Listening

by Abdul Wahid

Listening to Everyone's Voice: The Contested Rights of Muslim Marriage Practices in Eastern Indonesia

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Abstract

This ethnographic study investigates the dialectics of Islamic law and sociocultural aspects of how Bimanese Muslim in easternIndonesia interpret and apply rights to force (*ijbar*) of male guardians to marry their daughters to prospective grooms of their choice. Such rights to force, granted by Islamic doctrines (*fiqh*) to patrilineal lines, are continuously negotiated by its sociological interpretations of Bimanese Muslims. While Islamic doctrines represent Islamic jurists' reasoning on *ijbar*, local practices uncover public argumentation of such rules and this article aimed at discussing the contestation further.It also amplifies the narrative of the Indonesian Muslim community from small ethnic groups, such as Bima, which are still under-studied. Therefore, in the framework of Indonesian Islam, known as 'Islam Nusantara,' as it is being developed in Indonesia today, results of this study are far-reaching, that is, to provide more nuancesof Islamic law and practices in Indonesia. Furthermore, this study rectifies the general view of *ijbar* rights that are merely connoted with the rights of the father and grandfather to enforce marriageon women. It is also argued that *ijbar* rights are peculiarly defined and dynamically practised,being shaped by social development, marriage traditions and cultural values in particular societies.

Keywords:*ijbar* rights, Islamic law, marriage practices, law in text, law in action

Introduction

Islamic family law, including marriage law, has long been suspected of allowing gender injustice to exist (Subhan, 1999; Umar, 1999). The issue of *ijbar* rights and male guardians is one of them[1]. A 'general diagnosis' of marital law is proposed by Kerber and de Hart (2004:55), 'If we want to understand the gender system in a culture, the rules of marriage are a place to start.'

The issue of the right to become a guardian of marriage in itself revolves around how this position is left to the male line only (Esposito, 1982; Mahmood, 1987, 2002; Nasution,2001). Instead of womenbecoming guardians, they become objects that can be forced by male

guardians to marry men of their choice. This is what is generally understood by the concept of *ijbar*. In fact, people have adopted forced marriage practices in Madura, East Java (Sa'dan, 2015) and some other areas in Indonesia (Kudori, 2017). However, other Muslim communities have their own interpretations of these rights. For example, the Sasak Muslim community of Lombok, West Nusatenggara facilitates women to carry out elopement which is termed locally as *merariq* (Platt, 2017; Zuhdi, 2012).

Meanwhile, In Bimanese Muslim, *ijbar* rights are closely related to the tradition of choosing a prospective partner, which involves the practice of*ngge' e nuru* (prospective grooms living with families of prospective wives) and *londoiha* (eloping when there is no agreementbetween parents and children regarding their mate-to-be). *Ijbar* rights are not only the responsibility of male guardians or *wali*[1](fathers and grandfathers) (Muchtar, 1993:93; Az Zuhaili, 1989:186) to force their daughtersto wed under *fiqh* (Islamic laws) (al Dimyati, 1998:53; Syafi'i, 2011:162-163)[2],but alsothe responsibility of mothers and female relatives. Possibly the prospective bride and groom are objects of *ijbar* practices, as well as the resistance of becoming objectified. The following account illustratesone way of how *ijbar* rights are practised:

As cross-cousins, Munira and Ahmad, were not bound by romance,such as young people dating. As teenagers, they grew up in different environments. Munira lives in a village with her parents and relatives, while Ahmad was a migrant from Jakarta. Munira and Ahmad are both the elder childof two siblings. Munira's father is a younger brother of Ahmad's mother. One day Ahmad came to live in the village for a period of time. The family planned to marry him off to Munira.The main instigator of this matchmakingprocess is their aunt,UmiNitu, the younger sister of Ahmad's mother and older sister of Munira's father.It is this aunt who acted as the mediator, decision-maker and main manager of processions and knickknacks of the wedding. Due to her persistence, she startedby persuading her nephew and niece to obtain approval from all family members, followed by the marriage eventually taking place.

