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## *KAWENG TURUNG: THE ABSENCE OF STATE'S ROLE IN HARMFUL MARRIAGE TRADITION*

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**Abstrak:** Penelitian ini membahas tentang praktik perkawinan dalam tradisi Muslim Mongondow di Indonesia yang disebut *kaweng turung*. Salah satu permasalahan dalam tradisi ini adalah terkait masalah hukum, yaitu setelah akad nikah, suami harus meninggalkan istri tanpa status cerai resmi. Studi ini didasarkan pada kerja lapangan di Mongondow, Provinsi Sulawesi Utara, yang melibatkan wawancara dengan para pemimpin setempat. Penelitian ini menemukan bahwa *kaweng turung* tidak berakar pada tradisi kuno masyarakat Mongondow. Praktik tersebut telah muncul saat ini sebagai akibat dari globalisasi. Istilah *kaweng turung* berasal dari dialek sehari-hari di Kota Manado. Terlepas dari masalah dalam praktiknya, lembaga adat cenderung pasif mengikutinya dengan meresmikan perkawinan. Kajian ini mengusulkan perlunya sinergi antara negara, Kementerian Agama di daerah, dan lembaga adat untuk mencegah praktik *kaweng turung*. Salah satunya melalui pendidikan pranikah yang masif, sistematis, dan terstruktur.

**Kata kunci:** Realita; *Kaweng Turung*; Adat Mongondow; Peran Kementerian Agama

**Abstract:** This research discusses the practice of marriage in the Mongondow Muslim tradition in Indonesia, called *kaweng turung*. One of the problems in this tradition is related to the legal issue as, after the marriage contract, the husband must leave the wife without official divorce status. This study is based on fieldwork in Mongondow, North Sulawesi Province, involving interviews with the local leaders. It is found that the *kaweng turung* was not rooted in the ancient tradition of the Mongondow society. The practice has emerged currently as the result of globalization. The term *kaweng turung* comes from the daily dialect in Manado City. Despite the problem in its practice, the traditional institutions tend to passively follow it by formalizing the marriage. This study proposes that there is a need for a synergy between the State, the regional Ministry of Religious Affairs, and traditional institutions to prevent the practice of *kaweng turung*. One of the ways is through massive, systematic, and structured pre-marital education.

**Keywords:** Reality; *Kaweng Turung*; Mongondow Customs; the Role of the Religion Ministry

## Introduction

Mongondow is one of the largest indigenous communities in North Sulawesi Province, established from a royal system called Bolaang Mongondow. These two syllables specifically indicate the people's identity. *Bolaang* depicts those at sea, while *Mongondow* refers to individuals residing in the forest or mountainous areas (*Suku Bolaang Mongondow dan Kebudayaan*, 2017). As the largest tribe in the province, the majority are Muslims who believe in the adage that "the Mongondow tradition is based on *sharia*, in accordance with *kitabullah*" (the book of God) (Dipalanga, 2013). In a marriage practice, two types are considered to violate the customs. The first is *mogantung*, proposing a woman through a traditional procession while considering Islamic law.

The second is *tangang*, an elopement marriage due to disapproval by the couple's parents, delay, or even the rejection of the wedding day. This is usually caused by the fact that the groom's family is unable to pay the dowry (*tali*) requested by the brides', thereby causing both of them to visit the customary or religious figures to get married secretly (Waluyo & Silvana, 1999: 41).

The changing times and globalization have led to a new marriage practice that seems legitimate following the Mongondow tradition, namely *kaweng turung*. It is a local tradition of marriage carried out because the daughter has become pregnant outside of wedlock and is considered a family disgrace. The representations of traditional, religious and state institutions are involved in the marriage procession to avoid shame and maintain the family's dignity. Afterwards, the marriage process is completed by obliging the groom to leave the house and divorce his wife. Considering the state law, this is against the law because the divorce is not submitted to the Religious Court.

This research examines the *kaweng turung* phenomenon, specifically in Mongondow and the role of the Ministry of Religion in responding to this tradition, particularly the Office of Religious Affairs in the Bolaang Mongondow Raya. In addition, the responses of society and the State to Kaweng Turung traditions are also examined.

