

The Prohibition of Tribal Marriage in the Minangkabau Tradition A Qur'anic Perspective: A Comparative Analysis of Tafsîr al-Munîr and Tafsîr al-Mishbâh

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Abstract

This study examines the prohibition of inter-tribal marriage in the Minangkabau tradition from the perspective of the Qur'an through a comparative analysis of two books of tafsir, namely Tafsîr al-Munîr by Wahbah Zuhaili and Tafsîr al-Mishbâh by Muhammad Quraish Shihab. This research uses a qualitative method with a descriptive-analytical approach and library research. The primary data source includes the text of the Qur'an and the two books of tafsir, while the secondary source is in the form of relevant scientific literature. The results of the study show that the Qur'an does not provide an explicit prohibition against inter-tribal marriage; The prohibition only applies to marriages with mahrams, siblings, and certain differences in faith. Tafsîr al-Munîr emphasizes the legal aspects (fiqh) and the social purpose of marriage, so that tribal prohibitions do not get explicit shari'i legitimacy. On the contrary, Tafsîr al-Mishbâh highlights wisdom, maslahat, and moral values, so that the tradition of tribal prohibition can be understood as a local wisdom that maintains social harmony. The two mufasir agreed that Islam does not determine a particular kinship system, so that Minangkabau customs do not contradict the universal principles of the Qur'an. The violation of this customary prohibition does not have implications of Islamic law as long as it does not violate the provisions of marriage that are haram according to sharia.

Keywords: tribal marriage; interpretation of the Qur'an; Wahbah Zuhaili; Quraish Shihab

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INTRODUCTION

The Minangkabau people in West Sumatra have one of the largest and most enduring matrilineal kinship systems in the world. In this system, a person's identity is determined based on maternal lineage, and tribe becomes the main marker of socially and culturally binding kinship. One consequence of this system is the prohibition of intertribal marriage (abstinence marriage), which is the prohibition of marriage between two individuals who belong to the same tribe, even though they are biologically not related by direct blood (Al-Amin et al., 2023; Pitriyah & Wahid, 2015).

This prohibition is rooted in the understanding that members of a tribe are symbolic brothers, who have close kinship and historical ties, so marriage between them is considered

inappropriate and violates customary norms of politeness. This tradition has been proven to have strong social resilience, surviving even though the Minangkabau people have undergone various social, cultural, and legal changes in the state (Khairani & Fitriani, 2020; Putri & Yunaldi, 2024).

From the point of view of Islamic law, the prohibition of marriage that has been known to be common is limited to mahram relationships (offspring, breastfeeding, and marriage), as regulated in QS. an-Nisan'/4: 23. However, Islam has not discussed matrilineal descent in detail as the basis for the prohibition of marriage, so fundamental questions arise regarding the position of the prohibition of tribalism within the framework of the sharia. This is reinforced by the fact that Law No. 1 of 1974 concerning Marriage, especially Article 8, does not explicitly regulate the prohibition of tribe-based marriage, although it does provide room for applicable religious or customary rules (Law No. 16 of 2019).

Several previous studies have examined this issue from various perspectives. Taufiq (2019) concluded that the Minangkabau marriage culture, including tribal prohibition, does not contradict the universal values of the Qur'an and found four universal values that reflect the Qur'anic culture, namely egalitarianism, deliberation, justice, and ta'awun. Nurchaliza (2020) assesses that inter-tribal marriage is makruh in an Islamic perspective. Danil (2019) categorizes it as maslahah mursalah. Pitriyah and Wahid (2015) classify it as 'urf ṣaḥīḥ that can be accommodated by Islamic law. However, these studies have not in depth compared the two leading books of tafsir, namely Tafsīr al-Munīr by Wahbah Zuhaili and Tafsīr al-Mishbāh by Muhammad Quraish Shihab, to analyze the relevance of their interpretation to the tradition of prohibiting interfaith marriage.

This study aims to: (1) analyze the context of the prohibition of intertribal marriage in the Minangkabau tradition, (2) examine the interpretation of Wahbah Zuhaili and Muhammad Quraish Shihab on the verses of the Qur'an related to marriage, and (3) analyze the comparative relevance of the two interpretations to the tradition of prohibiting intertribal marriage in Minangkabau.