However, not long after the marriage contract was declared, a problem occurred. It turned out that the agreement of the bride and groom was only a drama, because after the wedding the relationship and communication between the two were not appropriate for a husband and wife. Even unexpected events appeared on the second day of their marriage. The bride, Munira, ran away from home with her loyal boyfriend, that is,they londoiha (eloped).[3]

The above case provides an interesting and rich illustration of the process of matchmaking prior to marriage in Bimanese Muslim society. Normatively, classical *fiqh* (Islamic law) introduces the concept of *ijbar* rights as the rights possessed by fathers and grandfathers (on the father's side) called *wali mujbir* to match daughters and granddaughter with men whom they perceiveas suitable. The norms of *fiqh* in its implementation are not always univocal because, as in the case above, the aunt was the main actorof the matchmaking process who was not identified as a *wali mujbir*under *fiqh*. Culturally, *ijbar* rights can be attached to aunts, as in this case study where an aunt's niece (Manira) and nephew (Ahmad) were arranged or even forced to marry. However, in thiscase,*ijbar* rights could not be strictly carried out because there was resistance from both sides, especially from Munira, who opposed the matchmaking system by running away and marrying the young man of her choice. This case, therefore, illustrates frequent gaps between law in text and law in action.

This article seeks to explore the practices of *ijbar* rights among Bimanese Muslims to show how Islamic laws are inevitably shaped by and form the complexities of the social context, cultural aspect and individual life of Muslims. In the first section, methodology is briefly

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[1] A *wali* in *fiqh*is a person who have regulatory powers or guardianship over others without their permission. A *wali* also has full mastery given by religion, such as controlling and protecting people or goods.

[2] A *wali*with the authority to force his (not widows) daughters or granddaughters into marriage is called *wali mujbir*, that is, a father and grandfather.

[3] Interviews in Bima with Munira (pseudonym), a mother of three children who is now live happily with a husband of their own choice, 28 Juli 2018 and 29 Juli 2018 and UmiNitu (nick name) in 30 Juli 2018.

discussed followed by a section on results and discussions. It presents what and how current literatures discuss *ijbar* rights, a short explanation about Bimanese Muslims, their culture and wedding practices, how *ijbar* rights are interpreted and implemented in their society. Emerging topics of practised *ijbar* rights are also discussed which includes,the cultural understanding of marriage and how it relates to parental permission, consent by children, the changing meaning of *ijbar* rights, and the role played by actors in the juncture of dynamic relations between social conditions and individual preferences. To summarise, various aspects of doing agency that covers obedience, resistance and negotiation are highlighted.

Methodology

A richer and more varied understanding of *ijbar* rights is obtained through intense observationand in-depth interview of its implementation in the community. The discussion about *ijbar* rights is not representative if it disregards the way that Muslim societies interpret and embody the concept of *ijbar* rights according to their cultural background,which is regarded as a sociological interpretation targeted by this study.

Sociological interpretation was formulated by Bowen (2003:5) as 'socially embedded forms of public reasoning', a form of community argumentation resulting from social processes. This argument can take the form of interpretations, justifications or resistance to norms and laws, especially in terms of marriage, divorce and inheritance.

Sociological interpretation is influenced by cultural values that live in a particular society. Laws related to *ijbar* rights are not clearly stated in the Qur'an and Hadith. The most distant reference to *ijbar* is the opinion of Islamic jurists in various Islamic schools, known as *fiqh*. *Fiqh* itself is a dynamic understanding ofIslamic law as a result of the sociological process and its relations,however, mundane and relative, often considered to be sacred and absolute. Consequently, the Muslim community becomes insensitive to the 'practices' of its communities in various loci and tempus, even though practices are other sides of the representation of Islamic law in addition to 'resources'.