This study becomes significant as Indonesia has a rich of local traditions. With some aspects against the law, the State's presence is needed. In other words, the State's intervention is required to avoid the local tradition harming the people. The object location is Bolaang

Mongondow Raya, covering the Southern, Eastern, and Main Regencies, including Kotamboga City. Data was acquired through systematic observation (Hardani et al., 2020: 131) to examine the customary marriage practice. Interviews were held with religious and customary leaders, and a document study was conducted on the records from traditional administrators or the *Penghulu* from the Office of Religious Affairs. Furthermore, the data underwent examination, classification and validation (Siyoto & Sodik, 2015: 123–124). Finally, descriptive analysis was performed based on an Islamic legal approach.

### **Marriage in the Mongondow Tradition**

Before explaining the Mongondow tradition based on the customary framework, it is necessary to emphasize the parental or bilateral kinship system in the community, including its classification. First, *tonggolaki* is the smallest group comprising immediate family members: father, mother, and unmarried children. Second, *tonggoabuan* is a larger group similar to the *tonggolaki*, with the addition of married children and their grandparents. Third, *motoleoadi* is a large kinship group consisting of siblings, paternal and maternal cousins, and uncles (Saud et al., 2004: 36).

These kinship groups tend to help each other. They were developed because the Bolaang Mongondow community has a significant socio-cultural potential called *moposad* (mutual cooperation) to improve their socio-economic status (Hiola et al., 2002: 8). According to Dachrud (2016), the community's motto is *mototompian* (mutual improvement), *mototabian* (love each other), and *mototanoban* (remember each other). Therefore, when it comes to the customary marriage law, the Mongondow tradition plays a significant role in ensuring the successful organization of a wedding event by maintaining cooperation.

Aringking et al. (2021: 65) stated that Muslims and Christians engage in traditional processions. The customary practice performed by the Christian community only includes marriage and mourning or death. Regardless of the fact that wedding traditions are filled with traditional nuances, they are strictly adhered to the religious teaching by avoiding marriage between those forbidden to marry by Islam (the Quran, Surah al-Nisa': 23). The Mongondow tribe is careful (*ihdiyāt*) in maintaining and implementing the Islamic teaching. Hence, they traditionally prohibit marriage between family members up to the fourth

generation. When a romantic relationship leading to marriage occurs among the families, they must first undergo a traditional ceremony, known as *bontow in bi'ian*, to break the familial ties by the elders (*toga monaba*). Then, the marriage can proceed (Saud et al., 2004: 52).

Meetings and cooperations among families are held before, during, and after the marriage processions, involving traditional and religious traditions. The customary process, as the main feature of the ceremony, is usually written in the Mongondow language and maintained before signing the marriage contract. The ceremonial procedure (Manoppo, 2021) is as follows: *moguman* is a proposal made by either a male or female family member. During this process, certain values, namely honesty, wisdom, and openness, are highly prioritized, specifically when bargaining about the cost of the wedding ceremony, dowry (*dati*), marital assets (*tali*), and prospective wife's needs (*ukud-ukud*). The unique outcome of this process needs to be reported by the *toga monaba* to the village leader (*sangadi*) for approval.

The second is *tompo una yoko*, involving the delivery of a machete as a form of antidote during the peak of the wedding ceremony. This tool is handed over and received by traditional elders from the groom and bride's families. It is then mounted on the king's pole in yellow bamboo and placed in the bride's house while reciting prayers (*itum-itum*) in the Mongondow language. Unfortunately, this *tompo una yoko* ceremony is rarely practiced in this era.

The third is *mongatod kon yoko*, which is a process of delivering assets for the wedding ceremony, and it is only performed when the *moguman* has been ratified by the *sangadi*. These assets are in the form of *tali*, *dati*, *gu'at*, and *toga monaba*, usually delivered by friends and relatives while escorting the groom to the bride's house, where the wedding is held. During this process, there is typically a review of the social status; physical perfection, including the face and body, of the proposed bride and her family. If she is considered beautiful, highly educated, and a civil servant or from a respected and rich family, the asset delivered along with the dowry will be slightly expensive (Lapanca, 2021). Saud et al. (2004) stated that the entire marriage process is known as *tonsingogon haimbuloyan*.

