



Perada: Jurnal Studi Islam Kawasan Melayu
P-ISSN 2656-7202 – E-ISSN 2655-6626
Volume 7 Nomor 2, Juli-Desember 2024
DOI: <https://doi.org/10.35961/perada.v7i2.1629>

Niniak Mamak's Permission in Minangkabau Community Marriage Perspective of 'Urf (Case Study in Kenagarian Panampuang, West Sumatra)

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ABSTRAK

The permission of *niniak mamak* as a condition of marriage in Minangkabau society is one of the customary rules that must be carried out before a marriage takes place, even though it is not regulated by Islamic law or state law. Departing from this, this research aims to explore the reasons for this customary rule and analyze its relevance to Islamic law. This research is qualitative by conducting a field study. Data collection uses interview, observation and documentary techniques and uses 'urf as an analytical. This article finds, *first*, the rule of *niniak mamak* permission as a condition of marriage is a customary rule that has been carried out for generations, besides that, this rule is also a place for silaturahmi the mamak of both parties and this rule aims to protect the children of the kemenakan and avoid unwanted things in the future. *Secondly*, from the perspective of 'urf, the permission of the *niniak mamak* in the marriage of the Minangkabau people is included in the '*urf shahih*' because this rule is to maintain the benefit of the children and does not violate the Shari'at.

Key Word : *Niniak Mamak Permission, Marriage Requirements, Minangkabau Community, 'Urf*

Introduction

Every marriage that will take place has conditions and pillars that must be fulfilled. For Muslims, the terms and pillars of marriage are based on the rules that apply in Islam, as explained in the books of fiqh.¹ For the context in Indonesia, the pillars of marriage are regulated in the Compilation of Islamic Law Article 14, that there are five pillars of marriage, namely the prospective husband, prospective wife, marriage guardian, two witnesses, *ijab* and *kabul*. In addition, in Indonesia every marriage must also be registered by a marriage registration officer.² Marriage can be held if the bride and groom are 19 years

¹ Holilur Rohman, *Hukum Perkawinan Islam Menurut Empat Mazhab Disertai Aturan Yang Berlaku Di Indonesia* (Jakarta: Kencana, 2021), hlm.21.

² Rizki Amar et al., "Kedudukan Pencatatan Terhadap Keabsahan Perkawinan: Telaah Pencatatan Perkawinan," *Jurnal Tana Mana* 5, no. 2 (May 7, 2024): hlm.220, <https://doi.org/10.33648/jtm.v5i2.486>.

old, and marriage must be based on the consent of the bride and groom.³ These requirements are a form of family law reform in Indonesia.⁴

The Minangkabau community in Kenagarian Panampuang is unique in that when people want to get married, in addition to fulfilling the terms and conditions of marriage, there are customary requirements, namely permission from *niniak mamak*. This permission is usually indicated by a signature on a piece of paper issued by the Jorong Head. The permission letter is given in the form of a blank called BUN. This BUN blank contains a statement from the *niniak mamak* that there are no customary impediments to the marriage, authenticated by the signature of the *niniak mamak*, who authorizes their nephew to marry. If there is no permission from the *niniak mamak*, the marriage cannot take place.⁵

The phenomenon that occurs in Kenagarian Panampuan is interesting to study, the obligation of permission from *niniak mamak* as a condition for the Minangkabau community to marry of course this is not found normatively in Islamic law or in positive law, but this applies to the Minangkabau community in Kenagarian Panampuang. So that from this phenomenon raises questions including; *First*, what is the purpose of the permission of *niniak mamak* in the marriage of the Minangkabau community in Kenagarian Panampuang?. *Second*, how is the review of Islamic Law on the permission of *niniak mamak* in the marriage of the Minangkabau people in Kenagarian Panampuang?. The author makes *'urf* as an analytical, because *niniak mamak* permission is a living law in Minangkabau society, so it is considered relevant as an analytical tool to answer the formulation of the problem.

