatibi (1997) explained that Islamic law has the main

goal, which is to realize the benefits of humans, both in the aspects of religion, soul, intellect, descent, and property. In the context of marriage in East Java, adherence to the weton tradition is regarded as a source of inner peace for the family, while the principle of kafā'ah ensures that the marriage is conducted within the framework of shari'ah.

Thus, the combination of the two can be understood as a form of social ijtihād of the community to maintain a balance between ancestral heritage and religious obligations. This approach also shows that Javanese people have adaptive abilities in responding to the challenges of modernity without having to give up their cultural identity.

From a legal perspective, this integration practice has made a significant contribution to the development of marriage law in East Java. First, it shows that Islamic law can coexist with local traditions as long as it does not conflict with sharia principles. Second, this practice proves the flexibility of fiqh in accommodating the local context through the mechanism of 'urf (custom) which is recognized as one of the sources of law in Islam (Al-Zuhaili, 2001).

The existence of weton as a form of 'urf that does not conflict with shari'ah demonstrates that local wisdom can play a constructive role in the formulation of marriage law. As long as it does not violate religious principles, these traditions can be used as a basis for social considerations that enrich the dimension of Islamic law. In fact, in some religious leaders in Bojonegoro, the weton tradition is interpreted as a means of cultural da'wah to bring the community closer to Islamic values (Prasetyo & Muhsin, 2024).

While this integration brings many benefits, it is undeniable that there are challenges and criticisms. Some people consider that the use of weton has the potential to lead to superstitious practices or excessive belief in something outside the provisions of religion. This criticism arises mainly from modernist Islamic groups who emphasize the importance of returning to the Qur'an and the Sunnah in its purity.

However, the people of Ngawi and Bojonegoro are generally able to place weton in a proportionate position, which is only a cultural consideration, not a legal requirement or annulment of marriage. This is where the importance of religious education lies and the role of community leaders who can provide an understanding that the legal requirements for marriage are still based on Islamic law, while weton is just an additional tradition (Prasetyo & Muhsin, 2024).

The integration between weton and kafa'ah also has broad socio-religious implications. First, this practice shows that the people of East Java are not only oriented to legal formalities, but also to spiritual and psychological aspects. The presence of weton is believed to be able to provide a sense of peace, so that families feel better prepared to face the challenges of domestic life (Holijah & Abd Manaf, 2019).

Second, this practice reflects the community's wisdom in preserving social harmony. By upholding local traditions, individuals are able to maintain their cultural identity. Meanwhile, by making sharia the main standard, the community remains within the framework of Islamic teachings. This

The Application of Kafā'ah and Weton in the Socio-Legal Development of Marriage Law in East Java

Suwarto Abbas et al.

integration also proves that Islam in Java is not an entity that is separate from culture, but is intertwined in complementary relationships.

From the perspective of legal theory, this integration can be explained through the concept of living law. Law is not only interpreted as a norm written in laws or fiqh books, but also includes social norms that are lived and practiced by society (Griffiths, 1986). Weton, in this case, is a living law that functions to regulate social relations in marriage, while kafa'ah is a sharia norm that provides religious legitimacy.

The two met each other in social practices so as to form a typical East Java marriage law that was syncretic in style but remained in the Islamic corridor. This shows that the development of law is not monolithic, but rather the result of a dialectic between religious texts, local traditions, and social needs.

The integration of local *weton* wisdom with the *kafā'ah* principles of *sharī'ah* in the marriage practices of the Ngawi and Bojonegoro communities illustrates a distinctive and adaptive process of harmonization. Weton is maintained as a cultural identity, while kafa'ah is used as a normative basis derived from Islam. These two aspects are combined in the framework of *maslahah*, resulting in marriage law practices that are contextual, functional, and relevant to the needs of society.

Thus, the integration of local wisdom and sharia principles not only enriches the treasures of marriage law in East Java, but also provides an important lesson that Islamic law can develop through dialogue with local culture without losing its normative substance.