The Penghulu from <sup>1</sup> the Office of Religious Affairs mandates that the prospective groom and bride are present, alongside a guardian who

will marry them off, two witnesses, a dowry, and a statement (*ṣiḡhat*) of consent. One unique act that is performed during the process is *bai'at*. It involves the recitation of *shahādah* or Islamic creed in Arabic, guided by an Imam or local religious leader to the prospective groom and bride at the place of the marriage ceremony and bridal chamber, respectively. The sermon is read, and the marriage contract is pronounced and signed by the guardian and the groom, respectively (Saud et al., 2004: 56).

The most unique and interesting part of the ceremony is the marriage contract or *'aqad al-nikāh*, which depicts the validity of the union in front of the community and the groom's capability. This leads to the emergence of *mogama*, the final procession of the entire series of marriage ceremonies. Mawikere (2020: 174) stated that this event is not only a traditional ritual based on special terms and conditions. Rather, a Divine bestows love and affection between husband and wife, togetherness, an attitude of serving and complementing each other, and a sense of responsibility.

There are thirteen religious processes full of philosophical values. Malla (2020) mentions these processions are as follows: *pangkoy gama'* (grab a tree, meaning permission to "take" the bride from her parents to be introduced to the groom's family), *polampangon kontutugan lanag* (leaving the bride's house), *polampangon kontubig* (journey through the river), *poponikan kon tukad* (climbing the stairs), *lampang kon tanom* (the bride arrives at the terrace of the groom's house), *pilat in payung* (umbrella is closed), *pilat in siripu* (take off sandals), *ilitu'an* or *bahasa'an mopolitu'* (the bride and groom are welcomed by being asked to sit down), *pilat in kokudu* (take off the hood or veil), *pinogapangan* (giving awards to female companions), *pinomama'an* (eating together), *pokilimumugan* (girls are told to rinse their mouths by one of the mothers of the male family while giving their property for marriage) and *pobuian* (traditional leaders ask permission to return home to mark the end of the marriage ceremony while asking for kindness in prayers offered to God).

However, there are marriage rites that violate the custom. Therefore, certain regulations are needed to avoid any violation. Nadjamuddin et al. (1984: 22) stated that at least three customary violations of marriage are commonly found. The first is *sirodah*, when a man appears unannounced at the woman's home to seek her hand in marriage. This problem is resolved by persuading the man to cancel his intention or sanctioning him with *tali ugat in buta*. This customary sanction is

required as the man and woman intended to get married without their parent's consent, or called *tanga* or elope. In that case, both parties need to apologize to their parents.

The second is *tangag* or elopement. For this matter, the custom requires the implementation of *tali ugat in buta* in the form of an apology of the perpetrator to their respective parents, and the parents must accept it. The third is *momaluy*, where a man rapes someone else's wife because he was triggered by the fact that the rapist was angry with the woman's husband. In this case, the perpetrator should be sentenced by *mogompat ko lipu* with *butun iata*, a heavy penalty traditional rulers impose. Furthermore, they are usually expelled and ostracized from the community or village where the incident occurred.

The community considers *kaweng turung* as the only solution to those violations. *Kaweng turung* is a marriage practice that became a tradition after the 1998 Reform era due to the rapid impact of global information exchange. The term is not found in the old traditions or derived from the native Mongondow language. Rather it is absorbed from the daily dialect-speaking in Manado City. Furthermore, the *kaweng turung* tradition is not only practiced in the Mongondow community but in Gorontalo (Sayiu & Faisal, 2020). *Kaweng turung* is an intentionally "forced" marriage between a man and a woman who is pregnant out of wedlock. The man can be the one responsible for the pregnancy or who is willing to marry the woman to protect her family's honor.