This study uses a paradigm coined by Bowen (2012) as 'New Anthropology of Islam' which provides an understanding of Islam by approaching Muslim religious practices. Through this paradigm, Bowen advocates presenting two inseparable elements of Islamic heritage:(i) 'resources' in the form of the text of the Qur'an which have become the basis of Muslim religious practices; and (ii) 'practices' which are observable implementation of the former. If the text can be reinterpreted and subject to various understandings, then the practice illustrates how Muslims contextualise their religious resources in the dynamics of social life.

In other words, while resources are descended to everyday living, practices are transcended to normative reasonsafter wrestling with social conditions. Bowen further pointed out that the way to see Islam produces two complementary analytical strategies: (i) 'focusing inward'; and (ii) 'opening outward' (Bowen, 2012). By focusing inwards, researchers look for Muslim stories and testimonies that are used to understand personal intentions and emotions in religious practices. In comparison, opening outwards, researchers refer to the basis of religious justification and social conditions of these practices. These two analytical methods lead to a nuanced understanding of particularity and universality of Islamic laws.

Results and Discussion

Ijbar rights in existing literatures is based on the understanding of 'resources' or texts and ideas that tend to be uniform. In the legal sociology language, this part is called 'law in text'. So far, discussions about *ijbar* rights have not considered the 'practices', namely, the adaptation and implementation of text in Muslim societies that tend to be different, known as 'law in action' (practised law).

Abubakar(2010) explained that the rights of *ijbar* in Islamic family law is still a debate because the Qur'an does not explain them explicitly, while the hadith only emphasises the importance of approving the prospective bride. Therefore, he proposed that *fiqh*,which deals with these rights, should be orientated towards its benefit for children.

Mahsun's research on Sahal Mahfud's thought of the *wali mujbir* (male guardian, that is, father and grandfather from the patrilineal line who have the right to force) revealed that he emphasises the *maslahah* (benefit) as the basis to apply *ijbar* rights (Mahsun, 2014). Furthermore,the *wali mujbir* must ensure that the prospective husband of his daughter has *kafa'ah* (equality) character(Wardatun, 2016) and also that his daughter is entitled to seek a prospective husband with that requirement. If not, she can reject him. Meanwhile, the study of Hidayat (2009) emphasised this concept in the Qur'an, the hadeeth, as well as opinions of both classical and contemporary *fiqh* scholars, that *ijbar* rights should not be understood as a coercion but based on the basis of deliberation.

A study conducted by Haq (2015) on *ijbar*commenced with using a contemporary perspective of gender and child rights. He used gender analysis by comparing *fiqh* rules of various schools with contemporary scholars, reinforcing his argument by showing data on a number of divorces in Central Java and East Java in 2012-2013 due to forced marriages. It reflects the need to imitate the opinion of Imam Hanafi who disagreedthat the rights of *wali mujbir* reduce the high rate ofdivorce. Meanwhile, Rashid (2017) researched Ibn Qayyim al Jauziyah's thought on *ijbar* rights by using the perspectives of children's rights. He founda harmony between ibn Qayyim and HambaliMadhhab's opinion with the concept of human rights, especially concerning the rights of children. According to Ibn Qayyim, the guardian should not marry his daughter off without asking her permission first. The *wali mujbir* only serves to provide insight and input, while the child can also dismiss the views and consent of the guardian (Rashid, 2017).

Sociological aspects are generally denied in the study of *ijbar* rights (Hidayat, 2009), for example, the implementation of these rights to Muslim societies could be diverse, be it in the form of modification, justification or resistance. This study develops the assumption that sociological aspects, such as social structures and cultural values, are the basis for the emergence of *ijbar* rights in *fiqh*. In otherwords, the implementation of *ijbar* rights is influenced by a sociological interpretation of the scope of *wali mujbir* authority and how aspects of gender can be connected with normative *fiqh*.