Previous studies on *niniak mamak* have been researched by Hamidun and Wijayanto, they examined the active role of *niniak mamak* in formulating village government policies.⁶ Other studies such as those conducted by Sari and Hendra, they looked at the communication of *niniak mamak* in maintaining the custom of not living in the same house for newlyweds.⁷ Then, Noviar and Nurjanah also examined the communication strategy of *niniak mamak* in resolving inheritance disputes in Minangkabau society.⁸ The research on *niniak mamak* permission in marriage has been researched by Hertasmaldi and Sumarni. Research conducted by Hertasmaldi found that the position of *niniak mamak* in marriage

³ Bing Waluyo, "Sahnya Perkawinan Menurut Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan," *Jurnal Media Komunikasi Pendidikan Pancasila Dan Kewarganegaraan* 2, no. 1 (April 14, 2020): hlm.196, <https://doi.org/10.23887/jmppkn.v2i1.135>.

⁴ Rizki Amar, Jamilatuz Zahrah, and Lisa Hertiana, "Perceraian Dan Penguatan Hak-Hak Perempuan: Reformasi Hukum Keluarga Di Mesir, Indonesia Dan Pakistan:," *BUSTANUL FUQAH: Jurnal Bidang Hukum Islam* 5, no. 1 (April 12, 2024): hlm.65, <https://doi.org/10.36701/bustanul.v5i1.1388>.

⁵ Interview with Zahrul Zaman, Wali Nagari (Kepala Kelurahan) Panampuang, June 27, 2022.

⁶ Andri Hamidun and Wijayanto, "Peran Niniak Mamak (Kepala Suku) Terhadap Perumusan kebijakan Pemerintahan Desa (Studi Nagari Jopang Manganti, Kecamatan Mungka, kabupaten Lima Puluh Kota)," *Journal of Politic and Government Studies* 11, no. 4 (October 4, 2022): 185–94.

⁷ Dea Novika Sari and Tomi Hendra, "Strategi Komunikasi Niniak Mamak Dalam Mempertahankan Adat Larangan Tinggal Serumah Bagi Pengantin Baru Di Nagari Sungai Limau Kabupaten Dharmasraya," *Tabsyir: Jurnal Dakwah Dan Sosial Humaniora* 4, no. 4 (October 31, 2023): 163–72, <https://doi.org/10.59059/tabsyir.v4i4.576>.

⁸ Andri Noviar and Nurjanah, "Strategi Komunikasi Niniak Mamak Persukuan Dalam penyelesaian Sengketa Harta Warisan Di Suku Piliang Soni Desa Tanjung Bonai Kecamatan Lintau Buo Utara Kabupaten Tanah Datar," *Jurnal Online Mahasiswa (JOM) Bidang Ilmu Sosial Dan Ilmu Politik* 4, no. 2 (November 7, 2017): 1–12.

cannot be ignored because a marriage cannot be held without the knowledge of *niniak mamak*, if this is violated there will be sanctions from custom.⁹ Sumarni in her research explains that if they do not carry out the permission of the *ninik mamak*, namely following the traditional procession, then they will be subject to sanctions in the form of a ban on carrying out marriages in the village and receive social sanctions, such as being gossiped about in the community.¹⁰ The position of this research is to reveal the purpose or intention of the *niniak mamak* permit and analyze its relevance to Islamic law, that is *'urf*.

This research is classified as a form of qualitative research, by conducting field studies with a focus on individuals who will become informants and research subjects.¹¹ These individuals include the Wali Nagari, *niniak mamak* of the guci tribe and the Chairman of the Nagari Customary Density as primary sources. The data collection uses documentation, interviews and observation techniques. The technique used for data analysis in this paper is qualitative data analysis, following the conceptual framework presented by Miles and Huberman, which includes data reduction, data presentation, and conclusion drawing/verification.¹²

Niniak Mamak and Marriage in Minangkabau Society

1. The Concept of Niniak Mamak in Minangkabau Society

Ninik mamak has an important role in minangkabau society. *Niniak mamak* has a lot of roles in the community both regulating *kemenakan* (nephews) in a good and orderly way of life, the field of disputes if there is a dispute in the family, the field of inheritance for heirs, the field of education and even including the field of marriage.¹³ The saying is: “*Nan didahulukan salangkab, Nan ditinggikan sarantiang*”, meaning he has the highest position.¹⁴ In addition, another saying states “*kaluak paku kacang balimbiang*” The meaning is that the child in the lap of the *kemenakan* (nephew) is guided. And other sayings “*kapai tampek batanyo kapulang tampek babarito*”, which means when you go, you ask questions and when you come home, you share.¹⁵

Niniak mamak is a matrilineal kinship (maternal lineage), *mamak* can be grouped into three parts, namely; First, the house *mamak*, meaning the male sibling of the mother or maternal line “*sarumah gadang*” who is elected to be the representative of the supervisor or coach of the closest maternal line members. supervisor of the closest members of the

⁹ Hertasmaldi Hertasmaldi, “Persetujuan Ninik Mamak Sebagai Salah Satu Syarat Administratif dalam Akad Nikah,” *IJTIHAD* 35, no. 2 (2019), <https://journals.fasya.uinib.org/index.php/ijtihead/article/view/16>.

