



MARULAK ARI TRADITION IN MANDAILING ETHNIC CULTURE REVIEWED FROM THE PERSPECTIVE OF ISLAMIC LAW (CASE STUDY OF MANDAILING NATAL REGENCY)

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ABSTRACT

The Marulak Ari tradition in Mandailing culture is the culmination of the wedding ceremony, involving customary law and connected to Islamic law. This research aims to analyze the tradition from an Islamic legal perspective, using a cultural anthropological approach. The methods used are field research and interviews with local traditional figures, as well as a comparative analysis between customary law and Islamic law. The research findings indicate that although the Marulak Ari tradition holds significant value in Mandailing culture, it contradicts the principles of Islamic law, particularly in the aspects of *hifzh al-aql* (preservation of reason) and *hifzh al-mal* (preservation of wealth). Therefore, this research suggests the need for adjustments so that this tradition can continue to be carried out without contradicting Islamic teachings, by reducing elements that can be mentally and economically detrimental.

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1. INTRODUCTION

Indonesia, with its vast diversity of ethnic groups and cultures, is home to a multitude of customary legal systems that govern the way of life of its people. According to data from the Central Statistics Agency (BPS), Indonesia boasts over 1,300 ethnic groups, each with its own unique customs, traditions, and legal frameworks. These systems, though diverse, share the common goal of maintaining order and justice within their communities, but they differ significantly in their approaches, especially in areas such as family law [1]. For instance, the Batak ethnic group prohibits marriages within the same clan, believing that all individuals within the clan are descendants of a common ancestor. In contrast, the Javanese culture does not impose such restrictions on cousin marriages, as long as there is no direct blood relation. This divergence in cultural practices highlights the complexity of legal and social norms in Indonesia, particularly when different ethnic groups adhere to distinct customary laws.

Among these ethnic groups, the Mandailing people, who reside predominantly in North Sumatra, have their own traditional legal system and customs, particularly when it comes to marriage. Mandailing culture, a subset of the larger Batak ethnic group, follows Surat Tumbaga Holing Naso Ra Sasa, a traditional unwritten rule that is regarded as a binding law within their community [2]. This system of law is deeply embedded in their cultural identity and governs various aspects of life, including marriage. One of the most significant traditions in Mandailing marriage is *marulak ari*, which marks the final stage of the wedding ceremony. This tradition involves the groom's family visiting the bride's home to announce the completion of the wedding process. It serves as a

public declaration that the marriage is fully recognized under customary law, symbolizing the conclusion of all marriage-related formalities.

However, despite the deep-rooted cultural significance of these customs, the Mandailing people are predominantly Muslim, and Islam provides a comprehensive legal framework that governs all aspects of life, including family law. Islam, with its religious and legal principles, occasionally presents conflicts with local customs, particularly when traditional practices may contradict Islamic teachings [4]. One of the main concerns surrounding the marulak ari tradition is its alignment with Islamic law, particularly with principles such as *hifzh al-aql* (the preservation of reason) and *hifzh al-mal* (the preservation of wealth). These principles in Islamic law emphasize mental and economic well-being, which can sometimes be at odds with the practices involved in marulak ari, such as the heavy social and financial burdens it places on families. In light of this, it is crucial to examine how this tradition can continue to be observed in the Mandailing community without violating Islamic law, especially in terms of the financial and psychological implications it brings [5].

While previous studies have explored the marulak ari tradition from a cultural or anthropological perspective, there is a notable lack of research that specifically addresses the legal dualism between customary law and Islamic law, particularly in the context of this tradition. Most existing literature has focused on the symbolic and cultural aspects of the marulak ari tradition, examining its significance and role within Mandailing society [6]. These studies have often overlooked the potential conflicts that arise when these traditions intersect with the religious and legal obligations of Islam. While some studies have touched upon the compatibility of customary practices with Islamic teachings, there has yet to be an in-depth analysis of the specific legal tensions between the two systems of law as they pertain to the marulak ari tradition [7].