Conclusion

This research shows that the *weton* tradition still plays an important role in the marriage practices of the Javanese people, especially in East Java. This practice is seen as a means of maintaining household harmony, as well as reflecting local wisdom that is inherited across generations. On the other hand, the principle of kafa'ah in Islamic law emphasizes more moral, religious, and social equality between prospective spouses. This affirms the coexistence of two value systems that operate simultaneously in determining marital feasibility. From the perspective of Islamic law, however, the *weton* tradition cannot serve as the sole basis for determining the validity of a marriage. Islam places the aspect of faith and morals as the main criteria in kafa'ah. Socio-psychological analysis shows that the *weton* tradition provides a sense of security and confidence for couples and families, but can cause psychological barriers when the calculation results are considered inappropriate. Meanwhile, religiously, people tend to integrate cultural beliefs with sharia principles. The contribution of this research lies in the affirmation of the importance of integrating local wisdom with sharia principles in the development of marriage law in East Java. The impact is to provide a foundation for strengthening marriage regulations and practices that are more inclusive, contextual, and rooted in the culture of society, without abandoning the basic principles of Islamic law. Thus, the results of this research can be a reference in efforts to harmonize Islamic law, local traditions, and the social needs of contemporary society.

References

- Afifah, N. N. (2022). Persepsi Masyarakat Mengenai Perhitungan Weton dalam Tradisi Pra Perkawinan Adat Jawa Desa Jamberejo Kecamatan Kedungadem Kabupaten Bojonegoro. *Repository UIN Sunan Ampel Surabaya*, 8(5).
- Alisa, I. N., & Susilo, Y. (2022). Owah Gingsire Tradisi Perhitungan Weton Pengantin di Desa Sidorejo Kecamatan Kedungadem Kabupaten Bojonegoro: Tintingan Folklor. *JOB (Jurnal Online Baradha)*, 18(4), 1237–1256. <https://doi.org/10.26740/job.v18n4.p1237-1256>
- Al-Bukhari, M. I. (1997). *Sahih al-Bukhari (Vol. 3)*. Dar Ibn Kathir.
- Al-Ghazali. (2000). *Ihya' 'ulum al-din (M. Usman, Trans.)*. Pustaka Amani. (Original work published 1997)
- Al-Jaziri, A. (1990). *Al-fiqh 'ala al-madhahib al-arba'ah (Vol. 4)*. Dar al-Fikr.
- Al-Jaziri, A. (2001). *Kitab al-fiqh 'ala al-madhahib al-arba'ah*. Dar al-Kutub al-'Ilmiyyah.
- Al-Qaradawi, Y. (1997). *Al-halal wa al-haram fi al-Islam*. Al-Resalah.
- Al-Zuhaili, W. (2001). *Ushul al-fiqh al-Islami (Vol. 2)*. Dar al-Fikr.
- Ansori, A. (2022). Qawā'id Fiqhiyyah as Islamic Epistemology and its Application at Marriage Law in Indonesia. *JURIS (Jurnal Ilmiah Syariah)*, 21(1), 67. <https://doi.org/10.31958/juris.v21i1.5529>
- Asa'ari, A., Ahmad, J., Zufriani, Z., Witro, D., & Kustiawan, M. T. (2023). Considering Death Penalty for Corruptors in Law on Corruption Eradication from the Perspective of Maqāṣid al-Syarī'ah. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(2), 920. <https://doi.org/10.22373/sjkh.v7i2.14944>
- Barkah, Q., & Andriyani, A. (2020). Maqashid Al-Syari'ah Concept Of Kafa'ah In Marriage. *Nurani: Jurnal Kajian syari'ah Dan Masyarakat*, 20(1), 107-116. <https://doi.org/10.19109/nurani.v20i1.5651>
- Bukido, R., Haris, C., Rosyadi, M. A. R., & Suleman, Z. (2023). Reception of Marriage Age Limit in Marriage Law in Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 7(1), 146. <https://doi.org/10.22373/sjkh.v7i1.15245>
- Bukido, R., L, S., Sarib, S., Paikah, N., Mokoginta, A. P. L., Makka, M. M., & Al-Dwairi, Z. N. A. (2025). The Resilience of Blind Families in Building a Sakinah Family: Adaptive Strategies and the Role of Islamic Values. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 25(2), 399–425. <https://doi.org/10.19109/nurani.v25i2.27276>
- Berger, P. L., & Luckmann, T. (1990). *The social construction of reality: A treatise in the sociology of knowledge*. Anchor Books. (Original work published 1967)
- Dikuraisyin, B., Sumarkan, Fatwa, A. F., & Ghozali, M. L. (2024). Reconstruction of Marriage Law: Judges' Progressive Reasoning Based on Maqāṣid in Addressing Divergent Interpretations in Indonesian Courts. *Al-Manahij: Jurnal Kajian Hukum Islam*, 18(2), 219–236. <https://doi.org/10.24090/mnh.v18i2.9436>
- Durkheim, E. (2014). *The rules of sociological method (S. Lukes, Ed.; W. D. Halls, Trans.)*. Free Press. (Original work published 1895)

