



TRANSFORMATION OF KYAI AUTHORITY IN MARRIAGE: A LAW-ABIDING SOCIETY IN PEKOREN, REMBANG, PASURUAN

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Abstract: This article discusses the authority and role of *kyai* in marriage practices in the Muslim community in Pekoren Rembang Village, Pasuruan. The authority of *kyai* in marriage practices raises legal issues because it triggers the phenomenon of unregistered marriages, which is contrary to marriage registration regulations. This research uses a socio-legal approach and focuses on the role of *kyai* in marriage practices. This research uses Khaled Abou el-Fadl's theory of authority, differentiating between being in authority and being in authority. Being in authority for legal marriage is in the *kyai* while being in authority for legal marriage is in the head of the KUA. Research data was obtained through interviews with several Pekoren community informants. In the Pekoren community, the *kyai* have authority in marriage law and are often involved in the marriage contract process. Marriages officiated by *kyai* are considered valid according to religious law but are not recognized by state law. Society is slowly starting to put aside the role of *kyai* and not involve *kyai* when carrying out marriage contracts. The role of *kyai* in marriage in society is changing due to increasing legal awareness in society, pragmatism, and reduced appreciation for Islamic boarding school graduates. This research concludes that the authority of *kyai* in marriage practices in Pekoren is decreasing along with socio-economic changes and increasing legal awareness in society. Now, people prefer marriages officially registered by the head of the KUA to obtain legal guarantees. The shifting role of *kyai* in marriage practices in Pekoren Village can guide policymakers and religious leaders in ensuring that marriages are recognized under state law, in line with socio-economic changes and the legal awareness of the community.

Keywords: authority; marriage; *kyai*; *penghulu*; Pekoren.

Abstrak: Artikel ini membahas otoritas dan peran kyai dalam praktek perkawinan di masyarakat Muslim di Desa Pekoren Rembang, Pasuruan. Otoritas kyai dalam praktik perkawinan menimbulkan persoalan hukum, karena memicu fenomena kawin sirri yang bertentangan dengan regulasi pencatatan perkawinan. Penelitian ini menggunakan pendekatan sosio-legal dan berfokus pada peran kyai dalam praktek perkawinan. Penelitian ini menggunakan teori otoritas Khaled Abou el-Fadl yang membedakan pemegang otoritas (*being in authority*) dan pemangku otoritas (*being on authority*). Pemegang otoritas hukum perkawinan berada di kyai sedangkan pemangku otoritas perkawinan berada di penghulu KUA. Data penelitian diperoleh melalui wawancara dengan sejumlah informan masyarakat Pekoren. Di masyarakat Pekoren, kyai memiliki otoritas dalam hukum perkawinan dan sering dilibatkan dalam prosesi akad nikah. Perkawinan yang dipimpin oleh kyai dianggap sah secara hukum agama, tetapi tidak diakui oleh hukum negara. Masyarakat secara perlahan mulai mengesampingkan peran *kyai* dan tidak melibatkan kyai ketika melangsungkan akad nikah. Peran kyai dalam perkawinan di masyarakat mengalami perubahan karena meningkatnya kesadaran hukum di masyarakat, pragmatisme, dan berkurangnya apresiasi terhadap lulusan pesantren. Penelitian ini menyimpulkan bahwa otoritas kyai dalam praktek perkawinan di Pekoren berkurang seiring dengan perubahan sosio-ekonomi dan peningkatan kesadaran hukum di masyarakat. Kini, masyarakat lebih memilih pernikahan yang dicatat secara resmi oleh penghulu dari KUA untuk mendapatkan jaminan hukum. Pergeseran peran kyai dalam praktek perkawinan di Desa Pekoren dapat menjadi panduan bagi pembuat kebijakan serta tokoh agama dalam memastikan perkawinan diakui secara hukum negara, seiring dengan perubahan sosio-ekonomi dan kesadaran hukum Masyarakat.

Kata Kunci: otoritas; perkawinan; kyai; penghulu; Pekoren.



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INTRODUCTION

Marriage practices in Muslim communities generally involve *kyai* (religious figure; religious leader) as religious figures in the marriage process. The community views *kyai* as those with a broad understanding of religious issues and marriage laws. The involvement of the *kyai* in the marriage process ensures that the conditions and harmony are fulfilled. According to Fakhri, *kyai* has an essential role in marriage practices in rural communities in Indonesia. Kyai often plays a role in leading the marriage contract procession. Kyai leads wedding ceremonies, recites prayers, and provides religious advice to couples getting married.¹ That can give religious

¹ Muhammad Fakhri, "Marriage Practices in Indonesian Rural Societies," *Journal of Social and Cultural* 11, no. 3 (2020): 145-160.

legitimacy to the marriage. A marriage that involves a kyai and fulfills the conditions and harmony is valid according to religious law. However, this kind of marriage will give rise to problems with state law. The state only recognizes marriages registered at the Office of Religious Affairs (KUA) and involving a penghulu.² Married couples cannot claim their rights under state law when legal problems arise, such as divorce or interference with child custody.

The Muslim community views kyai as the party that has the authority to carry out the marriage process. Kyai are non-formal institutions that deal with religious matters, including marriage issues. According to Machasin, the function of kyai as a religious institution means that every religious activity must be carried out according to instructions and leadership and with his permission.³ Marriage practices carried out by kyai based on religious law include religious marriage, kyai marriage, sirri marriage, and underhand marriage.⁴ Muslim society believes that a marriage is valid based on the provisions of religious law. Religious law does not require the registration of marriages or the involvement of the KUA official. Marriage registration is only a matter of state administration and does not determine the validity of a marriage.⁵ Eva F. Nisa' differentiates between the validity of marriage and the legality of marriage. According to, marriage ceremonies led by religious figures, ulama or kyai, are valid according to religious law (valid). In contrast, marriages held by the headman are valid according to state law (legal).⁶

According to Rahmani and Manopo, some Muslim communities do not register their marriages at the KUA because the marriage administration requirements are complicated, and marriage registration requires a lot of money.⁷

² *Penghulu* is given the duties, responsibilities, authority and rights by the Minister of Religion or an official appointed based on the applicable laws and regulations to supervise Islamic marriages and Penghuluan activities (PMA No. 30 of 2005). The position of Penghulu is delegated to the Religious Affairs Office or District KUA in almost all regions of the Unitary State of the Republic of Indonesia. Mahyuni Mahyuni, Alfianoor Alfianoor, and Bachruddin Ali Akhmad, "The Resistance to the Authority of the Penghulu in Islamic Marriage," *International Journal of Social Science Research and Review* 6, no. 4 (2023): 1–7.