This research aims to fill this gap by offering a comprehensive legal comparison between Mandailing customary law and Islamic law [8]. It will focus on how marulak ari can be maintained as a cultural practice while addressing the legal and religious challenges it presents. The study will not only explore the historical and cultural significance of the tradition but will also analyze the ways in which it can be modified or reconciled to better align with Islamic principles. In doing so, this research will contribute to the broader academic discourse on legal pluralism in Indonesia, particularly in the context of ethnic and religious diversity.

The urgency of this research lies in the increasing need to reconcile traditional customs with contemporary religious practices in a society that is rapidly modernizing and diversifying. In the case of the Mandailing people, the marulak ari tradition holds profound cultural importance, yet it also presents challenges to Islamic teachings, which the majority of the community follows. For the people of Mandailing, preserving this tradition is crucial for maintaining their cultural identity, but at the same time, it is essential that it does not contradict the religious values that shape their daily lives [9].

This research is particularly important because it addresses the tension between cultural preservation and religious adherence, two central aspects of life for the Mandailing community. If left unaddressed, this conflict could lead to social and psychological consequences, such as stigmatization or exclusion of individuals who cannot afford the social and economic demands of marulak ari, or those who choose to disregard the tradition due to religious concerns [10]. Furthermore, the financial burdens imposed by the tradition, particularly on families with limited resources, can be significant, potentially leading to debt or financial hardship, which contradicts the Islamic principle of *hifzh al-mal*.

By analyzing how marulak ari can be adjusted to align with Islamic law, this study will provide valuable insights into how traditions can evolve in a way that respects both cultural heritage and religious teachings. Moreover, the research will offer practical recommendations for the Mandailing community and other similar communities in Indonesia, providing them with frameworks for maintaining their customs while adhering to their religious belief [11] [12]. The outcome of this research could also serve as a model for addressing similar conflicts between customary law and religious law in other multicultural societies.

2. RESEARCH METHODS

This study utilizes a qualitative research approach, primarily focusing on field research and comparative legal analysis to explore the intersection of customary law and Islamic law with regard to the marulak ari tradition in the Mandailing ethnic group. The primary objective of this research is to examine the cultural and legal dimensions of the marulak ari tradition and to explore ways in which it can be preserved without conflicting with Islamic teachings, particularly principles such as *hifzh al-aql* (preservation of reason) and *hifzh al-mal* (preservation of wealth) [13].

The research design follows an empirical legal research framework, which allows for the collection of primary data through direct engagement with the Mandailing community. This method is essential for obtaining an authentic understanding of how the marulak ari tradition is practiced in the field and its legal implications. Field research is especially valuable in understanding the lived experiences of the community, where legal

principles are enacted in real-life situations [14]. To collect data, the researcher will conduct semi-structured interviews with key community members, including traditional leaders, religious leaders, and families who have recently participated in the tradition. These interviews will provide insights into the social, cultural, and legal significance of the marulak ari tradition and how it intersects with Islamic law.

In addition to interviews, field observations will be made during marulak ari ceremonies, allowing the researcher to observe the practical application of the tradition and the social interactions involved. These observations will help in understanding how the tradition functions within the community and the role it plays in reinforcing social ties and community identity. The research will also include a review of relevant documentary sources, such as legal texts, cultural records, and previous studies on Mandailing customs and Islamic law. This will provide a historical and theoretical context for understanding the tradition and its place within both customary law and Islamic jurisprudence [15].

The selection of participants will follow a purposive sampling method, ensuring that individuals who are directly involved in the marulak ari tradition, or those with significant knowledge of Mandailing customary law, are included in the study. This sample will consist of traditional leaders, religious leaders, and families from different social and economic backgrounds [16]. By selecting participants with varying perspectives, the research aims to capture a wide range of insights into the practice and its challenges.

Data analysis will be conducted using thematic analysis, which involves identifying and analyzing patterns in the qualitative data. The key themes to be explored include the cultural significance of the marulak ari tradition, the legal dimensions related to its compatibility with Islamic law, and the social and economic impacts it has on individuals and families [17]. The analysis will also include a comparative legal approach, examining the alignment or conflict between customary law and Islamic law, particularly in relation to *maqashid syari'ah* (Islamic legal goals), such as the preservation of reason, wealth, and religion.