Consequently, after the marriage contract is signed and the wedding reception procession is completed, the man or husband leaves the woman's family home immediately. He is prohibited from returning to meet his wife or child after birth. A "hanging" marital status remains as the marriage is not annulled by state law, but the family considers that a divorce has occurred (Rais, 2021).

Essentially, *kaweng turung* is unknown to officials from the Office of Religious Affairs (Kantor Urusan Agama) or the customary elders. However, this happens because pregnancy outside marriage and intention to wed would have been made known during the initial consultation on marriage registration. After the registration, the prospective couple will take a prospective bride and groom course (SUSCATIN/ *Kursus Calon Pengantin*) and be informed about any prohibited practice, including leaving the spouse after signing the marriage contract.



Those who intend to get married—in a *kaweng turung* way—are expected to engage in the process according to State and Islamic law because they have already been registered with the local Religious Affairs Office. They also have the right to obtain a marriage certificate (book) and customary recognition. This implies that the marriage ceremony involves customary traditions. The family can have a wedding reception as a form of “announcement” that the man and woman are officially and legally married (Safitri, 2020).

### ***The Kaweng Turung Reality in Mongondow Ethnicity***

Mawikere (2020: 25) states that the people of Mongondow ethnicity have not isolated themselves from changes, especially regarding their livelihoods and welfare. However, these can be accepted as part of the customs of the elders to respond appropriately to renew customary marriage practices and processions in Mongondow local wisdom.

The type of *kaweng turung* practiced in South Bolaang Mongondow Regency is explicitly unacceptable and even prohibited by religion, custom, and the State. This is because it violates the norms of sacred marriage and honesty. Rais, the head of the Office of Religious Affairs, Pinolosian District, South Bolaang Mongondow Regency, stated that the practice of *kaweng* (wedding processions) has still been carried out in an orderly manner based on customs, religion, and state law. According to Rais (2021), when the *kaweng* involves *turung*, the husband leaves his wife’s house. This process is usually performed secretly after the completion of the marriage procession.

Even though the *kaweng turung* tradition violates the law, it has been practiced in the South Bolaang Mongondow community. Moreover, some consider the tradition a concrete and instant solution to maintain the family’s reputation. Since serving as head of the Office of Religious Affairs in Pinolosian District, Rais stated that no less than three cases were reported yearly. This had been before the issuance of Law No. 16 of 2019 concerning Amendments to Law No. 1 of 1974 concerning marriage, raising the minimum marital age for women from 16 to 19 years. After the enactment of the new marriage law, some underaged couples have chosen *nikah sirri* or unregistered marriage, which is only valid according to the religion. This is because they avoid dealing with marriage dispensation requirements, involving legal processes in the Religious Courts.

A similar phenomenon also happens in Kotamobagu City. Hamri, a traditional leader, stated that, in principle, the *kaweng turung* practice is unknown in the Mongondow custom. However, because it has been repeatedly performed in the community, specifically in Kotamubagu City, the people seem to “justify” it (Rajafi, 2021). Intan, the Principal of Madrasah Tsanawiyah Negeri 1 Kotamobagu City (2020), stated that the community viewed this practice as likely to occur in problematic marriages because the women got pregnant out of wedlock, which was understandable. A marriage ceremony needs to be performed immediately to cover this disgrace. Afterwards, only the man or newly married husband leaves his husband (*turung*).

However, because custom is a sacred element of society besides religion in the Mongondow community, even a considered problematic marriage is also carried out by the traditional elders. The wedding is treated equally to a common marriage practice, as everybody is considered to have similar rights. Karim et al. (2021) stated that referring to *BoBahasaan*, as the wisdom and wise language of the Mongondow community in Kotamubagu, whenever a problem occurs, traditional elders are involved to handle the situation and prevent any violation.

The Mongondow community in East Bolaang Regency also has a similar perception that *kaweng turung* is a new solution to protect family reputation. Towards the end of November 2021, one of the informants reported that in the Tutuyan area, a Mongondow traditional marriage process was carried out when a woman got pregnant out of wedlock. At that time, a traditional wedding procession was performed in a more minimalist and simple manner. The *mogama* custom held after the marriage ceremony was also carried out in a sitting area, where the family members approached the bride to give her some money. Even though the amount is not much, it was provided as a symbolic part of the ceremony. Less than a week after the wedding procession, the husband left the house and his wife (*turung*).