³ Machasin Machasin, "Struggle for Authority, Between Formal Religious Institution and Informal-Local Leaders," in *Varieties of Religious Authority: Changes and Challenges in 20th Century Indonesian Islam*, ed. Azyumardi Azra, Kees Van Dijk, and Nico JG Kaptein (Leiden: ISEAS Publishing, 2010), 116.

⁴ Mukhlisin Muzarie, *Kontroversi Perkawinan Wanita Hamil* (Yogyakarta: Pustaka Dinamika, 2002), 110.

⁵ According to Atho' Mudzhar, marriage registration should be seen as a new form of way of announcing a marriage and marriage registration is more beneficial, especially for the wife and children. M. Atho Mudzhar, *Membaca Gelombang Ijtihad, Antara Tradisi Dan Liberasi* (Jakarta: Titian Ilahi Pres, 1998), 116.

⁶ Eva F. Nisa, "The Bureaucratization of Muslim Marriage in Indonesia," *Journal of Law and Religion* 33, no. 2 (2018): 8 Nisa' menegaskan bahwa siri marriages are often valid if officiated by an 'alim, but they are only legal once they are registered – at which point they cease to be siri (secret).

⁷ Rahmani and Rukmina Gonibala Manoppo, *Dispensasi Nikah Dan Perubahan Sosial Jadikan Dispensasi Nikah Sebagai Pilihan Terbaik Untuk Menikah* (Yogyakarta: Deepublish, 2023), 70.

Society uses religious law as an alternative to the practice of sirri marriage. Alfarabi said that the existence of non-state celebrants or kyai in marriage practices in Muslim communities is an alternative for people who cannot have their marriages held at the KUA due to obstacles to marriage administration requirements.⁸ Kyai, during the marriage contract procession, is often asked to act as a marriage guardian and a substitute for the prospective bride's biological father at his own expense.⁹ According to Yasin, the practice of sirri marriage has received support from religious figures/kyai, and people will not dare to marry their children secretly without the presence of religious figures.¹⁰

Researchers chose the research location in Pekoren Village, Rembang, because it has not been researched as much as in Kalisat Village: Anita et al.,¹¹ Nawawi,¹² Fitriani,¹³ Makruf,¹⁴ Khodafi and Novitasari.¹⁵ The Pekoren community views unregistered marriage as a disgrace and not in line with the social norms of the Pekoren community. The practice of sirri marriage in Kalisat does not meet with resistance from the community. In contrast, sirri marriage in Pekoren faces resistance from the community because it is seen as not being by the social norms that apply in society. When a marriage takes place and has yet to be registered with the KUA, Pekoren people ask when their marriage will be formalized, that is,

⁸ Al Farabi, "The State Penghulu vs The Non-State Penghulu: The Validity and Implementing Authorities of Indonesian Marriage," *Justicia Islamica* 17, no. 2 (December 17, 2020): 343-64, <https://doi.org/10.21154/justicia.v17i2.2180>.

⁹ The people of Cisarua view the ajengan or kyai as those who have authority in religious law. Muhammad Ilham Ramadhan, "Peran Ajengan Sebagai Wali Dalam Praktik Nikah Sirri (Studi Di Kecamatan Cisarua Kabupaten Bogor)" (B.S. thesis, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta), 48-49, accessed April 4, 2024, <https://repository.uinjkt.ac.id/dspace/handle/123456789/42947>.

¹⁰ Yasin Yasin, "Kiai Lokal Antara Penghambat Dan Penyelamat Dalam Pelaksanaan Undang-Undang Perkawinan No. 1 Tahun 1974," *YUDISIA: Jurnal Pemikiran Hukum Dan Hukum Islam* 7, no. 1 (2016): 12.

¹¹ Avisena Aulia Anita, Felisa Haryati, and Diah Astri Ellisa, "Perkawinan Sirri Di Desa Kalisat Kecamatan Rembang Kabupaten Pasuruan," *Notaire: Journal of Notarial Law* 1, no. 2 (2018): 215-229.

¹² Ali Usman Nawawi, "Praktik Kawin Kontrak Di Desa Kalisat Kecamatan Rembang Kabupaten Pasuruan," *Kajian Moral Dan Kewarganegaraan* 5, no. 02 (2017), <https://ejournal.unesa.ac.id/index.php/jurnal-pendidikan-kewarganegaraa/article/view/19279> awawi, "Praktik Kawin Kontrak Di Desa Kalisat Kecamatan Rembang Kabupaten Pasuruan."

¹³ Aulia Fitriany and Izzatul Fajriyah, "Sejarah Budaya Kawin Siri Di Desa Kalisat Kecamatan Rembang Kabupaten Pasuruan," *Jurnal Edukasi* 1, no. 2 (2015): 253-74.

¹⁴ Muchlis Makruf, "Fenomena Nikah Sirri Di Desa Kalisat Perspektif Teori Fenomenologi Sosial Alfred Schutz: Studi Di Desa Kalisat Kecamatan Rembang Kabupaten Pasuruan" (Thesis, Malang, Universitas Islam Negeri Maulana Malik Ibrahim, 2021).

¹⁵ Muhammad Khodafi and Hotimah Novitasari, "Upaya Membranding Stigma Negatif Tradisi Nikah Sirri di Desa Kalisat, Rembang, Pasuruan Melalui Pelestarian Tradisi Gebluk," *SULUK: Jurnal Bahasa, Sastra, dan Budaya* 1, no. 2 (February 26, 2020): 87-93, <https://doi.org/10.15642/suluk.2019.1.2.87-93>.

register their marriage at the KUA.¹⁶ Apart from that, there is a ban from the Pekoren village government on its residents practicing sirri marriage.

This article discusses the position and role of kyai in the Pekoren, Rembang, and Pasuruan Communities, especially the role of kyai in marriage practices in the Pekoren, Rembang, and Pasuruan communities. To explain this problem, the author uses Khaled Abu el-Fadel's theory of legal authority, which differentiates between being in authority and being on authority. In the context of marriage legal authority, the legal authority is in the *kyai*, while the legal authority is in the *penghulu*. Marriage practices in Muslim communities often involve *kyai* as people who understand religious law. This research uses a socio-legal approach by taking marriage law as its object and focusing on marriage practices in the Pekoren community. Research data was collected by interviewing several informants, namely several residents of the Pekoren community.