¹⁰ Fadilla Sumarni, “Tinjauan Hukum Islam Terhadap Pernikahan Berdasarkan Keputusan Niniak Mamak Di Korong Kampung Kandang Koto Gadis Kanagarian Sunua Kecamatan Nan Sabaris Kabupaten Padang Pariaman” (Skripsi, Universitas Islam Negeri Sultan Syarif Kasim Riau, 2023)

¹¹ John W. Creswell, *Research Design Pendekatan Kualitatif, Kuantitatif Dan Mixed*, trans. Achmad Fawaid (Yogyakarta: Pustaka Pelajar, 2010), hlm.4-5.

¹² Sugiono, *Metode Penelitian Kuantitatif Dan Kualitatif Dan R&D* (Bandung: Alfabeta, 2008), hlm.249.

¹³ Amir M. S, *Adat Minangkabau: Pola dan Tujuan Hidup Orang Minang* (Jakarta: Mutiara Sumber Widy, 2003), hlm.68.

¹⁴ Ibrahim Dt. Sanggoeno Diradjo, *Tambo Alam Minangkabau : Tatanan Adat Warisan Nenek Moyang Orang Minang* (Bukit Tinggi: Kristal Multimedia, 2009), hlm.171.

¹⁵ Lembaga Kerapatan Adat Alam Minangkabau Sumatera Barat, *Bunga rampai pengetahuan adat Minangkabau* (Padang: Yayasan Sako Batuah, 2000), hlm.53.

maternal line. *Mamak* rumah is also known as "*tungganai*" and is called by the term "datuak" (noble). The task of the *mamak* this house is to maintain, nurture, and lead the physical life or spiritual life of his *kemenakan*. So the *mamak* of this house must master a number of productive potentials of the family, which are done by the family "*paruik*" including family heirlooms.¹⁶

Second, *mamak* kaum, is someone who is chosen among several *mamak* of the house or *tungganai* who are bound in blood relations (geneological) called the kaum. The *mamak* of this clan is a person who has a "deep mind, haluih speech", meaning that the person who becomes the *mamak* of the clan must be a person who is ethical, polite, friendly and humble because he will be a role model for his children. Third, the *mamak* of the tribe is the leader of the tribe. They organize the social life and customs of the tribe.¹⁷

In Minangkabau culture, the role of *niniak mamak* is very important and inseparable from the implementation of the marriage ceremony of their adult children. This aims to fulfill customs and carry out the sunnah of the Prophet in accordance with the teachings of Islam. To make a marriage successful, *niniak mamak* plays an important role and is directly involved in the process. Traditionally, men in Minangkabau act as leaders in the family. Their responsibilities include looking after and protecting their sisters and their sisters' children. One of the main tasks of a *mamak* is to find a good match for his *kemenakan* daughters. A *mamak* will feel very embarrassed if any of his nieces and nephews are old enough but not married. The *mamak* will be considered incompetent in taking care of his *kemenakan*, while the *kemenakan's* family will be considered a family that does not sell well.¹⁸

Therefore, it is the responsibility of the *mamak* to find a suitable and appropriate match for their *kemenakan*. The *mamak* must approach a man who is considered eligible and express their family's willingness to marry off their niece to that man. The position or role of *niniak mamak* in marriage as a leader in the tribe or people of a nagari is very important and cannot be ignored. Marriage will not take place without the permission or knowledge of the *niniak mamak*. If anyone violates this customary provision, sanctions can be imposed on them.¹⁹

2. Marriage Process in Nagari Panampuang

Based on the results of interviews with one of the *niniak mamak* named S. Dt. Malano Penghulu who is a *niniak mamak* of the Guci tribe, several stages of the process that will be carried out before holding a marriage in Nagari Panampuang, including:²⁰

- a. "*Baretong mamak samo mamak*", where the male party comes to meet the female party.
- b. Seeking agreement or consensus between the male and female parties.
- c. After obtaining approval or consensus from the *mamak*, the result of the consensus will be notified to the mother of the child of the *kemenakan* concerned.