The Application of Kafā'ah and Weton in the Socio-Legal Development of Marriage Law in East Java

Suwarto Abbas et al.

- Dusuki, A. W., & Bouheraoua, S. (2011). *The framework of maqasid al-shari'ah and its implication for Islamic finance*. Islamic Research and Training Institute.
- Elfia, E., Nurus Shalihin, Surwati, S., Fajri, Y., & Aulia Rahmat. (2024). Institutionalizing maqāsid ḥifz al-naṣl within the Minangkabau inheritance framework. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(2), 193–222. <https://doi.org/10.18326/ijtihad.v24i2.193-222>
- Engineer, A. A. (2004). *The rights of women in Islam*. Sterling Publishers.
- Fiske, S. T., & Taylor, S. E. (2017). *Social cognition: From brains to culture (3rd ed.)*. SAGE Publications.
- Friedman, L. M. (2011). *The legal system: A social science perspective*. Russell Sage Foundation. (Original work published 1975)
- Fauzi, F., Hakim, L., Long, A. S., & Yasin, T. H. M. (2024). Pulang Bale Marriage Traditions and Child Care Issues: A Study of Ḥaḍānah and Family Resilience in Aceh. *JURIS (Jurnal Ilmiah Syariah)*, 23(1), 179. <https://doi.org/10.31958/juris.v23i1.8597>
- Geertz, C. (1960). *The religion of Java*. University of Chicago Press.
- Geertz, C. (1976). *The religion of Java*. University of Chicago Press.
- Griffiths, J. (1986). What is legal pluralism? *Journal of Legal Pluralism and Unofficial Law*, 18(24), 1–55. <https://doi.org/10.1080/07329113.1986.10756387>
- Hassan, R. (2015). *Women's rights and Islam: From the margins to the mainstream*. Oxford University Press.
- Hefner, R. W. (1987). *Hindu Javanese: Tengger tradition and Islam*. Princeton University Press.
- Hooker, M. B. (1978). *Adat law in modern Indonesia*. Oxford University Press.
- Hwang, K. K. (2012). *Foundations of Chinese psychology: Confucian social relations*. Springer.
- Holijah, H., & Abd Manaf, J. B. (2019). The Importance of Increasing Minimum Age For Marriage In Indonesian Marriage Law. *AL-'ADALAH*, 16(2), 411–432. <https://doi.org/10.24042/adalah.v16i2.4546>
- HS, T. M., & Abdain. (2023). Tradisi Perhitungan Weton Sebagai Penentuan Hari Pernikahan pada Masyarakat Suku jawa di Desa Wonorejo Kabupaten Luwu Timur. *Al-Manhaj: Journal of Indonesian Islamic Family Law*, 5(2), 148–166. <https://doi.org/10.19105/al-manhaj.v5i2.10343>
- Ibnudin, Sugianto, Kholiq, A., Aziz, A., Yani, A., & Hariyanto. (2025). Reconstruction Interfaith Marriage Law In Indonesia: Relevance of Sociology Knowledge and Maqasid Sharia. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 25(1), 70–86. <https://doi.org/10.30631/alrisalah.v25i1.1819>
- Ibn Ashur, M. T. (2006). *Treatise on maqasid al-shariah*. International Institute of Islamic Thought.
- Ibn Qudamah. (1997). *Al-Mughni* (Vol. 7). Dar al-Kutub al-'Ilmiyyah.
- Jumarim, Ilyya Muhsin, & Muhammad Chairul Huda. (2024). The Interplay of Fiqh, Adat, and State Marriage Law: Shaping Legal Consciousness of Sasak Women. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 19(1), 27–

The Application of Kafā'ah and Weton in the Socio-Legal Development of Marriage Law in East Java

Suwarto Abbas et al.