LEGAL AUTHORITY IN MARRIAGE

Legal authority can be understood as the legitimate legal power to act, command, and judge. Authority can encompass the power to issue orders or enforce compliance and the regulations that those under such authority must follow. Human obligation to obey the law is based on the theories of divine sovereignty, state sovereignty, and legal sovereignty. Additionally, the social contract theory assumes that law is the collective will and agreement of community members, who pledge to obey it.¹⁷ Hence, the law can compel individual actions by its provisions. Marriage is a legal act that creates rights and obligations for legal subjects. Sociologically, marriage can be understood as a physical and spiritual bond between a man and a woman in a marital relationship that carries social sanction power. Marriage is conducted based on applicable legal rules and societal norms. Law No. 1 of 1974 on Marriage is a positive law applicable to all citizens.¹⁸ The state grants authority for marriage conduct to the KUA for the Muslim community. On the other hand, there is marriage law prevailing in the Muslim community, which is religious law as found in fiqh books. Religious scholars or kyai hold the authority of marriage

¹⁶ Ibu Sariamah, *Interview*, May 15, 2021; Pak Jaiz, *Interview*, November 29, 2021.

¹⁷ Lili Rasjidi and Ira Thania Rasjidi, *Dasar-Dasar Filsafat dan Teori Hukum* (Bandung: Citra Aditya Bakti, 2007): 81.

¹⁸ Budy Bhudiman and Latifah Ratnawaty, "Tinjauan Hukum Terhadap Perceraian Karena Murtad Menurut Hukum Positif," *Yustisi* 8, no. 1 (May 1, 2021): 53–64, <https://doi.org/10.32832/yustisi.v8i1.4686>.

law in the religious domain because they are considered the inheritors of the prophets.¹⁹

Abou El Fadl distinguishes authority into two types: those who hold authority and those who possess authority. *First*, the authority holders (being in authority) occupy official or structural positions empowered to issue orders and directions. Others obey these holders of authority by displaying symbols of authority that create the impression that they are entitled to issue commands or directions. A person may disagree with the authority holder but has no choice but to comply. This obedience is based on recognition of the authority inherent in the person. This coercive authority involves the ability to direct others' behavior by persuasion, advantage-taking, threats, or punishment, leading rational people to conclude that they have no practical choice but to follow.²⁰

Submission to the authority holders is due to their official position or capacity. In the Indonesian context, the holders of marriage authority are KUA officials authorized to handle marriage matters based on applicable legislation. This authority originates from the state and is based on prevailing laws. The state appoints these officials and assigns them to implement marriage law institutionally within the KUA. The KUA assigns Marriage Registration Officers (PPN) to manage the administrative process of marriage registration, from registration, announcement, and recording to the issuance of marriage certificates. PPNs witness the marriage ceremony, subsequently recording it in the marriage book. If a marriage is not attended to and recorded by a PPN, it lacks legal strength and is considered invalid according to prevailing laws.²¹ Only registered marriages at the KUA will receive a marriage certificate as legal proof under state law. Consequently, if legal issues arise from the marriage, the couple cannot obtain legal protection from the state.

¹⁹ The authority of Islamic law in the early history of Tasyri' was the prerogative of Allah Swt. as contained in the verses of the Qur'an (See QS. al-An'am: 57; Yusuf: 40; al-Nisa': 65; al-Nur: 63; al-Maidah: 49; al-An'am: 57). Then the authority for Islamic legal legislation descended to the Prophet Muhammad Saw. as His apostle by explaining the verses of the Koran through its sunnahs (QS. al-Nisa': 59). After the end of the message of the Prophet Muhammad Saw. There is no longer a single authority in determining laws except through ijma'. In the course of the history of Islamic law, schools of jurisprudence emerged and the authority of Islamic law lay in the hands of the imams of the schools of thought. Wael B. Hallaq, *Authority, Continuity and Change in Islamic Law* (Cambridge University Press, 2001).

²⁰ Khaled Abou El Fadl, *Speaking in God's Name: Islamic Law, Authority and Women* (London: Oneworld Publications, 2001), 50.

²¹ Jaih Mubarak, *Modernisasi Hukum Perkawinan Di Indonesia*, (Antapani, Bandung: Pustaka Bani Quraisy, 2005): 87.

Secondly, those who possess authority (being in authority) are individuals with specialized knowledge, which is why laypeople submit their statements, even if they need help understanding the basis of these statements. Individuals may set aside their own opinions due to deference to those who possess authority and are seen as having superior knowledge, wisdom, or understanding. This specialized knowledge forms the basis for laypeople's submission to the statements of those who possess authority, even without comprehending the arguments behind those statements. Submission to those who have authority is due to their perceived expertise. This authority is persuasive, involving the ability to direct beliefs or behavior based on normative trust.²²

The holders of religious legal authority are religious figures such as ulama, kyai, or ustadz. The community views them as having good religious understanding and mastery of religious law. They become community references on various religious issues. According to Patoni, kyai is not only a reference in religious matters but also in matters outside of religion.²³ This authority stems from community recognition of kyai's religious competence and mastery of religious law. The community entrusts the marriage ceremony to religious figures, seeking their views on the legitimacy of marriage according to religious law. In the context of the Pekoren community, the holders of authority are the kyai and ustadz, who are also informal community leaders in Pekoren village.²⁴

In communities that conduct marriage ceremonies without involving the KUA penghulu as the holders of marriage authority, it is sufficient to involve kyai or ustadz as the holders of religious legal authority.²⁵ Religious figures act as marriage witnesses and sometimes as marriage guardians upon the bride's family's request.²⁶ Such marriages are conducted sirri or unregistered by the KUA penghulu. According to religious law, there is no provision for marriage registration, and it is not a requirement for a valid marriage. In religious law's view, marriage registration does not determine the validity of a marriage.²⁷

²² Fadl, *Speaking in God's Name*, 51.

²³ Achmat Patoni, *Peran Kiai Pesantren Dalam Partai Politik* (Yogyakarta: Pustaka Pelajar, 2007), 23.

²⁴ Ustadz Anshori, *Interview*, July 9, 2021.

²⁵ Mega Puspita and Abdul Wahab Naf'an, "Forced Marriage: The Authority of Custom Law in The Practice of Marriage In Kerinci, Jambi," *Al-Qisthu: Jurnal Kajian Ilmu-Ilmu Hukum* 20, no. 1 (2022): 51-63.