¹⁶ Yahya Samin, *Peranan Mamak Terhadap Kemenakan Dalam Kebudayaan Minangkabau Masa Kini* (Padang: Bagian Proyek Pengkajian Dan Pembinaan Nilai-Nilai Budaya Sumatera Barat, 1996), hlm.40.

¹⁷ Yahya Samin, hlm.41.

¹⁸ Muhammad Jamil, *Pendidikan Adat Berbasis Nagari* (Padang: CV Minang Lestari, 2017), hlm.14.

¹⁹ Muhammad Jamil, hlm.14-15.

²⁰ Interview with S. Dt. Malano , Niniak Mamak Suku Guci, June 27, 2022.

- d. "*Mancari hari nan baik nan elok*", which is the time that is sought and then agreed upon to hold a series of traditional ceremonies in marriage.
- e. "*Maanta adat*", which is giving a sum of money agreed upon by both parties that will be given by one of the families that will hold the marriage.
- f. Agreement on when to hold the wedding party.
- g. The conduct of the marriage.

According to Zahrul Zaman, the process of obtaining a marriage license is part of the stages that must be carried out before carrying out a marriage. These stages are divided into four parts, namely:²¹

- a. The *niniak mamak* permit with the implementation of the permit is handed over to the *niniak mamak* of each tribe.
- b. Marriage license from pangatuo kampung or tribe
- c. Cover letter for marriage license from jorong guardian.
- d. Once these three steps have been completed, the N-model letter and others will be issued by the wali nagari.

Customary Sanctions and The Purpose of *Niniak Mamak* Permission Before Marriage

Based on the results of interviews in Nagari Panampuang, there are several reasons why *niniak mamak* cannot give permission to marry their children, including:²²

1. Kawin sasuku, in Minangkabau customs marriage between individuals from the same tribe is not allowed, as it is considered the same as inbreeding. Therefore, the *niniak mamak* cannot give permission for the marriage.
2. *Sirri* marriage, if the bride and groom do not get permission from the *niniak mamak* and marry secretly, they will be called by the *niniak mamak* and given customary sanctions when they return to their hometown.
3. Marriages resulting from adultery, marriages that occur due to adultery will not get permission from the *niniak mamak*, because adultery is considered to harass the family and tribe.
4. Requesting permission to remarry without a valid reason and neglecting the family, *niniak mamak* will not give permission if someone wants to remarry without a valid reason and has neglected his wife and children.

Datuak Malano Panghulu stated that the *niniak mamak* who violates the customary provisions, also known as "*malangkahi adat*", by not asking permission before marriage will be sanctioned in the form of paying 1 gold ring, and the *niniak mamak* will be declared guilty throughout adat.²³ According to Mr. Zahrul Zahman, if the *niniak mamak* is subject to customary sanctions, the permission can be delegated to another *niniak mamak* in the same group. This customary sanction is divided into three categories, namely 1 tali money, 1 tribal money, and 1 gold rupiah. The permission of the *niniak mamak* is not valid as long as

²¹ Interview with Zahrul Zaman, Wali Nagari (Kepala Kelurahan) Panampuang June 28, 2022.

²² Interview with Istaid Dt. Tan Kabasaran, Ketua Kerapatan Adat Nagari (KAN), June 27, 2022.

²³ Interview with S. Dt. Malano, Niniak Mamak Suku Guci, June 27, 2022.

the customary sanction has not been paid, but if the customary sanction has been paid even if it is only in installments, the permission of the *niniak mamak* is still valid.²⁴

Regarding written permission from *niniak mamak* before carrying out a marriage, based on the results of interviews with sources in Nagari Panampuang, at least three reasons were found, including:

First, permission from the *niniak mamak* is the main thing that must be fulfilled by the children who will marry. This permission is part of the customary rules in Nagari Panampuang which has become a hereditary tradition. In the past, this permission was not written, but after the establishment of the wali nagari, this *niniak mamak* permission was made in writing in the form of a blank. This was also confirmed by the Chairman of the Panampuang Nagari Customary Council, Mr. Tan Kabasaran, who stated that since 1915 the permission of the *niniak mamak* has been in written form in the form of blanks.²⁵