Syafi'i (2011) explained in detail the legal rights of *wali*, which broadly implies the existence of careful consideration so that this right is not used indefinitely and does not pay attention to the interests of women who are forced into marriage. As explained by al Syarbini (2010) in the book 'al Iqna',theprovisionof *ijbars* includes how *wali mujbir*, namely the father and grandfather (from the father's side) consider the benefit of focusing on women's welfare. They should meet the requirements attached to the pillars of marriage,such as prospective wives, future husbands and issues related dowries. In this opinion, Syafi'i (2011) imposed more conditions on prospective husbands than on prospective wives. Prospective husbands must be equalinsocial, educational, economic or hereditary fields to his wife,as well as have the ability to fulfil financial obligations in the form ofmahar (dower) and *nafqah* (income). They must possess a good personality and able to practise the principles of *mu'asharahbilma'ruf* (treating his wife in good and noble manners) towards his wife. The only requirement for prospective wives is related to their identity, that is, they must be a girl (who has never married). *Ijbar* rights do not apply to underage women and those who have been married (widows). The *wali mujbir*must not have any hatred towards his daughter or granddaughter. This is the reason why only the father and grandfather are entitled to become this type of guardian because it is assumed that their love is undoubted for their children and grandchildren.

In a theoretical perspective, the views on *ijbar* rights sharpen the polarisation of Islamic jurists, identifying whether they used the principles of equality and justice (*al musawa*and *al 'adalah*) in their studies and opinions. For groups that do not integrate these principles, *ijbar* rights are considered to be the absolute right of the *walimujbir* who considers the lack of a woman's capacity to make decisions. Whereas for some Islamic jurists, they consider the principles and rights of *ijbar* as not intended to seize a woman's freedom but for the benefit of the woman herself (Hamidah, 2011; Hasyim, 2001).

In modern sociology, the attitude and positioning of women as having the ability to make decisions are called agencies, which simply mean the 'capacity to act'. Basically, agencies are understood to be unique and inherent in men and women (Eduards, 1994; Errington, 1989;

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O'Shaughnessy,2009). However, women do not always have the power to exercise their rights because of their subordinate status. This issue is continuously being the focus of academic attention. Indeed, many studies have raised the issue of a women's agency, challenge the assumption of the results of the patriarchal viewpoint that women lack an agency (Fauzia, 2008; Srimulyani, 2008; Syamsiyatun, 2008; Platt, 2017). Returning to the premise that agencies are inherent in everyone, women do have rights regardless of their position in their social structure, but the way they exercise their rights may not be clearly acknowledged. This occurs when women are born and raised in certain social and cultural contexts where obstacles exist in implementing their agency.

Anthony Giddens, with the working concept of 'structural duality' in structuration theory, presupposes agency (personal capacity) and structure (external influence) as working together in a parallel position. While the structure acts as a cause for someone to initiate certain actions, the person actually has individual knowledge to understand the situation. This understanding is influenced by social, cultural and religious life that shapes personal knowledge (Wardatun, 2019). Thus, having personal knowledge, being aware of broader structural influences, and understanding the conditions of how personal and structural aspects go hand in hand, allow one to act by changing or maintaining their structures (Giddens, 1984; Giddens & Pierson, 1998; Stones,2007).

Compromise-based Marriage of The Bimanese

The Bimanese Muslim in West Nusa Tenggara is anthropologically included in the Mbojo ethnic group, which is situated in the administrative areas of Bima City, Bima Regency and Dompu District in the eastern part of Sumbawa Island. This ethnic group is relatively small, with less than one million people, but it has a unique religion in that it contributes to a 'multivocality' or diversity of expressions of Islamic law in the Indonesian Muslim community (Sila,2017).