²⁶ Oktaviani and Arif Sugitanata, "Memberikan Hak Wali Nikah Kepada Kyai: Praktik Taukil Wali Nikah Pada Masyarakat Adat Sasak Sade," *Al-Ahwal: Jurnal Hukum Keluarga Islam* 12, no. 2 (September 22, 2020): 161-171, <https://doi.org/10.14421/ahwal.2019.12204>.

²⁷ Muslims view that a marriage is valid if it is carried out in accordance with the provisions of Islamic law as well as the laws that exist in society. See Pepen Irpan Fauzan and Ahmad Khoirul Fata, "Positivisasi Syariah

In some Pekoren Rembang communities, marriages are conducted with sirri without the presence or recording of KUA Penghulu; namely, sirri marriages are carried out by widows and widowers and bride and groom who are underage.²⁸ The community merely involves religious figures as guardians or witnesses during the marriage ceremony. Meanwhile, the Marriage Law requires the presence of penghulu and marriage registration during the ceremony. The state law only recognizes marriages recorded by Penghulu, with authentic proof as a marriage certificate.²⁹ Some marriage law experts have differing opinions on the validity of unregistered marriages. Some view marriage registration as an administrative requirement determining the validity of a marriage.³⁰ Despite differing opinions, the state does not recognize unregistered marriages at the KUA. If marital issues arise between spouses, they cannot obtain legal protection from the state.³¹

THE POSITION OF KYAI THE MUSLIM COMMUNITY OF PEKOREN, REMBANG, PASURUAN

The term "kyai" holds various meanings. Generally, it refers to a person respected for their mastery of religious knowledge. In certain regions, the term for such a person is different; for instance, in West Java, they are called "Ajengan," known for their role as teachers of Islamic knowledge.³² Similar terms in other parts of Indonesia include "Teungku" in Aceh, "Buya" in West Sumatra, "Bendere" in Madura, "Tofanrita" in Makassar, and "Tuan Guru" in Lombok.³³ In Javanese society, the title "kyai" is used for three different types of entities: sacred objects (e.g., "Kyai Garuda Kencana" in Yogyakarta Palace), elderly people, and individuals who are experts in Islamic religious knowledge, have Islamic boarding schools (pesantren),

Di Indonesia, Legalisasi Atau Birokratisasi?," *Jurnal Konstitusi* 15, no. 3 (November 19, 2018): 601, <https://doi.org/10.31078/jk1537>.

²⁸ Modin Pekoren Village, *Interview*, May 27, 2021.

²⁹ Abdul Manan, *Aneka Masalah Hukum Perdata Islam Di Indonesia* (Jakarta: Kencana, 2006), 17.

³⁰ Amir Nuruddin and Azhari Akmal Tarigan, *Hukum Perdata Islam Di Indonesia: Studi Kritis Perkembangan Hukum Islam Dari Fikih, UU No. 1/1974, Sampai KHI*, 1st ed. (Jakarta: Kencana, 2004), 123.

³¹ Siska Lis Sulistiani, "Analisis Yuridis Aturan Isbat Nikah Dalam Mengatasi Permasalahan Perkawinan Sirri Di Indonesia," *Tahkim (Jurnal Peradaban Dan Hukum Islam)* 1, no. 2 (October 31, 2018): 40-51, <https://doi.org/10.29313/tahkim.v1i2.4103>.

³² Indonesia and Pusat Bahasa (Indonesia), eds., *Kamus Besar Bahasa Indonesia Pusat Bahasa*, Ed. 4 (Jakarta: Gramedia Pustaka Utama, 2008).

³³ Ahmad Adaby Darban, "Rifa'iyah Gerakan Sosial Keagamaan Di Pedesaan Jawa Tengah Tahun 1850-1982" *Thesis*, (Yogyakarta, Universitas Gadjah Mada, 1987): 29.

and teach classical Islamic texts to their students (santri). This title is also given to individuals with extensive and profound religious knowledge (an 'alim).³⁴

The title "kyai," bestowed by the community, is given to individuals with specific criteria, such as old age and extensive religious knowledge. Unlike academic titles like bachelor's, master's, doctoral, or professor, which is obtained through educational achievements, the title "kyai" is recognized by the community for founders and leaders of pesantren who devote their lives to Islam, deepen their religious knowledge, and disseminate it through teaching activities.³⁵ According to Dhofier, the community gives the title kyai to an expert in Islamic religion who has a pesantren or serves as its leader and teaches various classical Islamic books to their students.³⁶ Nurhayati Jamas describes a *kyai* as a figure leading an Islamic boarding school.³⁷

In Pekoren, the term kyai is used for someone proficient in religion and older people. Pak Efendi, a Pekoren resident, differentiates between kyai and ustadz, stating that kyai are older (elderly) individuals who understand various religious issues, while ustadz are younger religious experts.³⁸ This age-based distinction is also noted by Ustadz Anshari, who mentions that Pekoren residents call someone a kyai if they are religious experts around 60 years old, whereas ustadz refers to young religious teachers.³⁹ According to Pekoren residents, the village lacks kyai since the elderly kyai have passed away.

Kyai are highly respected in society for their religious knowledge and role as religious teachers who can protect the community. They hold a high social status as religious elites or community leaders whose presence is always considered by residents. According to Keller and Kyai, community leaders possess three key attributes: authority to make decisions, Guardians of moral authority in the community, and prominent social figures.⁴⁰ The community expects kyai to be leaders who can develop reciprocal relationships and symbiotic interactions in social contexts. Kyai is seen as role models who reflect collective desires, aspirations, and

³⁴ Zamakhsyari Dhofier, *Tradisi Pesantren: Studi Pandangan Hidup Kyai Dan Visinya Mengenai Masa Depan Indonesia* (Jakarta: Pustaka LP3ES, 2011), 55.

³⁵ Imron Arifin, *Kepemimpinan Kyai: Kasus Pondok Pesantren Tebuireng* (Malang: Kalimasaheda Press, 1993), 13-14.

³⁶ Dhofier, *Tradisi Pesantren: Studi Pandangan Hidup Kyai Dan Visinya Mengenai Masa Depan Indonesia*, 55.

³⁷ Nurhayati Djamas, *Dinamika Pendidikan Islam Di Indonesia Pasca Kemerdekaan* (Jakarta: Raja Grafindo Persada, 2008), 55.

³⁸ E F, *Interview*, May 19, 2021.

³⁹ Anshori, *Interview*, June 30, 2021.