As information best on the argument of Makmur (2021), that were the community leader in the village, confirmed this reality associated with the number of *kaweng turung* cases in East Bolaang Mongongo, and he explained that this practice is unjustified in Islam. However, some people are comfortable with receiving a marriage certificate and the community witnessing the arrival of their child after the marriage

procession is fulfilled, regardless that the husband leaves his wife and child (*turung*).

There is not much information about the *kaweng turung* practice in the community. However, stories have been passed from one to another. This custom is not widely practiced in the community because people are aware this practice is wrong and sinful. With this, people who commit *kaweng turung* are considered sinful twice: committing adultery and marrying intentions unjustified by the shari'a (Al-Husaini, 2005: 671–672).

Therefore, East Bolaang Mongondow's most dominant choice is to continue marriage because both parties are regarded as perpetrators of adultery, which is perceived as some form of social consequence. After a few days of the wedding procession, the couple usually moves out of the area within a few months—to Manado. Sometimes, the couple visits their relatives' hometown often after the wife has given birth. Then, a *turung* may occur afterwards, specifically in a marriage between a pregnant woman and a man who is not responsible for the pregnancy.

Kosel (2010) and Manoppo et al., (2020) reported that the Bolaang Mongondow Regency, with its encounter with Islam, is the center of civilization in North Sulawesi. There is a slight difference in responding to the *kaweng turung* case in the community. Presently, this practice is an open secret. The public understands that the couple live together based on the *kaweng turung* contract.

**1** Kifli Lamusa (2021), the Head of the Islamic Community Guidance Section of the Religion Ministry, Bolaang Mongondow Regency, stated that *kaweng turung* is highly practiced in his territory. His statement is based on his personal experience as the Head of the Office of Religious Affairs and verbal reports from his colleagues during evaluations. An example is that the prospective groom and bride registered for a pre-marital course held by the Office of Religious Affairs had previously experienced *kaweng turung*.

According to Kifli, *kaweng turung* is commonly practiced for two reasons. The first is a pre-marital pregnancy and rejection by the male's family. Therefore, the marriage is held only to cover up the shameful act. The second is when a pregnant woman has sexual intercourse with several men. The last one is assumed to be the father of the child and responsible to marry her under the condition that he will leave when the wedding is over (*turung*).

The practice of *kaweng turung* violates the custom adage that traditions are in line with *shara'* and *shara'* is based on *kitabullah* (the Divine texts). However, social facts show the inevitability of the *kaweng turung* case. The customary institution still holds marriage with a traditional procession as a ceremonial activity. Still, it loses the meaning and philosophy of the traditional procession, which upholds the values of local wisdom and Syriac Islam. Thus, it can be understood that the practice of *kaweng turung* in Bolaang Mongondow Regency is a social fact for the legality of marriage.

The practice of *kaweng turung* is clearly a deviant marriage practice. Also, the divorce violates Islamic law by ignoring the *'iddah* (post-divorce waiting period, which is three full menstrual periods) period after the divorce (Saputera and Lamunte 2020). The results of this study show that there is an element of incomprehension among some people about marriage law, both based on religious and state texts, but further study is needed about this last argument, considering that major kingdoms for the Mongondow nation also exist in North Bolaang Mongondow (Tungkagi, 2019).

Regarding the *kaweng turung* practice in North Bolaang Mongondow, Goma (2021), the sub-district head in West Bolangitang District, stated that it is undeniable that the tradition still exists. This becomes a social and administrative solution for pregnancy outside wedlock to protect the status of the woman and the child and their family reputations.

The exact number of such a practice is unknown. However, based on observation in all villages, there are stories comprising activities associated with *kaweng turung*. In all cases, all weddings consider customary processions organized by traditional and state institutions. As a result, the couple can obtain a marriage certificate from the Office of Religious Affairs. The fact that the husband leaves his family is not the responsibility of the involved institutions, as it is done after the accomplishment of the marriage ceremony. Supriadi stated that even some wedding procession was conducted lavishly and festively.