52. <https://doi.org/10.19105/al-lhkam.v19i1.10522>
- Jumarim, J. (2024). The Practice of Adoption in the Sasak Community and Its Implications for Marriage Law in Indonesia. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(1), 445. <https://doi.org/10.22373/sjkh.v8i1.18581>
- Kutrotun, I. N. (2017). Konstruksi Masyarakat Tentang Perhitungan Weton dalam Tradisi Pra Perkawinan Adat Jawa (Studi di Dusun Petak Desa Beged Kecamatan Ngayam Kabupaten Bojonegoro). *Jurnal Universitas Airlangga*.
- Koentjaraningrat. (1985). *Kebudayaan Jawa*. Balai Pustaka.
- Koentjaraningrat. (2009). *Pengantar ilmu antropologi. Rineka Cipta*. (Original work published 1985)
- Mansur, M., Ihsan, M., Diab, A. L., Nurfaidah, S., & Darlis, S. (2024). The Return of Doi Menre' Ba'da Duhul in Bugis Marriage Law, South Konawe: Islamic Education and Sociology of Islamic Law Perspective. *El-Usrah: Jurnal Hukum Keluarga*, 7(2), 480. <https://doi.org/10.22373/ujhk.v7i2.25574>
- Miqat, N., Bakhtiar, H. S., Salam, S., Tridewiyanti, K., & Ibrahim, K. M. (2023). The Development of Indonesian Marriage Law in Contemporary Era. *De Jure: Jurnal Hukum Dan Syar'iah*, 15(1), 54–66. <https://doi.org/10.18860/j-fsh.v15i1.17461>
- Mustopa, M. (2024). Qira'at Diversity in Islamic Family Law Verses: Implications for Indonesian Marriage Law. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(2), 1257. <https://doi.org/10.22373/sjkh.v8i2.23513>
- Magnis-Suseno, F. (1997). *Etika Jawa: Sebuah analisa falsafi tentang kebijaksanaan hidup Jawa*. Gramedia.
- Malinowski, B. (1948). *Magic, science and religion and other essays*. Free Press.
- Merton, R. K. (1996). *Social theory and social structure* (Rev. ed.). Free Press. (Original work published 1948)
- Nasution, H. (2009). *Islam rasional: Gagasan dan pemikiran Harun Nasution*. Mizan.
- Nasution, H. (2010). *Islam ditinjau dari berbagai aspeknya*. UI Press.
- Nasrullah, N., Andriawan, W., & Musawar, M. (2024). The Character of Legal Products in Indonesia: A Study of Changes to the Marriage Law from a Political-Law Perspective. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(1), 602. <https://doi.org/10.22373/sjkh.v8i1.17302>
- Prasetyo, A., & Muhsin, I. (2024). The Practice of Şihah Marriage among the Rifa'iyah Congregation in Sociological and Islamic Marriage Law Perspectives. *Al-'Adalah*, 20(2), 235. <https://doi.org/10.24042/adalah.v20i2.19324>
- Putri, R., Sujari, H., & Bawono, Y. (2019). Pengambilan Keputusan Dalam Memilih Pasangan Pada Dewasa Awal Berdasarkan Kepercayaan Tradisi Petung Weton. *Jurnal Analisa Sosiologi Juli, 2023*(3).
- Rahardjo, S. (2009). *Hukum progresif: Sebuah sintesa hukum Indonesia*. Kompas.

The Application of Kafā'ah and Weton in the Socio-Legal Development of Marriage Law in East Java

Suwarto Abbas et al.