⁴⁰ Suzanne Killer, *Penguasa dan Kelompok Elit: Peranan Elit Penentu Dalam Masyarakat Modern* (Jakarta: Raja Grafindo Persada, 1995), 213.

societal dynamics. In Pekoren, kyai has the authority to make decisions on various matters, including village head elections. Gus Zaki recounts that during Kyai Zainal Arifin's lifetime, village head elections were held, and religious and community leaders gathered to discuss candidates. The community followed Kyai Zainal Arifin's recommendation for a candidate,⁴¹ Illustrating the high authority kyai holds as a religious and community leader. Kyai serves as guardians of moral authority and reflects community hopes and aspirations. As Killer said, kyai exists in society as a guardian of moral authority.⁴² Kyai understands community issues better since people often seek advice on personal and societal matters, enabling them to identify suitable future leaders.

The influence of kyai as community leaders has weakened following the passing of elderly kyai. The current generation of young kyai or "gus" has yet to inherit the influence and charisma of their predecessors. The religious knowledge of the younger kyai in Pekoren differs from that of the older kyai. According to Kyai Murtadho, the respect (ta'dzim) towards kyai in Pekoren has decreased compared to the past. This decline in respect is attributed to the community's preference for formal education institutions over non-formal ones like pesantren for their children.⁴³

THE ROLE OF KYAI THE MUSLIM COMMUNITY OF PEKOREN, REMBANG, PASURUAN

The role of kyai is described in Geertz's research as cultural brokers, filtering various information in the santri environment, disseminating good information, and discarding harmful information. Kyai may lose this role in today's rapid information flow. According to Achidsti, the existence of *kyai* in social dynamics will create a cultural gap with the surrounding community.⁴⁴ Geertz's view is criticized by Horikoshi, who sees *kyai* as agents of social change, primarily operating in cultural domains. Kyai functions more as maintainers of the social system, connecting modern and traditional communities rather than creators of systems, as Geertz suggested. Kyai is a barometer of essential authority vigilance, calming societal unrest when it arises.

⁴¹ Gus Zakki, *Interview*, December 30, 2021.

⁴² Killer, *Penguasa Dan Kelompok Elit: Peranan Elit Penentu Dalam Masyarakat Modern*, 213.

⁴³ Kyai Murtadho, *Interview*, December 2, 2021.

⁴⁴ Sayfa Auliya Achidsti, *Kiai Dan Pembangunan Institusi Sosial*, (Yogyakarta: Pustaka Pelajar, 2015), 54-55.

Martin Van Bruinessen explains the kyai's leadership role in religious spirituality, particularly as *murshid* in tarekat circles, where followers highly regard kyai for their spiritual expertise.⁴⁵ Zamakhsyari Dhofier studies the kyai's worldview in pesantren traditions, highlighting kyai as pesantren leaders with absolute authority over the teaching process.⁴⁶ Kyai are seen as sole owners of pesantren, founders, or successors. Endang Turmudzi highlights the evolving role of *kyai*, noting that they are involved not only in pesantren education, religious teachings, and preaching but also in politics and as *tarekat* leaders.⁴⁷

Kyai holds many societal roles due to their high status, respect, and influence. Their significant authority, supported by their charisma, makes them community pillars for various issues. The emotional bond between kyai and the community is supported by patronage relationships, with kyai as servants and the community as their santri. In Pekoren, kyai play diverse social and religious roles based on community perspectives and their positioning of kyai. Some roles of *kyai* in Pekoren society are:

a. Leaders of Religious Rituals

The active role of kyai and ustadz in Pekoren in religious rituals is linked to the community's devout nature. Religious activities are integral to their lives, fostering community solidarity. Regular religious activities, held weekly, are vital and symbolic for the community's harmonious living. Kyai. Abdullah notes, "With many religious activities, the Pekoren community lives in harmony."⁴⁸ As religious leaders, *kyai* encourage community participation in religious activities, serving as informal leaders and motivators for maintaining religious life.⁴⁹

Kyai leads daily religious rituals and recites sacred texts and prayers most fluently. In Pekoren, *kyai* leads five daily prayers at mosques or mushallas. New kyai or ustadz build mushallas and form new congregations to assert their status. Descendants of *kyai* continue their predecessors' roles, leading prayers and religious activities. For instance, Gus Zaki leads the Darussalam Mosque in Ketimang, and Gus Abid leads the Mahfudziyah Mosque in Pekoren. After Kyai Mas'ud died in 2021, his nephew took over the leadership in Ketapan.

⁴⁵ Martin Van Bruinessen, *Kitab Kuning : Pesantren Dan Tarekat*, 2nd ed. (Bandung: Mizan, 1995).

⁴⁶ Dhofier, *Tradisi Pesantren: Studi Pandangan Hidup Kyai Dan Visinya Mengenai Masa Depan Indonesia*.

⁴⁷ Endang Turmudzi, *Perselingkuhan Kiai Dan Kekuasaan* (Yogyakarta: LKiS, 2004).

⁴⁸ Kyai Abdullah, *Interview*, June 14, 2021.

⁴⁹ Ade Millatus Sa'adiyyah and Ibnu Wijaya Kusuma, "Peran Kyai Sebagai Pemimpin Informal Dalam Perubahan Sosial Masyarakat Desa Pematang Kecamatan Kragilan Kabupaten Serang," *Pro Patria: Jurnal Pendidikan, Kewarganegaraan, Hukum, Sosial, Dan Politik* 3, no. 2 (2020): 176-84.

Kyai's authority as village-level religious leaders has spread to *kyai* and *ustadz* in various hamlets, each leading local religious activities. No single *kyai* is seen as the most authoritative with strong village-wide influence like the older *kyai*. Currently, Pekoren lacks a *kyai* recognized as the most knowledgeable and elderly (*sepuh*) religious figure whose words and actions are universally respected and followed. Therefore, figures like Ust. Anshori, Pak. Satimin, Pak Efendi, and H. Hamim say there are no *kyai* in Pekoren now. The community has not entirely accepted young *ustadz* or *gus* as replacements for the previous *kyai* like Kyai Mahfudz, Kyai Zainal Arifin, and Kyai Rosyad.