Hitchcock (1996) identified Bima as a cultural area with a strong Islamic identity. The strong influence of Islam is one of the markers that distinguishes other eastern Indonesian people who are predominantly Christian (Brewer, 1979). It is interesting to explore whether Atkinson's (1982) statement that eastern Indonesian society is an area where sexual discrimination is lackingor a cultural area where the treatment of women seems relatively friendly (Errington,1989) applies to the Muslim Bima.

For the Bimanese, marriage is seen as the union of two individuals, as well as the alliance of two families or groups in which reciprocity and dependency always go hand in hand. Recognised as marking an important turning point in people's lives, a Bimanese marriage receives much attention and requires extensive preparation before it can take place (Just, 1986; Rahman &Nurmukminah, 2011; Sila, 2014).

There are three steps to be taken by a couple before they can go to procure the marriage contract (religious), formally register their marriage (state), and have a wedding party (cultural):(i) *tahoangi*(getting to know); (ii)*ne'eangi*(courtship); and (iii) *sodiangi*(engagement). The way those three steps were taken in the past is somewhat different from how they are taken now. In general, the process used to be very time-consuming and strictly adhered to all these three steps, but nowadays, there is a tendency to make it simpler. *Ne'eangi*(courtship) is the most obvious of the initial processes. *Tahoangi*is, in fact, part of *ne'eangi*and *sodiangi*is a consequence. This shortening of the process is partly due to the fact that children have begun to be better educated than their parents(Just, 1986: 346), and enjoy a higher degree of independence in choosing their partners than was permitted in previous generations.

The involvement of parents, who are considered to be wiser than their children, having gained greater life experiences, is very important in making sure the couple is well matched. '*Nika raneku de rawimoriro made, parlu di timba ro di tampu'u kai ma taho*' ('Marriage is a special moment in life which also affects many things even after someone has passed away, so that it should be undertaken with care and started in a good way') (Ramlah, 48 years old). This local wisdom explicitly states the importance of marriage as being not only about the relationship of a couple and their immediate families, but also about how it will affect the relationships of

theiroffspring when one or both parents are no longer alive, for example, in matters relating to inheritance and kinship status.

The processes of *tahoangi*(getting to know), *ne'eangi*(courtship) and *sodiangi*(betrothal), as explained above, illustrate that the whole process of the marriage arrangement and negotiation involves all sides,that is, parents, the couple, and their extended families. Mutual consent is central to ensuring *nikataho* (good marriages). *Angi*(mutuality) is a cultural concept that assigns a value to all those who are involved in developing and building a good relationship, taking each person's interests into consideration and creating reciprocal rights and obligations. Conceptually, *angi* is reciprocity in equality in which all parties are involved in marriage negotiation exchange rights and duties equally to meet their respective interests.

How are *Ijbar* Rights given meaning and practised?

The meaning of*ijbar* in the 'law in text'is extended into the 'law in action'. The expansion of meaning can be in the form of modifications or additions, as well as contradictions to written rules, as can be found in *fiqh*. The following account will provide an interesting illustration on those aspects:

Rudi is the youngest child of four siblings, consisting of two males and two females. At a young age, Rudi was left to die by his mother. Not long after his mother died, his father remarried. Rudi was invited to live with his oldest sister who was a mother of two. In a practical sense,Rudi's sister looked after him like a mother.In addition to caring for him and loving him with all her heart, she paid for his education,which eventually allowed him to obtain work as a civil servant in a government office. Having invested in Rudi's life,his sister felt the right to find him a partner and ignored the fact that he was in a serious relationship with his girlfriend.

Some women from close families and acquaintances were introduced to Rudi but he was not interested in them,so he conveyed his feelings to his sister.Rudi thought hard about being introduced to a prospective bride, and he found it very difficult to make a decision between his desire to marry his lover or to obey his sister. For Rudi, his sister had greatly contributed to his life and future. Without his brother, Rudi could not be in the position he is today. Rudi's brother confided in his two other siblings (one male and one female) and his father and brother-in-law, asking them to support Rudi's wishes. But unfortunately, they did not dare to resist the wishes of their eldest sister because they had considered him like a mother. Similarly, his father and brother-in-law felt they played an insignificant role for Rudi's success.