In a village called Paku Village, the people impose a strict implementation of *kaweng turung*. During the wedding ceremony, the couple is not allowed to wear a traditional wedding dress, walk down the aisle, or be accompanied by their parents. In other villages, *kaweng turung* is perceived as a solution without a fuss.

## The Role of the Ministry of Religion in the *Kaweng Turung* Reality

Structurally, the Islamic Community Guidance of the Ministry of Religion at the Regency or City level handles the marriage-related issue. Meanwhile, the technical implementer is its subordinate, the Religious Affairs Office, located in subdistricts (*Bimbingan Masyarakat Islam/Bimas Islam*), 2022). In this context, its main tasks based on Religion Minister Regulation No. 34 of 2016 are to provide services, supervision, recording, and reporting of marriage-related issues and reconciliation and guidance services for *sakinah* (tranquil) families.

The Office offers a pre-marital course for prospective brides and grooms, guided by *penghulu*, and pre-marital education for students (Salma & Rajafi, 2020). Dealing with problems related to marriage in society, such as *kaweng turung*, is not in the job descriptions of the Religious Affairs Office. Therefore, it is sensible if the Religious Court Offices in the districts do not have any records of the number of *kaweng turung* practices.

Based on the interviews with several Section Heads of Islamic Community Guidance and Heads of Religious Affairs Offices in the Bolaang Mongondow Raya area, it was discovered that they had made several efforts to render educational services or courses for prospective brides and grooms, teenagers in schools and those who got pregnant outside wedlock. However, pre-marital education for adolescents has not been implemented optimally, such as in Bolaang Mongondow Regency, where *kaweng turung* practice is high. In 2019, pre-marital education was only conducted three times, targeting high school or Madrasah Aliyah students. Meanwhile, none of such activity was conducted in 2020 and 2021 due to the budget diversion caused by the COVID-19 pandemic.

Furthermore, to suppress these problems, the Religion Ministry, through the Office of Religious Affairs, has optimized the implementation of Law Number 16 of 2019 concerning Amendments to Law Number 1 of 1974 on Marriage. This new law mandates that underage prospective brides obtain a marriage dispensation from the Religious Court before the marriage. The result turned out to be reciprocal. Rather than minimizing marital problems, there has been an increase in the number of those applying for marriage dispensation in the Religious Courts. For example, at the Kotamubagu City Religious Court, the data on marriage dispensation requests granted increases every year. In 2019, 2020, and

2021, 54, 58, and 137 applications were granted, respectively (Pengadilan Agama Kotamubagu, 2021). Meanwhile, in 2020 and 2021, at the Lolak Religious Court, Bolaang Mongondow Regency as many as 329 and 388 applications were granted, respectively (Lolak Religious Court, 2021).

Based on the data above, the Ministry of Religion has not produced an optimal solution (Khair & Zaki, (2018: 479–480). In this case, the Office of Religious Affairs essentially plays a crucial role in ensuring that the Muslim community's interests and needs are realized and sustained. Therefore, the duties of the Islamic Community Guidance division of the Ministry of Religion and the Office of Religious Affairs need to be maximized by being active. This can be accomplished by recording and documenting the practices in society that violate the law. The results are to be used as a basis for developing strategic programs and policies.

Dealing with the *kaweng turung* phenomenon, the Ministry of Religion in Bolaang Mongondow Raya needs to develop collaboration and communication with institutions such as Sangadi, Imam, etc. Such concrete actions will lead to responsive solutions to the problem. Makmur (2021) stated that these external parties, such as traditional and religious leaders, are the front liners in legal marriage practices. They can encourage people to have pre-marital sex. This is expected to reduce the practice of *kaweng turung*. The Islamic Guidance Section at the Ministry of Religion, East Bolaang Mongondow Regency, has taken serious acts to socialize the prohibition of under-aged marriage and the obligation to obtain a marriage dispensation from the Religious Courts.