The role of *kyai* in Pekoren as leaders of religious rituals aligns with Bruinessen's observations. Both Pekoren *kyai* and those in Bruinessen's study lead religious rituals. However, Bruinessen specifically focuses on *kyai* as *zikir* leaders in tarekat rituals, called *murshid*,⁵⁰ Whereas Pekoren *kyai* leads community religious rituals. Mursyid *tarekat* are believed to have a close relationship with the Creator. At the same time, Pekoren *kyai* is seen as the most knowledgeable in religious matters and proficient in reciting Quranic verses and ritual prayers.⁵¹

b. Religious Teacher

The role of *kyai* as an educator in religious knowledge is undeniable. *Kyai* are individuals with extensive expertise in religion, making them the go-to source for villagers and surrounding community members seeking religious education. Their broad and deep understanding of religious matters means *kyai* always have followers, both directly, in the form of *santri* studying at their *pesantren*, and informally, from community members who listen to their lectures or religious teachings.⁵² *Kyai* imparts religious teachings to the *santri* residing in the *pesantren*, the surrounding community, and the broader society.

Kyai Abdullah teaches religion through regular study sessions (*pengajian*) to the residents of Pekoren Indah housing. These sessions are held every Friday after Maghrib prayers at the Pekoren Indah mushalla. *Kyai* Abdullah reads and explains the book *Nuzatul Majalis*, which discusses ethics, fiqh, and Sufism. Additionally, he conducts study sessions for women's groups in Pekoren and Ketimang hamlets. These sessions are held every other Thursday afternoon, attended by around 50

⁵⁰ Bruinessen, *Kitab Kuning: Pesantren Dan Tarekat*.

⁵¹ Pak Satimin, *Interview*, June 30, 2021.

⁵² Turmudzi, *Perselingkuhan Kiai Dan Kekuasaan*, 95.

women, and occur in different residents' homes, focusing on the Tafsir Jalalain book.⁵³

The role of *kyai* as religious teachers aligns with Geertz's view that *kyai* function as "culture brokers." When *kyai* deliver religious knowledge, they not only teach religious doctrines about faith, morals, fiqh, and the Prophet's biography, which their followers must emulate. As religious teachers who also keep up with information developments and the negative impacts of the overwhelming social media flow, *kyai* provides sound advice to prevent the community from getting carried away by modern influences that can erode faith, cause moral decline, and weaken the spirit of worshipping Allah. As adherents of traditional beliefs, the *kyai* in Pekoren strive to maintain good traditions while adopting new and better practices.

c. Protector of the Community

The community views the *kyai* as knowledgeable about various matters, admired, and respected. When community members face multiple issues, especially religious ones and other problems, they seek advice from the *kyai*. The *kyai* is seen as capable of providing solutions to various problems they encounter. Patoni states that the *kyai* is an influential figure in the community, serving as a reference for religious issues and other matters outside of religious concerns.⁵⁴

As community protectors, *kyai* dedicate their lives to serving the people and are always ready to assist whenever needed. The services provided by *kyai* to community members are not limited by time, unlike village officials with specific and limited working hours. Villagers cannot request administrative services from village officials outside of working hours, but they can approach the *kyai* any time, whether in the morning, afternoon, or evening. The needs that drive community members to visit the *kyai* are varied. *Kyai* Murtadho shares that some people come to him requesting blessed water with specific prayers to calm their fussy children. Others seek his blessings before traveling for work outside the town. Some request prayers for family members who are ill, hoping for a swift recovery.⁵⁵

The reasons for visiting a *kyai* extend beyond those mentioned above. Sometimes, community members come to the *kyai* seeking blessings for their unborn child to ensure they become righteous. Others seek prayers for a smooth childbirth, ask for names for their newborns, choose auspicious dates for wedding ceremonies,

⁵³ Abdullah, *Interview*, May 27, 2021.

⁵⁴ Patoni, *Peran Kiai Pesantren Dalam Partai Politik*, 23.

⁵⁵ *Kyai* Murtadho, *Interview*, May 27, 2021.

or request special prayers (*ijazah wirid*) to facilitate earning a livelihood. Kyai Mahruz recounts that some people visit him simply because they miss him and want to see him.⁵⁶ A *kyai* is always ready to serve the community whenever needed, fostering a close emotional bond with the villagers.

Kyai Rosyad is an example of a *kyai* who serves as a protector of the community. He was a *kyai* close to the people, and many community members approached him with various issues, from personal problems to economic and family matters. Kyai Rosyad passed away in 2017, and the younger Gus Abid took over his role.⁵⁷ The Pekoren community views the status of a *kyai*, mainly due to their old age (*sepuh*), as pivotal for addressing the various issues the villagers face and their influence within the community.⁵⁸ As the successor of Kyai Rosyad, Gus Abid, who passed away in 2017, has partially replaced his father's position. The community has yet to accept him as an elder (*sepuh*), as indicated by fewer people visiting his home to discuss various life issues. Similarly, Gus Fuad and Gus Zakki in Ketimang have not inherited the charisma of their father, Kyai Zainal Arifin, who passed away in 2007. Kyai Zainal had a strong influence in the community and was often involved in making village government decisions.⁵⁹

KYAI'S AUTHORITY AND THE SHIFTING PARADIGM OF MUSLIM SOCIETY ON MARRIAGE PRACTICES IN PEKOREN, REMBANG, PASURUAN

Kyai occupies an elite position in the community's social structure due to their superior knowledge of religion and other fields. The environment and life of Javanese society, which acknowledges and upholds the culture of leadership, strengthen the position of *kyai* within the community. According to Achidsti, the *kyai*'s leadership in the community is based on local culture, religious teachings, and the cultural implications of religion.⁶⁰ Javanese culture values and respects the presence of a leader with certain superior qualities. Religious teachings place those with knowledge in higher regard than those without. These religious teachings imply that *kyai* should be respected and highly esteemed.

⁵⁶ Kyai Mahruz, *Interview*, December 2, 2021.

⁵⁷ Jaiz, *Interview*, May 27, 2021.

⁵⁸ Anshori, *Interview*; Pak Efendi, *Interview*, August 5, 2023; Satimin, *Interview*.

⁵⁹ Gus Zakki, *Interview*, May 27, 2021.

⁶⁰ Sayfa Auliya Achidsti, "Eksistensi Kiai Dalam Masyarakat," *IBDA: Jurnal Kajian Islam dan Budaya* 12, no. 2 (2014): 149-71.