- Rahman, F. (2009). *Islam and modernity: Transformation of an intellectual tradition*. University of Chicago Press.
- Rahman, F. (2012). *Islam and modernity: Transformation of an intellectual tradition*. University of Chicago Press.
- Saende, Z. R., Sultan, L., & Syatar, A. (2023). Ijtihad Ulama Dalam Merumuskan Metode Memahami Maqâsid Al-Syari'ah. *Indonesian Journal of Shariah and Justice*, 3(1), 73–94. <https://doi.org/10.46339/ijsj.v3i1.43>
- Safitri, M. A., & Mustafa, A. (2021). Tradisi Perhitungan Weton dalam Pernikahan Masyarakat Jawa di Kabupaten Tegal; Studi Perbandingan Hukum Adat dan Hukum Islam. *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab Dan Hukum*. <https://doi.org/10.24252/shautuna.v2i1.16391>
- Said, M. (2019). Rekontekstualisasi Pemikiran Islam dalam Manhaj Ushul Fiqh Hassan Hanafi. *MUHARRIK: Jurnal Dakwah Dan Sosial*, 2(1). <https://doi.org/https://doi.org/10.5281/zenodo.3544708>
- Shatibi, A. I. (1997). *Al-muwafaqat fi usul al-shari'ah* (Vol. 2). Dar al-Ma'rifah.
- Setiawan, I., Arifin, T., Saepullah, U., & Safei, A. (2024). Reforming Marriage Law in Indonesia: A Critical Examination of Islamic Law on the Ban of Interfaith Marriages. *Al-Manahij: Jurnal Kajian Hukum Islam*, 18(2), 179–198. <https://doi.org/10.24090/mnh.v18i2.11134>
- Setyawan, E., Yasin, A. A., & Dahlan, R. (2024). Legal Culture Review and Judicial Track Record of the Kesultanan Cirebon in the Manuscript Pepakem Jaksa Pepitu. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(1), 1–21. <https://doi.org/10.18326/ijtihad.v24i1.1-21>
- Sirait, A. S., Nurhotia, Hidayat, T., & Harahap, R. B. (2024). Assessing Criminal Penalties in Marriage Law: a Comparative Study of Policy Frameworks within Indonesian and Malaysian Legislation. *Al-Manahij: Jurnal Kajian Hukum Islam*, 18(2), 255–270. <https://doi.org/10.24090/mnh.v18i2.11208>
- Sujari, R. P. H., & Bawono, Y. (2023). Pengambilan Keputusan Dalam Memilih Pasangan Pada Dewasa Awal Berdasarkan Kepercayaan Tradisi Petung Weton. *Jurnal Analisa Sosiologi*, 12(3). <https://doi.org/10.20961/jas.v12i3.72457>
- Suryani, I., Muhtar, M. H., Rahman, Y. M., Mega Jaya, B. P., & Khalaf, A. Al. (2023). Integration of Islamic Law in Regional Development in Indonesia. *JURIS (Jurnal Ilmiah Syariah)*, 22(1), 1. <https://doi.org/10.31958/juris.v22i1.8770>
- Wijaya, S. (2021). Reinterpretation Of The Kafa'ah Concept In Jasser Auda's Perspective. *Nurani: Jurnal Kajian syari'ah Dan Masyarakat*, 21(2), 307-316. <https://doi.org/10.19109/nurani.v21i2.10221>
- Wimra, Z., Huda, Y., Bunaiya, M., & Hakimi, A. R. (2023). The Living Fiqh: Anatomy, Philosophical Formulation, and Scope of Study. *JURIS (Jurnal Ilmiah Syariah)*, 22(1), 185. <https://doi.org/10.31958/juris.v22i1.9491>
- Yusdani, Ahmad Arifai, & Januariansyah Arfaizar. (2023). The Jejuluk in Komering tribe weddings in the globalization from a siyasa perspective. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 23(2), 211–

234. <https://doi.org/10.18326/ijtihad.v23i2.211-234>

Yusuf, N., Usup, D., Tumiwa, A. J., Bilalu, N., & Isima, N. (2025). Mapalus Tradition: North Sulawesi Muslim Society in the Maqashid Syariah Discourse. *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 20(1), 63–93. <https://doi.org/10.19105/al-lhkam.v20i1.14025>

Zakaria, M. (2014). The Influence of Human Needs in the Perspective of Maqasid al- Syari'ah on Zakat Distribution Effectiveness. *Asian Social Science*, 10(3). <https://doi.org/10.5539/ass.v10n3p165>