Lamusa (2021) is among the ones involved in those activities. According to Lamusa, the problems in the programs are related to the vastness of their working area and the lack of personnel at the Office of Religious Affairs. Furthermore, communication with the customary and religious leaders remains ceremonial. As a result, the solution-based actions have not been successful. Also, this has not been supported by an optimal budget. Lamusa further stated that the overall pre-marital sex practices in the Bolaang Mongondow Regency were categorized as high. The data shows that every year the number continues to grow. For example, in 2020 and 2021, there were 1345 and 1473 recorded incidents, respectively (Kementerian Agama Kabupaten Bolaang Mongondow, 2021). Based on the above information, the *kaweng turung* practices are indicated to be high.

The requirements to involve various parties and institutions in addressing the issue of *kaweng turung* are in line with Rogga (2001), stating that three main elements are involved in establishing an effective work environment. These include optimizing the functions of the Ministry of Religion and the Office of Religious Affairs. These functions are 1) leadership support from the Regent or Mayor, Head of the Office of the Religion Ministry, Sangadi, and Imam; 2) supports from employees and staff; and 3) support of the various units, sections, or divisions. These are external parties such as traditional, religious, and community institutions that actively participated in the program.

The heavy task is alleviated by the synergies between the Ministry of Religion, the Office of Religious Affairs, and traditional and religious institutions. With support from government institutions, community and customary leaders are able to change the community mindset regarding *kaweng turung* and the consideration that it is a common secret. The mainstreaming efforts are conducted through education about the danger of underage marriage and *kaweng turung*.

The concept of collaboration and mutual relationship refers to the *usul fiqh* principle that the obligatory implementation of a system is imperfect with the absence of one or some elements (al-Ghazali, 1431: 271). In other words, instilling awareness about marriage is an inherent obligation of the Ministry of Religion and the Office of Religious Affairs. Without the involvement of traditional and religious institutions makes the mentioned programs ineffective. Therefore, synergizing with these parties is also a mandatory factor that needs to be looked into by the Ministry of Religion and the Office of Religious Affairs. The works and plans to minimize and eliminate the practice of *kaweng turung* are in line with the principle of Islamic law, namely *ḥukm al-ḥākim yarfā' al-khilaf* (al-Bassam, 2006: 689). This means that decisions made by the leaders—with a good organizational system—can negate cross-disputes in the community. This is also consistent with Putri and Fatahurrazak's (2020: 78) theory that leadership, supported by adequate organizational capacity, helps implement good work procedures.

The campaign on the danger and disadvantages of *kaweng turung* needs to be intensified. This includes information about the psychological impacts of *kaweng turung* on abandoned wives and children, the unclear divorce status due to the absence of a divorce certificate, and potential

child negligence. With unclear marital status, the sacred intentions of marriage are neglected.

Harm prevention aligns with Islamic law principles, namely *jalb al-maṣāliḥ wa dar'u al-mafāsīd* (seeking benefits and preventing harm) (al-Asmari, 2000: 44). This relates to the realization of benefits and the technical prevention of damage. Furthermore, this is in line with the principle of *dar'u al-mafāsīd muqaddam 'alā jalb al-maṣāliḥ* (al-Zuhaili, 2006: 197), meaning that if there is a meeting between benefit and harm simultaneously, then preventing damage and harm should be preceded than presenting benefits.

Najmudin Ath-Thufi (Dahlan, 2007:1039) explains that badness or *mafsadat* is the cause of evil, so all badness must be eliminated. Thus, if in something—whatever it is—there is a benefit, there is also damage. Prevention must be prioritized so there is no damage because the damage can be widespread, resulting in wider damage.

Al-Qarafi (Zainy, 2008: 65) states that no *maṣlahah* is free from *mafsadah*, and there is no *mafsadah* unless there is a *maṣlahah*. Therefore, to find out the weight of *maṣlahah*, and *mafsadah* can be seen from the composition between the two, which is the more prominent. If what is more apparent is the aspect of *maṣlahah*, then it is called *maṣlahah*. On the other hand, if the element of *mafsadah* is more prominent, it is called *mafsadah*.