Secondly, in the early stages of marriage, the parents or guardians of the bride and groom convey their wish to marry to the *mamak tungganai*, the brother of the mother or sister. After that, the *mamak tungganai* will convey the wish to the *niniak mamak* or tribal chief, known as *datuak* or *penghulu*. The permission of the *niniak mamak* is important because it serves as a platform for friendship between the *mamak* of both parties. This permission allows a good relationship to be established between the *niniak mamak* of the prospective bride and groom.²⁶

Third, the permission of *niniak mamak* is not intended to prevent marriage, but rather to maintain the safety of the children and avoid unwanted things in the future. It can be understood that the permission of *niniak mamak* in this case is a preventive effort from adat in choosing prospective spouses who match the criteria of both adat and Islam. Because there is a close relationship between custom and Islam as in the expression “*adat basandi syarak, syarak basandi kitabullah*”.²⁷

***'Urf* Analysis of Niniak Mamak's Permission in Marriage**

Islamic law provides provisions for conducting weddings and walimah, but also allows the implementation of weddings and walimah according to local customs. Each community has its own customs, as explained by M. Thalib in his book *Marriage According to Islam*. According to Thalib, the broadcasting of marriage can be done in accordance with local customs. Thus, customary law must be in accordance with the applicable shari'ah law, and if it is in accordance with Islamic law, the customary law can be used as a source of law. This is supported by the rule which states that “Custom (*'urf*) can be used as a source of law.”²⁸

'Urf is divided into six types, which are classified based on form, territorial validity and validity of use. From the first classification, namely based on its form, two types of *'urf* are derived, namely *'urf al-lafẓhi* (habits related to expression) and *'urf al-'amali* (habits in the

²⁴ Interview with Zahrul Zaman, Wali Nagari (Kepala Kelurahan) Panampuang, June, 28, 2022.

²⁵ Interview with Istaid Dt. Tan Kabasaran, Ketua Kerapatan Adat Nagari (KAN).

²⁶ Interview with S. Dt. Malano, Niniak Mamak Suku Guci, June 27, 2022.

²⁷ Interview with Zahrul Zaman, Wali Nagari (Kepala Kelurahan) Panampuang, June 28, 2022.

²⁸ M Thalib, *Perkawinan Menurut Islam* (Jakarta: Prenada Media, 2008), hlm.45.

form of actions). Second, based on its scope, *'urf* is divided into *'urf am* (general custom) and *'urf khas* (specific custom). The former classification identifies customs that are practiced throughout the region on a general (*'am*) basis. In a more limited context, there is *'urf* that is practiced by some people only (*khas*).²⁹

Third, based on its validity according to the view of Shara', namely *'urf shahih* (a custom that is considered valid) and *'urf fasid* (a custom that is considered corrupt). A community's customary practices that do not contradict the principles of Shariah will be considered valid. In contrast, if a community's custom contradicts the principles of Shariah or leads to something harmful, it will be considered fasid (incorrect).³⁰

Based on the kinds of *'urf* above, it can be seen. The permission of *niniak mamak* based on its object, is included in *'urf al-'amali*, which highlights the practice of actions that are part of the marriage process in Minangkabau society. This includes various stages such as consent, broadcasting the marriage, and performing the wedding ceremony. These practices are a reflection of the traditions and culture of the Minangkabau people that have been passed down from generation to generation.

Based on its scope, the Permission of *niniak mamak* in this marriage covers *'urf 'am*, which refers to the common practices followed by members of the Minangkabau community related to marriage. This includes widely accepted customs within the community, encompassing the social and cultural norms that shape the marriage and marriage process. And based on its validity according to Shara's view, *'urf shahih* highlights practices that are recognized as valid according to Islamic religious teachings. This includes the role of *niniak mamak* in ensuring that, first, to safeguard their children in choosing a life partner, this is to maintain the safety of their children and avoid unwanted things in the future. Second, the practice of *niniak mamak* permission in Minangkabau society is also a form of custom preservation, because this is a tradition that has long existed and has been passed down from generation to generation. Third, the *niniak mamak* permit is a gathering place between the mamak of both parties.