In his confusion, Rudi sent a letter to his lover and told him about the situation. He also conveyed his 'helplessness' by his sister's 'words'. To cut a long story short, they decided to meet up. Rudi's best friend offered them a place to meet that was unknown to his sister.Rudi felt his lover could accept the fact that they were not matched. He never thought that his girlfriend was actually planning for them to elope. Upon meeting, Rudi could not explain anything when he saw his lover crying and regretting the relationship they had developed; all he wanted was for everything to just end. With few words to be spoken, the lover said,'If you want to lie to yourself and see that I will never get married, follow your sister's will. I am here to invite you to continue our relationship until marriage; whatever the risks, we will share them together.' Rudi faced another dilemma. Eventually, they agreed to get married without his sister's consent.

The 'who' factor. In its implementation, the factors that force marriages to eventuate can be played by diverse actors,even conditions and situations where the main perpetrators of coercion cannot be clearly identified – not only fathers and grandfathers, but also mothers, grandmothers, aunts, sisters, brothers, and even between partners themselves. Rudi's case study shows that the older sister and girlfriend are the main actors of the *ijbar* toward a groom-to-be.

The 'whom' factor. The main objective of *ijbar* is to focus on women or prospective wives, as well as on men or prospective husbands. Both can disagree with their parents' ideas and options. Rudi was trapped between the will of his sister and girlfriend, whom he considered to

have the right provisions over his life. Although, his girlfriend finally won the battle, the above case implies the possibility ofthe male becominga victim of *ijbar* even from those who are not identified as *wali mujbir*in accordancewith *fiqh*.

The 'why' factor. The reason for applying *ijbar* in *fiqh* for girls is due to the fear that girls do not find a partner who is her *kafa'ah*(equal). This is related to the perspective of the community that bias towards women's independence, freedom and skills is aconsequence of their limited mobility. The practice of selecting a marriage partner forBimanese Muslims shows various interesting reasons. For example, in the above case study, the sister felt entitled to guide her younger brother's personal lifebecause she had invested in his economic dependency. Rudi was also asked to obey her because his sister represented his mother and it is due to religious obligationsthat one must be submissive to an older person in the family.Because the actors and targets of *ijbar* varied, various theological and sociological considerations emerged or became interrelated.

Type of marriage and position of the parent or guardian

Literature generally divides marriage into two types:(i) marriage emanating from love; and (ii) arranged marriage (Malhotra, 1991; Malhotra, 1997). Both types can overlap, that is, a marriage resulting from matchmaking (arranged) is not always without love. However, a marriage from a love relationship does not always occur without the arrangement by others, be it family or friends.

In the Bima Muslim community, cultural marriages do not adhere to this division. Ideally, the decision about whether the marriage will take place is discussed between parents and the children involved, with all parties giving their consent. Marriages are further divided into categories of *nikataho* (good marriages) and *nikaiha* (bad marriages). The main requirement for a good marriage is for children and their parents to agree to each prospective partner. If the marriage is a result of love goes without the permission of parents, it includes *londoiha* (elopement). Likewise, if parents force their children to marry, it is categorised as a *nikapaksa* (forced marriage). *Londoiha* and *nikapaksa* are two types of marriages that are broken or morally wrong.

The difference between the first two categories (love and arranged marriages) and the second two categories (*nikataho and iha*) are very clear. The first one emphasises who should find a partner for the bride and groom, while the second does not question who but more on whether parents and children approve the two candidates. Arranged marriage can be *nikaiha* or *nikataho* depending on whether the bride and groom agree to the matchmaking and have feelings of mutual affection. Likewise, love marriages can occur through elopement, so it becomes a *nikaiha*, because parents did not approve of it.