In Javanese culture, the term '*kyai*' has been used to refer to leaders who are perceived to have certain advantages. However, in Javanese society, '*kyai*' often refers to individuals with expertise in mystical matters. The basic principle in most Javanese individuals is the importance of order and respect for social status, which is deemed crucial. In his book "*Javanese Mysticism*," Mulder emphasizes the importance of harmony as the foundation for Javanese interactions with their environment, including interactions beyond humans. According to Mulder, being Javanese means being cultured, understanding the ways of civilization, and being fully aware of one's social status.⁶¹ Essentially, Javanese individuals know the order of their social life. According to *kyai* Anam, Pekoren villagers respect and highly regard religious leaders and village officials.⁶²

Kyai holds a high status and occupies an elite social position as a religious leader in the community.⁶³ They are respected and highly regarded for their religious knowledge. The behavior and actions of *kyai* reflect their deep understanding, and community members always follow their words. The authority and charisma of *kyai* emanate from their religious knowledge, morality, and personality,⁶⁴ making it difficult for them to find employment in society. Thus, it is natural for the community to position *kyai* as role models, reflections, and shared aspirations.

The Pekoren community is religious and upholds religious norms.⁶⁵ They respect the prevailing religious norms, and their views on right and wrong behavior are always referenced to religious standards. These norms are integrated into the community's life and guide their behavior. Among these norms is the high regard for *kyai* and their involvement in religious and customary rituals. Marriage is a part of religious issues and is closely related to the customary practices of the community.⁶⁶

As an essential phase in a person's life, marriage always involves *kyai*. Like in other significant events like birth and death, *kyai* are always present in marriage ceremonies. The community invites *kyai* to thanksgiving (*tasyakkuran*) ceremonies

⁶¹ Niels Mulder, *Mistisisme Jawa: Ideologi Di Indonesia* (Yogyakarta: LKiS, 2001), 96.

⁶² *Kyai Syaikhul Anam, Interview*, December 30, 2021.

⁶³ Nur Lailatul Fitri, "Transisi Demokrasi Dan Mobilitas Vertikal *Kyai*: Potret Peran *Kyai* Sebagai Governing Elite," *Al Hikmah Jurnal Studi Keislaman* 8, no. 1 (2018): 99-111.

⁶⁴ Athok Murtadlo, "Kharisma Pendakwah Sebagai Komunikator," *Jurnal Spektrum Komunikasi* 7, no. 1 (June 24, 2019): 1-16, <https://doi.org/10.37826/spektrum.v7i1.24>.

⁶⁵ Jaiz, *Interview*; Anshori, *Interview*; Satimin, *Interview*, December 30, 2021.

⁶⁶ Abdul Qadir, *Jejak Langkah Pembaharuan Pemikiran Islam Di Indonesia* (Bandung: Pustaka Setia, 2004), 81.

for the birth of a child, hoping for the blessing of the kyai's prayers for the child's future life. Similarly, kyai are involved in funeral processes and post-death prayer rituals, serving as active participants in religious ceremonies. In Pekoren, kyai holds the status of religious leaders and community figures.⁶⁷

Marriage issues are not only matters between the individuals getting married and the families marrying their children. However, marriage is also part of a social problem that involves many people and the surrounding community, especially involving religious and community leaders. The community views kyai as religious figures, and community leaders must be involved in wedding receptions. Social facts show that no community member holds a wedding without involving kyai as religious and community leaders. According to Yasin, sirri marriages receive support from religious figures, and people will not dare to marry their children secretly without the presence of religious figures.⁶⁸

The community views the importance of the presence of kyai at every marriage ceremony procession because of the kyai's position as a religious leader and, at the same time, a community figure.⁶⁹ The community always involves kyai as representatives of religious legal authority when the marriage contract procession takes place. From the religious law perspective, a kyai at the ceremony procession signifies marriage legitimacy in religious terms. Kyai, as a community leader, also witnesses a marriage ceremony procession to become an authoritative information agent for community members, indicating that a marriage has occurred between a pair of men in the village.

Residents of the Pekoren community currently do not want only to be married by the kyai but also not to be attended to and witnessed by the head of the KUA.⁷⁰ Marriage through a kyai means that the marriage is not official or a sirri marriage. If there are Pekoren residents who ask the kyai to marry them, the community members are an elderly widow and widower. Pekoren residents who are elderly widows and widowers marry *kyai* or *ustadz* in small numbers. Kyai Murtadho said: "*sakmeniko mboten wonten sirri marriage in Pekoren ingkang takih nem*"⁷¹ (Currently, there are no sirri marriages among young Pekoren). This statement is intended for sirri marriages for Pekoren young men and women who are still of productive age,

⁶⁷ Kaur Kesra Pekoren Village, *Interview*, May 27, 2021.

⁶⁸ Yasin, "Kiai Lokal Antara Penghambat Dan Penyelamat Dalam Pelaksanaan Undang-Undang Perkawinan No. 1 Tahun 1974."

⁶⁹ Kaur Kesra Pekoren Village, *Interview*, May 27, 2021.

⁷⁰ Anshori, *Interview*; Jaiz, *Interview*, May 27, 2021.

⁷¹ Kyai Murtadho, *Interview*, May 27, 2021.

both sirri marriages which are solemnized by kyai between Pekoren women and Pekoren men, or Pekoren women and men from outside the Pekoren area.

Marriage is considered a sacred religious issue. Marriage ceremonies align closely with religious rituals, where the wedding process must meet specific conditions and pillars. The ceremony includes reciting the shahadah, marriage sermon, *ijab* and *qabul* (consent and acceptance), and closing prayers.⁷² This process underscores the community's view that marriage is a religious matter requiring the involvement of kyai as religious authority holders.

In every wedding ceremony, the community always invites kyai or ustadz. The kyai is seen as a representative of religious legal authority and the institution of religion. Therefore, the presence of *kyai* in wedding ceremonies symbolizes marriage legitimacy. The community views kyai as significant marriage witnesses whose approval validates the marriage according to religious law. While kyai conduct marriages, penghulu (state marriage registrars) also perform this role as state legal authorities. The state mandates that KUA oversee and conduct marriage processes for Muslims, recording marriages and handling related notifications. KUA officers (PPN) perform these tasks to ensure all administrative requirements are met. They oversee the wedding process, ensuring it complies with state laws and that there are no barriers to the marriage.

The role of kyai in Pekoren marriages has shifted recently. Unlike a decade ago, when *kyai* frequently officiated weddings, penghulu has taken over their role. The community now prefers practical wedding solutions, so they are delegating the ceremony to KUA Penghulu. As Gus Fuad notes, families request penghulu to officiate the wedding, deliver the sermon, and recite prayers.⁷³ Involving kyai in the wedding would increase costs. The community understands that penghulu are not just witnesses but penghulu as official state officers conducting the marriage process. The authority of kyai in marriage practices within the Pekoren community has experienced a significant decline. This weakening of authority can be attributed to three primary factors: the diminishing appreciation for pesantren graduates, the community's increasingly pragmatic attitude, and the heightened legal awareness among the community members. The following section will explain three factors that caused the weakening of the authority of the kyai in Pekoren society.