Ethical considerations will be paramount throughout the research. Informed consent will be obtained from all participants, ensuring that they understand the purpose of the study and their right to privacy and confidentiality. The researcher will also ensure that the study is conducted with cultural sensitivity, respecting the values and traditions of the Mandailing community. Furthermore, the researcher will adhere to ethical guidelines by maintaining confidentiality and protecting the identities of participants [18].

While the study is designed to be rigorous and comprehensive, it does have some limitations. The access to key participants may be a challenge, especially if certain community members are reluctant to share their views due to the sensitive nature of the topic. Additionally, the research is geographically limited to Mandailing Natal Regency, which may affect the generalizability of the findings to other Mandailing communities or ethnic groups. Despite these limitations, the methodology is well-suited to providing an in-depth understanding of the marulak ari tradition and its legal and cultural implications [19].

This research will contribute valuable insights to the ongoing discourse on legal pluralism in Indonesia, particularly the relationship between customary law and Islamic law in multicultural societies [20] [21]. It aims to offer practical solutions for reconciling cultural practices with religious teachings, ensuring that both can coexist harmoniously in the Mandailing community.

3. RESULT AND ANALYSIS

Buddhayah is the origin of the word culture or culture which is Sanskrit. Buddhayah is the plural form of the word buddhi which means mind or reason and is correlated with human reason or mind. Then in English this culture is called culture which means culture. Clore is the origin of the word culture which means to process or work. As for the Indonesian context, culture means a custom, a thought that has developed and is difficult to change and is better known as tradition [22].

In general, in the Indonesian context, this culture is more oriented towards the realm of temples, dances, sound arts, fine arts and so on. In anthropology, culture is the whole of behavior obtained by learning and all of it is arranged in people's lives.

Furthermore, Jan Vansina mentioned that there is also a tradition that is said to be oral tradition. According to him, this oral tradition is a testimony transmitted verbally, from one generation to the next one or more.

It can be concluded that culture or culture is contained in several classifications:

- a. Community system
- b. Economic system
- c. Community tools and equipment
- d. Religion
- e. Science
- f. Language; and
- g. Art

Mandailing is one of the areas of various Batak tribal areas in North Sumatra. The public in general knows that Mandailing is part of the Batak ethnic area, which is actually this collectivity that was previously initiated by the Dutch [23].

Based on the sacred stories of the Batak people, especially from the Toba Batak, that all Batak ethnicities come from one ancestor, namely the Batak King. However, the Mandailing people rejected the statement and asserted that Batak and Mandailing are different, this is supported by various evidence and data they have collected.

In other literature, there is also a different perception, there it is stated that Mandailing is part of the Batak. This can be seen by the division of the Batak tribe into 6 tribes; Toba, Angkola, Mandailing, Simelungun, Dairi (including Pak-Pak) and Karo. Then these 6 tribes are distinguished by 2 different dialects, the Toba dialect (including Angkola and Mandailing) and the Dairi dialect (including Karo) [24].

Apart from all the differences that exist, the Mandailing and Batak cultures have a very dominant similarity. Starting from a system that adheres to patrilineal, traditional houses, a community system that relies on the motto of *dalihan na tolu*, dance arts, and so on.

Focusing on Mandailing culture, Mandailing culture is actually not much different from the culture in Angkola, because of the geographical location that is close to each other, aka neighbors who used to be united in one autonomous region called South Tapanuli. However, it does not mean that there are no differences between these two sub-tribes [25].

The people of South Tapanuli (including Mandailing Natal) have an arrangement that has been adopted for a long time and is known as *Pago-Pago Ni Paradaton* or *Pastak-Pastak Ini Paradaton*. There are 4 types of arrangements, namely *Patik*, *Ugari*, *Uhum* and *Hapuntonan*. The four legal systems are symbolized by an *induri* made of woven bamboo, which means that the community is bound together and has limits or rules such as *rattan* on each side of the *induri*.

Patik is a rule that must not be violated, cannot be altered or tampered with. If violated, sanctions will be imposed on the violator. The term used is *pata-taya patik* (putting the rules in place). *Patik* does not allow people to commit adultery, kill, deceive others, break promises, *teas* in *hangoluan*, do not respect parents, do not respect morality, do not marry, and so on. The sanctions given are ranging from reprimands, fines, *pasung* or the death penalty.