Regarding the practice of *kaweng turung*, it appears on the surface that there are benefits because many things are saved through this practice. Among them are protecting the status of a woman who has become pregnant out of wedlock by becoming a legal wife based on religious and state law; and protecting the good name of the family that is tarnished due to the behavior of children who have sexual relations outside marriage through marriage contracts and marriage guardians. Of course, the hometown's good name is saved because no community member will have children without a spouse. Even the procession of *kaweng turung* becomes a means of repulsion to avoid God's punishment that will be sent down to a village when there is chaos.

However, these benefits are relative as they violate various values, such as the loss of the value of worship in marriage due to negative intentions built based on compromise and negative intentions in contracts, resulting in a harmful marriage (al-Khin & al-Bugha, 2000:



17). Likewise, with the end of marital status after the marriage contract, after the husband steps down or leaves his wife, their marital status becomes uncertain, whether they have divorced or not. No divorce petition has been submitted to the Religious Court, so no divorce certificate has been issued. Also, the couples are no longer considered husband and wife as the two have never met again and established a husband and wife relationship. Even the husband never gives any maintenance allowance other than the dowry.

A harmful consequence is the possible psychological effect on the woman as she bears the burden of herself (Dachi et al., 2023). She should carry the uncertain marital status that is potentially stigmatized by the surrounding community (Nurlian et al., 2019). She can also be surrounded by guilty and sinful feelings (Papalia, 2015). Another issue concerns the economic consequences on the wife and children, as the father no longer supports them. This child can also be affected by society's stigma, which, in turn, affects the child's psychological state (Sarhini & Wulandari, 2014).

Without a proper divorce procedure processed in the Religious Courts, the wife and child will not be able to demand any financial support from the husband after the divorce. In the Indonesian legal system, women have rights to post-divorce alimony consisting of *nafkah 'iddah* or *'iddah* (post-divorce waiting period for women comprised of three full menstrual periods) maintenance, and *mut'ah* (consolatory gift). For the child, on the other hand, the court can<sup>12</sup> order the father to pay for future and past-unpaid child maintenance. This is based on the Compilation of Islamic Law, Article 156 section (d). It is stated that the father must pay for child maintenance and livelihood depending on his capability. Furthermore, Law Number 1 of 1974 on Marriage, Article 41 states that the court can oblige the ex-husband to pay for the ex-wife's maintenance.

As this study reveals the harmful practice and impact of *kaweng turung*, the authors propose a need for a concrete step from the authorities involving the synergy<sup>1</sup> between the regional Ministry of Religious Affairs represented by the Office of Religious Affairs and religious and customary figures. These authorities, then, work with society to address this issue and educate them about the harms of the *kaweng turung* practice. This includes the education to register and

process divorce in the Religious Courts for Muslims to protect the rights of women and children.

## Conclusion

This study reveals that *kaweng turung* is a harmful marriage practice. *Kaweng turung* is not found in the Mongondow language. Rather, it is a newly absorbed language from the daily dialect-speaking of Manado city people. *Kaweng turung* has been practiced in the Bolaang Mongondow Raya area due to the rapid acceptance of post-reform information circulation from various available sources and freely open media. This practice has been considered an instant solution to maintain family reputations due to an unwanted pre-marital pregnancy by marrying the man responsible for the pregnancy or another man willing to marry the woman. The practice of *kaweng turung* is evidently harmful to women and children due to uncertain marital status.

The *kaweng turung* has now become a “public secret”. Customary elders, state officials, and marriage registrars from the Office of Religious Affairs are aware of the practice. However, these officials seem ignorant of the possible *kaweng turung* occurrence after a marriage ceremony, even though they are involved in the marriage ceremony. This study proposes the synergy of the regional Ministry of Religious Affairs represented by the Office of Religious Affairs and religious and customary figures to address the issue. Also, the Ministry of Religious Affairs needs to document various marriage events and traditions. With this, the authorities can maintain research-based evaluations to regulate and eliminate harmful marriage practices, including *kaweng turung*.

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