⁷² Modin Pekoren Village, *Interview*, May 27, 2021.

⁷³ Gus Fuad, *Interview*, August 4, 2023.

1. Declining Appreciation for Pesantren Graduates

The first factor contributing to the weakening authority of kyai in marriage practices is the declining appreciation for pesantren graduates. Ustadz Anshori has noted that the Pekoren community now values formal religious graduates more than pesantren graduates.⁷⁴ This preference shift reflects a broader educational orientation change among Pekoren's younger generation. Young people increasingly opt for formal education pathways, attending schools and universities rather than enrolling in pesantren.

Pesantren, or Islamic boarding schools, have traditionally been revered for imparting deep religious knowledge and values. However, there has been a growing perception that formal education offers better prospects in recent years. Formal education provides qualifications and skills that are more marketable in the job market. This perception is supported by various studies indicating that higher educational attainment is correlated with better employment opportunities and income levels.⁷⁵ As a result, pesantren are increasingly seen as less relevant in preparing students for modern economic challenges. This shift in perception has decreased the number of students enrolling in pesantren, weakening the traditional authority that *kyai* derives from their role as educators and leaders within these institutions. According to Amanda et al.,⁷⁶ The educational dynamics in Pekoren have shifted towards formal schooling due to perceived better economic outcomes.

2. Increasing Pragmatism in the Community

The second factor is the growing pragmatism within the Pekoren community. This pragmatic outlook is influenced by the socio-economic dynamics that have emerged over recent decades. The construction of the Pasuruan Industrial Estate Rembang (PIER) in Rembang since the 1990s has significantly boosted the local economy, creating new job opportunities and improving living standards.⁷⁷ As economic conditions have improved, the community's criteria for social status have also evolved. Today, an individual's status is primarily determined by their level of education and type of employment. This shift reflects broader trends in developing

⁷⁴ Anshori, *Interview*, May 20, 2021.

⁷⁵ A. Smith, *Education and Employment in a Changing Economy* (Routledge, 2018); Brown P. and Lauder H., *The Global Auction: The Broken Promises of Education, Jobs, and Incomes* (Oxford University Press, 2012).

⁷⁶ Amanda Y. Y., Sukamto S., and Towaf S., "Peran Pasuruan Industrial Estate Rembang (PIER) Terhadap Kehidupan Masyarakat (Sosial-Ekonomi) Desa Mojoparon Kecamatan Rembang Kabupaten Pasuruan," *Jurnal Integrasi Dan Harmoni Inovatif Ilmu-Ilmu Sosial (JIHI3S)* 1, no. 3 (2021).

⁷⁷ Y. Y., S., and S, *Interview*, May 20, 2021.

regions where industrialization and economic growth change social values and aspirations.

The increased economic opportunities have led to a more practical approach to life among Pekoren residents. Education and employment in formal sectors are now seen as more desirable, contributing to the perception that formal educational qualifications are more valuable than traditional religious education.⁷⁸ This pragmatic shift has further eroded the authority of kyai, as their traditional roles are less aligned with the community's new economic realities. Furthermore, the influence of industrialization in the region has been well-documented. Adawiyah noted that the economic shifts due to industrial development in Pekoren have led to significant changes in community values and lifestyles, aligning more with industrial and formal educational outcomes rather than traditional religious paths.⁷⁹

3. Increased Legal Awareness

The third factor is the increased legal awareness among the Pekoren community members. As educational levels have risen, so has the community's understanding of legal matters, including the importance of marriage registration. The legal implications of unregistered marriages, such as lack of state recognition and potential evasion of spousal obligations, are now more widely understood. Ust. Anshori said that the Pekoren people, when they were smart, knew the negative impacts of sirri marriage, so they did not want their children to marry *sirri*.⁸⁰ Legal awareness campaigns and educational initiatives have significantly influenced this shift. Studies have shown that increased legal literacy leads to greater compliance with legal norms and a stronger appreciation of legal processes.⁸¹ In Pekoren, this heightened legal consciousness has translated into a preference for officially recognized marriages conducted by KUA officials rather than traditional ceremonies led solely by kyai.

The formalization of marriage through legal registration ensures the protection of spousal and child rights, which has become a priority for many families. This shift has diminished the role of *kyai* in officiating marriages as the community increasingly seeks the legal security registered marriages provide. Additionally, Miftahul Ulum notes that the presence of KUA officials in marriage ceremonies has

⁷⁸ Ibu Sariamah, Pekoren resident, *Interview*, June 15, 2021.

⁷⁹ Adawiyah R., "Strategi Petani Bunga Sedap Malam (*Polianthes Tuberosa*) Dalam Menghadapi Pasar Di Desa Pekoren Kecamatan Rembang Kabupaten Pasuruan," *AntroUnairdotNet* VI, no. 2 (2017): 199–207.

⁸⁰ Anshori, *Interview*, May 20, 2021.

⁸¹ Tyler T. R., *Why People Obey the Law* (Princeton University Press, 2006).

become more prevalent,⁸² She was reflecting the community's preference for legal formalities over traditional practices. The weakening of *kyai* authority in marriage practices in the Pekoren community is a multifaceted issue influenced by declining appreciation for pesantren graduates, increasing pragmatism, and heightened legal awareness. These factors reflect broader socio-economic changes and evolving educational priorities within the community. As Pekoren continues to develop, the role of *kyai* must adapt to these new realities to maintain their relevance and authority in religious and social life.

CONCLUSION

This article concludes that in the Pekoren community of Rembang Pasuruan, the *kyai* hold an elite and respected position due to their religious knowledge, serving as spiritual and social leaders. They are crucial in leading religious rituals, teaching, and advising the community. However, their authority in marriage practices is declining as the community increasingly prefers state-registered marriages for legal guarantees, shifting this role to the head of the KUA. This shift reflects changes influenced by socioeconomic factors, education, and legal awareness. The research has limitations, including a narrow socio-legal focus, limited sample size, and lack of consideration for external influences like government policies and media. Future research should adopt a multidisciplinary approach, expand the focus to other aspects of *kyai* roles, and consider broader external factors to provide a more comprehensive understanding of the changing role of *kyai* in society.

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⁸² Miftahul Ulum, *Interview*, May 20, 2021.

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