Ugari is a habit of the community that is raised into a rule. *Ugari* occurs for several reasons, such as the growth of an area. *Ugari* is not just a regulation that is considered to have been accustomed by the community and then becomes *ugari*, but must go through a customary deliberation process to determine and determine it.

Uhum is a legal sanction for violations of the rules contained in *patik*, *ugari* and *hapuntonan*. The person who executes is called a *paruhum* or judge. *Uhum* can also be said to be legislation and more to the operational realm, while others lead to the conceptual realm.

Hapuntonan is one of the rules that aims to refine human relationships with each other. *Hapuntonan* is an orderly or ethical procedure in society and a complement to these *pastak-pastak paradaton*. It can be said that this *hapuntonan* is a rule of manners or manners in every behavior and words, as well as a way of putting things in their respective places and portions.

There are 2 types of *hapuntonan*, *hapuntonan tu dongan na dua tolu* (social ethics or general ethics) and *hapuntonan* in family ties or *partururon*. *Pandapotan Nasution* also divides it into 2 parts, namely *hapuntonan* in *paradaton* which is also called the relationship between the elements of *dalihan na tolu*. Then *hapuntonan* in daily association (in family ties) which is called *partuturon*.

Marriage is a very sacred thing in the land of Mandailing, this is evidenced by a variety of events ranging from pre-wedding, marriage and post-marriage. The *marulak ari* tradition is the culmination of the entire wedding or marriage agenda in Mandailing culture. Another term for this *marulak ari* is *mebat*, which means repeating the day. In meaning, this *marulak ari* (*mebat*) is to visit the house of *boru na ni oli's* parents for the first time after *horja*.

The visit is carried out a week after the event or earlier, if longer is also allowed, but not good. The goal is to *pasae robu* (to pay off debts symbolically), be it on land, sea or air and also not to be circumcised in *ari* (awkward). This means that there are no irregularities that will arise when there are activities later that are customary after the *horja* can be attended.

When interviews were conducted with figures in Mandailing Natal, namely in Panyabunga, West Panyabungan, North Panyabungan, Kotanopan and Siabu, they were all related to the theories in the existing literature regarding the meaning of this *marulak ari* tradition. They said:

“*Marulak ari* is a condition in which the woman is brought back to her home with several packages in the form of a *rantang*, such as *itak poul-poul* or *sasagun*, hibiscus, chicken curry, boiled chicken eggs, shrimp and others (besides this is not mandatory). Furthermore, it will be given to the party while informing that the traditional

wedding ceremony has been completed and there are no more debts in the form of customary that must be repaid. In this activity, it must be done by *dalihan na tolu*, namely *mora*, *kahanggi* and *anak boru* from both sides. This is only done in the marriage of a woman who is married while still a girl or not in the category of having been married (widow). The time is not determined, it's just that the sooner the better, and this has to be done”.

Based on the concepts that exist in the theory of functionalism conveyed by Malinowski, this *marulak ari* tradition is a tradition that has been inherent in the daily life of the Mandailing people in Mandailing Natal. This tradition also runs without the findings of obstacles as researched in the empirical research carried out.

If asked whether tradition functions in accordance with what is expected by Malinowski's concept, because if the function in the sense of the Malinowski concept is not fulfilled, it will be considered to be non-functional. so the answer is to function and act normally in the midst of society. In Malinowski's theory, biological, instrumental and integrative aspects must be fully fulfilled. This *marulak ari* tradition is biologically part of the marriage system, of which marriage itself is part of the biological aspect of functional theory. Instrumentally, this tradition is a bridge to hold a friendship. And integratively, this tradition makes the recognition of himself and his family without any obstacles that disturb him related to customs, because with the completion of this *marulak ari* tradition is held, the entire wedding agenda in the Mandailing cultural custom in Mandailing Natal has been completed.

If it is said that satisfaction in a culture must exist in accordance with what is contained in the sense of functional theory, then this tradition has achieved its own satisfaction, both for the implementers and the connoisseurs. It's just that sometimes the satisfaction balance in each circle is different. In the end, in the theory of functionalism, the existence of this *marulak ari* tradition is feasible and must be maintained, considering its existence in the spirit of Mandailing culture in Mandailing Natal.