RESEARCH METHODS

This research uses a qualitative approach with descriptive-analytical methods and library research. The qualitative method was chosen because the research seeks to understand the phenomenon in depth through natural data analysis, not the result of variable manipulation (Sugiyono, 2020; Moleong, 2021). This study adopts an emic approach (insider perspective) by presenting data in the form of descriptions that reflect the contextual understanding of the object being studied (Bungin, 2007).

Research data sources are divided into two categories. First, primary data sources, including: (1) Qur'anic texts, especially verses related to marriage and marriage prohibitions; (2) The Book of Tafsīr al-Munīr by Wahbah Zuhaili; and (3) the Book of Tafsīr al-Mishbāh by Muhammad Quraish Shihab. Second, secondary data sources, including books, scientific journals, theses, dissertations, and laws and regulations relevant to the research topic.

Data analysis was carried out through two theoretical approaches. First, the muqaran (comparative) interpretation approach, which compares the interpretation of Wahbah Zuhaili

and Quraish Shihab to the same verses, includes editorial, substantial, and contextual comparisons (Baidan, 2005; Al-Farmawi, 2002). Second, the approach of thematic interpretation (*mauḍu'ī*), by collecting and analyzing Qur'anic verses relevant to the theme of marriage comprehensively. In addition, the analysis is also enriched by the Social Construction Theory of Berger and Luckmann to understand the socio-cultural dimension of the prohibition of interfaith marriage, as well as the Receptie A Contrario Theory of Sajuti Talib to examine the position of customary law in relation to Islamic law (Thalib, 1980).

The validity of the data is guaranteed through triangulation which includes: (1) triangulation of data sources, (2) triangulation of researchers, (3) triangulation of methods, and (4) triangulation of theories (Denzin as quoted in Bungin, 2007). The main verses studied include QS. Al-Hujurāt/49:13 (principle of equality), QS. Ar-Rūm/30:21 (the purpose of marriage), QS. Al-Baqarah/2: 221 (prohibition of marrying polytheists), QS. An-Nisā'/4:23 (list of those who are forbidden to marry), and QS. An-Nisā'/4:1 (the unity of human origin).

RESEARCH RESULTS

Prohibition of Tribal Marriage in the Minangkabau Tradition

The Minangkabau matrilineal kinship system places tribe as the main marker of social identity. In this system, the lineage is drawn from the mother's side, so that a person is identified as a member of his mother's tribe, not his father's tribe. Abstinence marriage or prohibition of intertribal marriage is one of the main implications of this system, which aims to preserve tribal identity and matrilineal customary structures (Syarifuddin, 1984; Hadler, 2010).

This prohibition has no basis in Indonesia's explicit positive law. Law No. 1 of 1974 in Article 8 states the prohibition of marriage for parties who "have a relationship that by their religion or other applicable regulations, prohibit marriage," which indirectly provides space for the recognition of customary rules. However, there is no article that specifically regulates the prohibition of tribe-based marriage. In Islamic law, the prohibition of marriage is limited to seven groups because of *nasab*, two because of *milk*, and four because of marriage (*muṣāharah*), as explained in QS. An-Nisā'/4: 23 (Al-Jaziri, p.t.).

Sanctions for violators of the ban on inter-tribal marriage in Minangkabau are social-customary, not criminal or religious, in the form of exclusion from the community, customary fines, or prohibitions on participating in customary activities (Al-Amin et al., 2023). These sanctions reflect strong customary social control, but have no equivalent in Islamic law.

Interpretation of Wahbah Zuhaili in *Tafsîr al-Munîr*

Wahbah Zuhaili (1932-2015) was a scholar from Syria who was known as an expert in comparative jurisprudence. *Tafsîr al-Munîr* consists of 16 volumes and uses the *tahlîlî* (analytical) method with the style of *fiqh* and the creed of Ahlu Sunnah wal Jama'ah. The interpretation methodology begins with an explanation of the meaning of the verse in general, followed by linguistic aspects, textual interpretation, jurisprudence, and *sunnah* (Baihaki, 2016; Aiman, 2016).

Against QS. Al-Hujurāt/49:13, Wahbah Zuhaili explained that this verse was revealed as a rebuke for the behavior of arrogant offspring and degrading others. The principle of piety is the only measure of glory in the sight of God, not ethnicity, social status, or wealth. This verse is a postulate that in marriage there is no requirement of kafa'ah (equivalence) in terms of nasab, but it is sufficient in the religious aspect (Zuhaili, t.t.).