Regarding this, ushul fiqh scholars have also formulated a fiqh rule relating to custom, namely العادة محكمة "Custom can become law".³¹ In this context, the practice of *niniak mamak* permission has been an integral part of the marriage procedure in Minangkabau society for centuries. This custom is understood as a form of protection of family interests, safeguarding the safety of children and maintaining social unity. Referring to the requirements of valid customs according to the fuqaha, namely; *first*, Customs must be practiced generally by members of the community or known by all levels of society, or practiced by some groups or certain communities. *Second*, the custom must be an ongoing custom in the community at the time it will be made into law. *Third*, a custom is invalid if it contradicts the explicit provisions of the Qur'an and hadith. Fourth, In the case of

²⁹ A Djazuli, *Ilmu Ushul Fiqh: Penggalan, Perkembangan, dan Penerapan Hukum Islam*, Cet.6 (Jakarta: Kencana, 2006), hlm.90.

³⁰ Satria Effendi, *Ushul FiqIh* (Jakarta: Kencana, 2005), 154–55.

³¹ A Djazuli, *Kaidah-Kaidah Fikih* (Jakarta: Kencana, 2011), hlm.33.

disputes, adat is used only when there is no explicit rejection from any of the parties involved.

Marriage with the permission of the *niniak mamak* in Minangkabau has fulfilled all these conditions. This practice is considered '*urf shahib*' because it is repeated, accepted by the community, and does not contradict religious norms, good manners and noble culture. The Hanafi and Maliki schools of thought are of the opinion that rulings based on '*urf shahib*' are equivalent to those based on shar'i evidence.³² Therefore, *niniak mamak* permission is not only a tradition, but also a practice that has a strong foundation in religious teachings and social values.

Conclusion

Based on the above explanation, the phenomenon of *niniak mamak* permission as a condition of marriage in the Minangkabau community in Kenagarian Panampuang aims to; *first*, as a form of preservation of Minangkabau customs which form a tradition that has been passed down from generation to generation. *Second*, the permission of the *ninia mamak* in marriage is also a means of gathering the *mamak* from both parties (prospective sumi and wife). *Thirdly*, to maintain the safety of the *ninia mamak* and avoid unwanted things in the future. From the perspective of '*urf, niniak mamak*' permission as a condition of marriage, based on its object, is included in '*urf al-'amali*', because it highlights the practice of actions that are part of the marriage process in Minangkabau society. Based on its scope, *niniak mamak's* permission in this marriage includes '*urf 'am*', which refers to common practices followed by members of the Minangkabau community related to marriage. And based on its validity, *niniak mamak's* permission in marriage in the view of Syara, including in '*urf shahib*' highlights practices that are recognized as valid according to Islamic teachings, and do not violate the Shari'at.[]

Bibliography

- Amar, Rizki, Agung Pratama Dharma, M. Aulia Urrahman, and M. Rafli Kurniawan. "Kedudukan Pencatatan Terhadap Keabsahan Perkawinan: Telaah Pencatatan Perkawinan." *Jurnal Tana Mana* 5, no. 2 (May 7, 2024): 217–26. <https://doi.org/10.33648/jtm.v5i2.486>.
- Amar, Rizki, Jamilatuz Zahrah, and Lisa Hertiana. "Perceraian Dan Penguatan Hak-Hak Perempuan: Reformasi Hukum Keluarga Di Mesir, Indonesia Dan Pakistan." *BUSTANUL FUQAHA: Jurnal Bidang Hukum Islam* 5, no. 1 (April 12, 2024): 64–85. <https://doi.org/10.36701/bustanul.v5i1.1388>.
- Amir M. S. *Adat Minangkabau: Pola dan Tujuan Hidup Orang Minang*. Jakarta: Mutiara Sumber Widya, 2003.
- Diradjo, Ibrahim Dt. Sanggoeno. *Tambo Alam Minangkabau: Tatanan Adat Warisan Nenek Moyang Orang Minang*. Bukit Tinggi: Kristal Multimedia, 2009.
- Djazuli, A. *Ilmu Ushul Fiqh: Penggalan, Perkembangan, dan Penerapan Hukum Islam*. Cet.6. Jakarta: Kencana, 2006.

³² Muhammad Abu Zahrah, *Ushul Fiqh*, trans. Saefullah Ma'sum (Jakarta: Pustaka Firdaus, 2017), hlm.442.