As for this tradition in the field of 'urf theory, it is part of 'urf *khash*, where 'urf itself if you look at its scope is divided into 2; 'urf *'amm* and 'urf *khash*. The reason is that 'urf *'amm* is a 'urf or *adah* that is common in the majority of Muslim communities, not just a handful or a group. Meanwhile, the tradition of *marulak ari* only exists in the Mandailing (Batak) ethnic culture, so the most appropriate naming according to its range is 'urf *khash*.

Then looking at the aspect as a whole is 'urf *'amali*, because the tradition of *marulak ari* is a form of application through action. However, it is also in the form of a recitation as called 'urf *lafzhi*, even though it is still said to be 'urf *'amali* because it is the dominant cause whose obligation is the application in its actions.

As for its validity, eating this *marulak ari* tradition is for now between 'urf *sahih* and 'urf *fasid*. The reason is that this tradition in application is very good in its purpose, namely to establish friendship between the two families and get to know each other's relatives. Isn't this in accordance with what Allah SWT and His Messenger conveyed, namely:

“Indeed, the believers are brothers, so reconcile your two brothers (who are at war) and fear Allah so that you may be blessed.” (QS. Al-Hujurat (49): 10)

“If you were in power, would you do damage to the earth and break your family ties?” (QS. Muhammad (47): 22)

“Tell me Bashar bin Muhammad: Narrate to us Abdullah: Narrate to us Mu'awiyah bin Abi Mazrad, he said: I heard my uncle Sa'ide bin Yasar narrate. From Abu Hurairah, from the Prophet (peace be upon him), he said: Allah created creatures and when he finished creating them, al-Rahm said: This is the place of those who seek Your protection from breaking the relationship (friendship). Allah SWT replied: Yes, it is true. Are you not pleased that I am in contact with them who want to have a relationship with you, and that I am terminated from those who are in contact with you? Al-Rahm replied: Yes, I accept it, my Lord. Allah answered him: Then this is a decree for you. (The Prophet PBUH said: so try to read this verse: QS. Muhammad verse 22”. (HR. Bukhari: Number 5887)

“Tell us Khalid bin Makhlad: Tell us Solomon: Tell us Abdullah bin Dinar, from Abu Shalih, from Abu Hurairah r.a, from the Prophet PBUH, he said: Surely al-Rahm is a branch of the nature of Allah the Most Merciful. Allah said: Whoever continues the friendship, then I also connect with him, and whoever decides it, I will also break it”. (HP. Bukhari: Number 8988)

Imam al-Qurthubi quoted his opinion Qatadah in his tafsir said, that the meaning of the verse from surah Muhammad verse 22 in the part of the gathering is that those who turn away from the path of Allah SWT (kafir/munafiq) they will do damage on the earth, shed blood and break the bond of friendship. Furthermore, he said that the meaning of al-rahm is affection in Islam and Faith which is called *ikhwah* as in surah al-Hujrat verse 10.

Imam Ibn Katsir added that the meaning of the above verse is to show a prohibition to do damage to the earth in general and to break the bond of friendship in particular. In fact, Allah has commanded to always act in good ways in life and connect the bond of friendship in various ways, including by doing good in actions and words to relatives.

Ibn Hajar al-'Asqalani gave an explanation related to the above hadith by quoting the opinion of al-Qurthubi, that the meaning of the hadith is the form of majas which means that if al-rahm is from a sentient being, then it will say so. And this is a state in the form of a reinforced command.

From the explanation above, friendship in the concept of Islam is something that should not be violated and is highly recommended. That is also the reality of the meaning of the marulak ari tradition in Mandailing Natal. With regard to the maqashid shari'ah which is the purpose of the law (including 'urf), this tradition is visibly unproblematic and deserves to be maintained.

However, in terms of the implementation of a law, of course there are sanctions that will be given to law-abiding members who violate the law. This tradition of marulak ari is also the same, has its own punishment if violated, as in one of the Mandailing traditional literatures that the punishment, if it violates the customary rules of marriage, will be punished by entertaining the namora hatobangon and the community with a buffalo while apologizing for his mistake while going around the king's house accompanied by mothers and girls from the guilty family. Because this tradition is part of the source of the law of patik or ugari.