Against QS. Ar-Rūm/30:21, Wahbah affirms that the main purpose of marriage is to achieve sakînah (tranquility), mawaddah (love), and rahmah (affection). Marriage is not just a social institution or a legal contract, but a tangible manifestation of the sign of Allah's power. The foundation of marriage is not in tribal equality, but in the attachment of the soul and shared responsibility (Zuhaili, t.t.).

Against QS. An-Nisā'/4:23, Wahbah Zuhaili elaborates on three categories of women who are forbidden to marry: (1) seven groups due to nasab (mother, daughter, sister, aunt on the father's and mother's side, niece); (2) two groups of milk; and (3) four groups due to marriage (muṣāharah). This prohibition is intended to maintain the sanctity of family relations and prevent social evil. None of the non-bloody tribe-based prohibitions (Zuhaili, t.t.).

Interpretation of Muhammad Quraish Shihab in Tafsîr al-Mishbâh

Muhammad Quraish Shihab (born 1944) is an Indonesian contemporary mufasir who produced Tafsîr al-Mishbâh in 15 volumes. The methodology of interpretation is mauḍu'i (thematic) with a contextual approach, emphasizing the relevance of the verse to the life of contemporary Indonesian society. The interpretation pattern includes aspects of linguistics, social-society, and local cultural wisdom (Wartini, 2014; Zamimah, 2018).

In interpreting QS. Al-Hujurāt/49:13, Quraish Shihab emphasizes that the diversity of tribes and nations is a means of getting to know each other (ta'ārafū), building social harmony, and working together, not to degrade each other. The word akramakum contains the meaning of the true glory which does not lie in descent, but in morality and piety. This verse provides a strong theological foundation to reject all forms of discrimination based on origin (Shihab, 2000).

Against QS. Ar-Rūm/30:21, Quraish Shihab explains that the word sakînah comes from the root of the word sakana, which means "calm" or "silent" after experiencing anxiety. In the domestic context, this calmness is mental and emotional, far beyond physical peace. Sakinah, mawaddah, and rahmah are dynamic conditions that continue to be pursued through honest communication, mutual understanding, and strengthening the value of faith (Shihab, 2000).

Against QS. An-Nisā'/4:23, Quraish Shihab emphasizes that although this verse is addressed to men editorially, its message applies to both sexes. This verse details fourteen different groups that are forbidden to marry in order and systematically, indicating divine order. It is important to note that this prohibition does not cover tribal marriages that are not directly related by blood (Shihab, 2000).

DISCUSSION

Comparative Analysis of the Interpretation of Wahbah Zuhaili and Quraish Shihab

A comparison between Tafsîr al-Munîr and Tafsîr al-Mishbâh shows significant similarities and differences in understanding the marriage verses, especially in relation to the tradition of tribal prohibition.

In terms of similarities, both of them unequivocally agree that: (1) piety is the main measure of human glory, beyond tribe and lineage; (2) the purpose of marriage is to realize sakînah, mawaddah, and rahmah; (3) the strict prohibition of marriage only applies to the mahram, siblings, and based on differences in faith; and (4) the unity of human origins implies the importance of maintaining social relations without discrimination based on ethnicity. The similarity of this principle shows that both Wahbah Zuhaili and Quraish Shihab are based on the same foundation of interpretation, namely the principle of equality and benefit (Zuhaili, t.t.; Shihab, 2000).

The fundamental difference lies in the methodological approach and the focus of the analysis. Wahbah Zuhaili tends to use a textual-normative approach with an emphasis on fiqh law. In this framework, the prohibition of intertribal marriage does not get explicit shari'a legitimacy because it is not found in the Qur'an or hadith. Wahbah recognizes the importance of considering the benefits and prevention of harm, so that customary rules can be accepted as long as they do not conflict with sharia principles (Baihaki, 2016; Aiman, 2016).

On the other hand, Quraish Shihab uses a contextual-social ijtihad approach that provides more space for local wisdom. According to him, although there is no explicit basis for sharia, the tradition of tribal prohibition can be understood as social ijtihad that aims to maintain kinship harmony in the Minangkabau community. This tradition can be accepted as a social value that does not contradict the universal principles of the Qur'an (Wartini, 2014; Zamimah, 2018).