- . *Kaidah-Kaidah Fikih*. Jakarta: Kencana, 2011.
- Effendi, Satria. *Ushul Fiqh*. Jakarta: Kencana, 2005.
- Fadilla Sumarni, "Tinjauan Hukum Islam Terhadap Pernikahan Berdasarkan Keputusan Niniak Mamak Di Korong Kampung Kandang Koto Gadis Kanagarian Sunua Kecamatan Nan Sabaris Kabupaten Padang Pariaman." Skripsi, Universitas Islam Negeri Sultan Syarif Kasim Riau, 2023.
- Hamidun, Andri, and Wijayanto, "Peran Niniak Mamak (Kepala Suku) Terhadap Perumusan kebijakan Pemerintahan Desa (Studi Nagari Jopang Manganti, Kecamatan Mungka, kabupaten Lima Puluh Kota)." *Journal of Politic and Government Studies* 11, no. 4 (October 4, 2022): 185–94.
- Hertasmaldi, Hertasmaldi. "Persetujuan Niniak Mamak Sebagai Salah Satu Syarat Administratif dalam Akad Nikah." *IJTIHAD* 35, no. 2 (2019). <https://journals.fasya.uinib.org/index.php/ijtihad/article/view/16>.
- Interview With S. Dt. Malano. Niniak Mamak Suku Guci, June 27, 2022.
- Interview With Zahrul Zaman. Wali Nagari (Kepala Kelurahan) Cingkariang, June 28, 2022.
- Interview With Kabasaran, Istaidd Dt. Tan. Ketua Kerapatan Adat Nagari (KAN), June 27, 2022.
- Jamil, Muhammad. *Pendidikan Adat Berbasis Nagari*. Padang: CV Minang Lestari, 2017.
- Lembaga Kerapatan Adat Alam Minangkabau Sumatera Barat. *Bunga rampai pengetahuan adat Minangkabau*. Padang: Yayasan Sako Batuah, 2000.
- Noviar, Andri, and Nurjanah "Strategi Komunikasi Niniak Mamak Persukuan Dalam penyelesaian Sengketa Harta Warisan Di Suku Piliang Soni Desa Tanjung Bonai Kecamatan Lintau Buo Utara Kabupaten Tanah Datar." *Jurnal Online Mahasiswa (JOM) Bidang Ilmu Sosial Dan Ilmu Politik* 4, no. 2 (November 7, 2017): 1–12.
- Rohman, Holilur. *Hukum Perkawinan Islam Menurut Empat Mazhab Disertai Aturan Yang Berlaku Di Indonesia*. Jakarta: Kencana, 2021.
- Samin, Yahya. *Peranan Mamak Terhadap Kemenakan Dalam Kebudayaan Minangkabau Masa Kini*. Padang: Bagian Proyek Pengkajian Dan Pembinaan Nilai-Nilai Budaya Sumatera Barat, 1996.
- Sari, Dea Novika, and Tomi Hendra. "Strategi Komunikasi Niniak Mamak Dalam Mempertahankan Adat Larangan Tinggal Serumah Bagi Pengantin Baru Di Nagari Sungai Limau Kabupaten Dharmasraya." *Tabsyir: Jurnal Dakwah Dan Sosial Humaniora* 4, no. 4 (October 31, 2023): 163–72. <https://doi.org/10.59059/tabsyir.v4i4.576>.
- Sugiono. *Metode Penelitian Kuantitatif Dan Kualitatif Dan R&D*. Bandung: Alfabeta, 2008.
- Thalib, M. *Perkawinan Menurut Islam*. Jakarta: Prenada Media, 2008.
- W. Creswell, John. *Research Design Pendekatan Kualitatif, Kuantitatif Dan Mixed*. Translated by Achmad Fawaid. Yogyakarta: Pustaka Pelajar, 2010.
- Waluyo, Bing. "Sahnya Perkawinan Menurut Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan." *Jurnal Media Komunikasi Pendidikan Pancasila Dan Kewarganegaraan* 2, no. 1 (April 14, 2020): 193–99. <https://doi.org/10.23887/jmppkn.v2i1.135>.
- Zahrah, Muhammad Abu. *Ushul Fiqh*. Translated by Saefullah Ma'sum. Jakarta: Pustaka Firdaus, 2017.