The punishment enshrined in the context of Mandailing has actually disappeared, but the punishment still exists. Based on research conducted through in-depth interviews with traditional leaders in Mandailing, they said that reprimand is the smallest thing in the aspect of punishment, then rises again to become a person who is labeled as a non-indigenous community, and the greatest thing is the prohibition to participate in sacred activities or events (customarily) in the woman's family. This punishment will certainly be lost if you have carried out this tradition.

Given some of these threats, if this is dug up deeply, various indications will be found that according to sharia are contradictory. Such as, excessive banqueting, events within events, mental load, health and so on. Isn't it enough in Islam that walimah is enough? In this Mandailing ethnic group there are pre-marriage, marriage and post-marriage events. If viewed economically, of course, for those whose economy is low, it will be burdensome, even for rich people will feel burdened even if it is a little, because the expectations of the invitation presented are extraordinary. When it is correlated with the maqashid of the shari'ah, then hifzh al-mal in this case is incompatible.

Then, in the mental or psychological context, people who do not carry out this tradition will be severely affected, because of the gradual exclusion from society and also the prohibition of not participating in traditional activities that are considered sacred, which is very burdensome. This is a form of law that sharia does not want to run. Hifzh al-'aql in this regard needs to be noted.

Considering that the Mandailing Natal area is an area with a majority Muslim population, it is necessary to implement the law in accordance with its religion. If followed directly, sometimes in carrying out this custom, supernatural activities in Islam known as prayer are often overlooked. The underlying thing for this is the activity of marhata-hata or markobar in the traditional house, as well as in the context of this marulak ari because it contains 'urf lafzhi or markobar as well. So, sometimes hifzh al-din is also neglected

In the end, with these three theories, it can be known that this custom or tradition of marulak ari needs to be maintained but it has violated the corridor of the purpose of sharia, because the people whose notabene are the implementers are Muslim. Until this theoretical discussion, this tradition can be said to be rejected and not suitable for continued application when viewed from the perspective of Islam.

After it is found that the indications in data analysis through existing theories are present, there are several things that must be used as material for reflection and solutions. Traditions for Muslims are actually not contradictory, but sometimes the existing traditions fall into things that are not desired by sharia, such as wastefulness, mental disturbance or even displeasing God. All of this needs to be reconsidered by traditional leaders, especially in the Mandailing Natal area which is Mandailing. So that the slogan or jargon known by the wider community "Customary Land of Obedience to Worship" is in line with its application in the context of people's lives.

From these rules, it can be understood that every situation must have a way out. In tradition marulak ari This, there are several options offered so that this tradition runs as usual without obstructing sharia. First Of course, it does not carry out this tradition thoroughly or makes this tradition no longer binding. Second continue to implement it, but the law or sanctions are eliminated. And third It is still carried out as usual, but time, materials and anything that hinders it is limited and of course no longer binding in terms of punishment or sanction.

The third alternative is the best option, because there is no longer a barrier between custom and sharia. If seen in the field, according to what was reached by the informants from Panyabungan, the Panyabungan area in particular has implemented this third alternative, even though the punishment still exists in the form of public assumption that this customary law violator is not a customary person. This is in line with the concept of functional theory which states that if a tradition does not meet a satisfaction or 3 aspects mentioned, be it biological, instrumental or integrative, then the tradition or culture is void

4. CONCLUSION

The marulak ari tradition, integral to Mandailing culture, faces challenges when examined through the lens of Islamic law, particularly regarding financial and mental burdens. This research shows that while the tradition holds cultural importance, it can conflict with Islamic principles of preserving reason (hifzh al-'aql) and wealth (hifzh al-mal). However, the study suggests that the tradition can be maintained by making key adjustments, such as removing punitive sanctions for non-participation and reducing financial demands to alleviate the burden on families. These modifications will allow the marulak ari tradition to continue in a way that aligns with Islamic values, ensuring both cultural preservation and religious adherence. Involving religious and community leaders in these changes is crucial for acceptance and successful implementation. This research offers valuable insights into how cultural practices can be adapted to fit within Islamic legal frameworks while preserving their significance.

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