Relevance to the Tradition of the Prohibition of Tribal Marriage in Minangkabau

Based on the analysis of the two interpretations, the prohibition of inter-tribal marriage in Minangkabau can be positioned in two complementary dimensions. Normatively (Wahbah Zuhaili's perspective), this prohibition is not binding according to shari'i because it does not have a qath'i basis for nash. The Qur'an expressly only regulates the prohibition of marriage based on the relationship of mahram and differences in faith. Violations of tribal customary prohibitions do not cause consequences under Islamic law as long as the marriage does not violate provisions that are explicitly forbidden.

Sociologically (from the perspective of Quraish Shihab), the prohibition of tribalism can be understood through the lens of the rules of 'al-'Ādah Muḥakkamah' (customs can be used as a source of law) and the principle of maslaḥah mursalah. This prohibition serves to maintain the balance of matrilineal social structure, prevent internal tribal conflicts, and maintain community solidarity. In the terminology of Pitriyah and Wahid (2015), this tradition is categorized as 'urf ṣaḥîḥ, which is a valid custom and does not contradict the principles of sharia.

Berger and Luckmann's Social Construction Theory provides a relevant analytical framework for understanding how tribal prohibition becomes an "objective reality" through three processes: externalization (the expression of customary values in social interactions), objectification (the institutionalization of prohibition as a binding norm), and internalization (the individual's appreciation of the prohibition as part of identity). This process explains why tribal prohibitions remain strong even without a formal legal basis in Islam (Putra, 2008; Yuningsih, 2006).

Sajuti Talib's Receptie A Contrario theory reinforces this position: the law that applies to society is the law of the religion adhered to, and customary law only applies if it does not conflict with Islamic law. Since the prohibition of tribalism does not contradict Islamic law (not marriage that is forbidden by shari'i), this prohibition can still function as a valid social norm within the framework of the principles of the traditional basandi syarak, syarak basandi kitābullāh (Talib, 1980; Lukito, 1996).

Discussion of Views That Judge the Matrilineal System Contrary to Islam

The findings of this study are different from the views of figures such as Ahmad Khatib al-Minangkabawi and Hazairin who consider the matrilineal kinship system to be contrary to Islam, especially in the context of inheritance. However, this research is in line with the views of Nusantara scholars such as Sheikh Sulaiman Arrasuli, Inyia Rasul, and Buya Hamka, who affirm that Islam does not determine a specific kinship system—both patrilineal and matrilineal (Taufiq, 2019; Khatib, 1991).

The Qur'an through QS. An-Nisā'/4: 1 and QS. Al-Hujurāt/49:13 affirms the unity and equality of human origin without specifying a specific kinship system. This principle provides space for various kinship systems, including the Minangkabau matrilineal, to develop in harmony with Islamic teachings, as long as they do not violate the basic principles of sharia such as the prohibition of mahram, justice, and welfare (Shihab, 2000; Zuhaili, t.t.).

CONCLUSION

This research yields three main conclusions. First, the Qur'an does not provide an explicit prohibition against intertribal marriage. The strict prohibition only applies to marriages with mahrams, siblings, and based on certain religious differences as stated in QS. An-Nisā'/4: 23. The prohibition of intertribal marriage does not have a basis for qath'i nash, so it cannot be categorized as an absolute sharia prohibition.

Second, Tafsîr al-Munîr emphasizes the legal aspects and social purpose of marriage, so that tribal prohibitions do not get explicit sharia legitimacy, even though customary rules are acceptable as long as they do not conflict with sharia principles. Tafsîr al-Mishbâh highlights the dimensions of wisdom, maslahat, and moral values, allowing tribal traditions to be understood as local wisdom oriented towards social harmony, rather than theologically binding religious provisions.

Third, the relationship between customary and sharia in this context is dialogical and dynamic. The tradition of prohibiting inter-tribal marriage in Minangkabau is the result of the socio-cultural ijtihad of the local community which is more appropriately positioned as a

customary rule with a socio-cultural dimension, rather than an absolute binding Islamic law. The traditional principles of *basandi syarak, syarak basandi kitābullāh* reflect harmonization efforts that allow customs and sharia to go hand in hand in building a just, harmonious, and civilized society.

This research is expected to make an academic contribution to the study of Qur'anic interpretation, Islamic law, and cultural studies, as well as a reference for the community in responding to the relationship between customs and religion wisely and proportionately. Further research is suggested to expand the scope by involving more *mufasir* and using the approach of *maqāṣidī* interpretation or Islamic legal anthropology.

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