In its practice, *nikataho* can occur through a gradual and systematic process,which includes the principle of *angi*(mutuality) at every level. Initially, it was planned through *tahoangi* (having a good relationship) between two sets of parents and marriage becauselove is the result of *ne'eangi* (mutual desire for one another/courtship) among children.When two people fall in love, the relationship can progress to *sodiangi* (engagement). Thus, marriage on the basis of matchmaking and in the name of love can still be found, even though the category does not become a basis for the division of cultural types of marriage.

Meanwhile, *londoiha* is the most common way of breaking the deadlock from the interests of parents and children but a forced marriage (*nikapaksa*) is less desirable and these marriagesgenerally do not last. This happened when Sulastri (21 years old) was forced to marrycivil servant,Firman (25 years old).Their mothers arranged the marriage, which resulted in Sulastrileaving her loyal boyfriend, Wibisono (21 years old), a salesman. The festive marriage was unsuccessful because Sulastri did not want to approach her husband like a normal husband and wife. She would always sleep with sharp objects to scare her husband from approaching her. A month later,Sulastriran away from home to be with Wibisono, who forced Firmanto divorce her.

Changing Meaning of *Ijbar*

The meaning of *ijbar* changes with time, depending on the social status of a family. In the past, *ijbar* was seen more as arranging or matchmaking, not coercion, because social segregation between sexes was very strict. For children, parental authority also touches on their personal lives and is seen as a responsibility to obey. For parents, pairing theirsons and daughters with a suitable person is their obligation anda way to ensure the happiness and bright future of their children

Before the 1980s, matchmaking was very common when informants as perpetrators did not agree that a match was identified with coercion and only authorisedby the father, due to two compelling reasons. First, Inthe Bimaneseculture, *ngge'enuru*is practised,that isa prospective groom must stay in the prospective in-laws' house for approximately three months to help work in the fields and at home. During this period, the bride will observe the prospective groom's habits and personality. Family members will also monitor and supervise him,resulting in giving an opinion of whether to continue with the marriage plans. Although the partner cannotsocialise without the other party's companions, they can identify each other's characteristics and habits. Second, *londoiha,* is the final alternative for women or men to fight if they do not receive arranged marriages from their parents. These two traditions are the driving force for parents, especially fathers to act as the only determinant or impose will on their children, not the forcer.

Among families of religious leaders, matchmaking is widespread. From the side of the arranged child, a daughter of a religious leader, admitted that 'let alone us as their children, other people in the village as well as large families followed our father's commandments' (Nurjannah, 60 years old). So for them, following this match is a way of organising parents and supporting the authority and charisma of their parents who are role models. For parents, matchmaking is not solely about applying *ijbar* rights but it also involves directing children's choices and giving the best insight as an experienced and loving person. Another religious leader stated, 'Choosing a child mate should not be arbitrary, it must be considered also from various sides, especially whether the candidate is carrying out obligations as a Muslim and is smart at work' (Ismail Siraj, 79 years old).

Recently, the trend of matchmaking has diminished, both naturally and due to the influence of more open socialisation between men and women. Arrangements that were considered not coercive in the past are now identified as, or close to, coercion. The tradition of *ngge'enuru*, as described above, is no longer a widespread cultural practice. Therefore, there is little time for parents to observe and ensure the compatibility of their daughters with their chosen partner. Arrangements become rare. However, the principle that marriage requires a two-sided agreement, that is, by the bride and groom,as well as enabling everyone's voicesto be heard, children and parents still apply. Currently, the *ijbar* concept of 'mediating the interests of parents and children' and 'agreeing on a match'is an expression of *kasabuanggahi* (unifying perceptions and opinions) and *kasamaweki* (deciding together).

Ijbar Solidarity through Female Actors

Ijbar, which literally implies a masculine coercion played by men, is interpreted in a more subtle local meaning, involving many parties that are not only male guardians, but also mothers, sisters, aunts and uncles. It is interestingto note that children also have something to say about a marriage conducted by their parents, about their choices and the marriage process.In the Bima community, a second marriage can eventuate, either due to divorce or a spouse having died; it is more common among men than for women. A second marriage usually involves the opinion of children in 'mediating interests', as explained above. The following case studies clarify the meaning of this type of *ijbar*.

In Ziyad's story, too many people were involved in his love drama, which made his move to foster a household with the girl he had dated for six years failed.The girl could not face the family alone so she gave up the fate of her soul mate in the hands of the family. During six years of courtship, there were no significant obstacles. Even Ziyad claimed to have formed a good relationship with his prospective father-in-law. However, a relationship with his prospective mother-in-law and the girlfriend's aunts was unsuccessful.

There were doubts about Ziyad because his studies were not progressing. But Ziyad did not give up. He confronted his prospective father-in-law and asked for eight months to improve and finish his college studies. In less than the time requested, he fulfilled his promise and graduated. But without Ziyad's knowledge, his girlfriend's family launched an engagement process secretly for their daughter.

With knowledge of this unfortunate discovery, Ziyad began his approach to gain his girlfriend's family's trust. The girl's parents response hit Ziyad badly,so much so that their daughter had to find a prospective husband with a secure future. The girl's mother did not give Ziyad an opportunity to discuss his desires, let alone prove his ability for the second time. The girl's father, who was initially pleasant to Ziyad, became difficult to communicate with. Ziyad accused the girl's aunts of being the instigators in providing misinformation about his abilities, which influenced the attitudes and decisions of the girl's parents.

In masculine or paternalistic societies, girls (or children in general) are dependent groups who express their needs to their parents and show the principle of obedience. In many ways, the Bima community adheres to this characteristic, which also gives birth to subaltern groups who cannot speak. In addressing *ijbar* rights applied by parents and guardians, children who are about to get married take peaceful steps to reconcile with their parents or extended family. Under normal circumstances they wait for words or orders from the parents. If in accordance with the parents' will, the marriage process will run smoothly. But in circumstances where there are differences in choice between the two parties, they will give their parents the opportunity to give consideration first. If viewpoints are contradictory and there is disagreement, then fighting any hegemony quietly or openly occurs.

Conclusion

The case studies presented in the previous sections admittedly show an element of 'coercion' in marriage that is applied universally in most Muslim societies or cultures with their respective levels and variants. However, In Bima's society, the practice of marriage, situations and processes that surround it, illustrates particularities and more complex social and cultural aspects, and how they relate to the practices of Islamic laws.

To negotiate and accommodatethe interests of all partiesin order to come to an agreementhave always been acomplex process within a communal society such as the Bimanesecommunity. Negotiations vary in weight,particularly seen from how a wedding is celebrated. If the party looks big and lively, that means the approval of all members of familyhas been acquired. However, if approval has not been met by all involved, the wedding party can be dull and awkward.

Sociologically, the values and cultural context that underlie the marriage tradition as a project of mutual agreement and listening to the opinions of others is the view that marriage is not merely an individual event; it is also a familial and public one. This view is based on the communal values of the Bimanese people, as well as the reciprocity of children towards parents and individuals that lead to the communality.

Finally, in the application of agency that is full of twists and turns, as illustrated above,*ijbar* rights should be positioned. Thus,this article contributes an understanding that *ijbar* rights are not seen linearly without interrelations with various factors. It supports the argument that the practiced law is not always in line with written ones and has rendered multivocality of Indonesian Islam as stated by Sila (2017) above. Additionally, the case studies in this article show that obedience, resistance and negotiation form a distinctive understanding of agencythatis not just about an individual capacity to act.Rather, agencyshapes and is shaped by external influences.Due to the communal nature of the Bimanese community, forms of agency are also based on the principle of social (familial) solidarity. This is where an agency, in terms of structural duality, as proposed by Giddens (1984), can be clearly understood.

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