



Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

Mubarik^{1*}, Suhar AM², Bahrul Ulum³

Universitas Islam Negeri Sulthan Thaha Saifuddin Jambi, Indonesia^{1,2,3}

Corresponding Email: mubarikmubarik306@gmail.com*

Received: 20-07-2024

Reviewed: 05-08-2024

Accepted: 20-08-2024

Abstract

In carrying out weddings, the Batanghari people carry out ceremonies according to traditions inherited from generation to generation from their ancestors, even though the majority of the Batanghari people adhere to the Islamic religion. However, in the implementation of wedding ceremonies, some traditions are still considered inconsistent with Islamic teachings, which in turn becomes a problem, namely that customs/traditions take priority over the Shari'a. As a religious society and the majority adhere to the Islamic religion, the values that dominate the wedding ceremony procession should be the Islamic teachings that they adhere to. These concepts will be researched about the traditions of the Batanghari community and Islamic teachings, especially regarding the process of traditional ceremonies at weddings. The method used is qualitative, with data collection techniques in the form of observation, interviews, and documentation. The results of this research are: (1) The process of implementing customs that apply in marriages in the people of Batanghari Regency is carried out comprehensively and systematically in nine series, the sequence of which includes caring for single children and girls, choosing a mate, negotiation period, handing over customary delivery. , the wedding ceremony, the day of anchoring the lek, the handover between the bride and groom, the teaching and reprimanding of the bride's *sapo*, and the *iwa*. (2) The philosophical basis of the existence of marriage customs and their implementation as a crystallization of the values upheld by the people of Batanghari Regency emerged due to several factors, namely the existence of harmony between customs and Islamic law, the formation of a community which supports the Jambi customary system, the role of LAM. (3) The perspective of Islamic law regarding the activities that take place in the marriage customs of the people of Batanghari Regency is in harmony with Islamic values. However, minor specific aspects in particular series experience expansion and even conflict with Islamic law.

Keywords: Existence, Customs, Marriage, Jambi Malays

Introduction

Marriage is an essential issue for human life because, in addition to marriage as a means to form a family, marriage not only contains elements of human relations with humans but also involves civil relations. Marriage also contains elements of sacredness, namely the relationship between humans and their God (Suroya, 2022). The basics of marriage are formed by the natural elements of human life, which include biological needs and functions, giving birth to offspring, the need for affection and brotherhood, and nurturing these children into perfect members of society (Science, 2023).

In the view of Islam, in addition to marriage as an act of worship, it is also the sunnah of Allah and the sunnah of the Messenger. Sunnah Allah means according to the *qudrat* and *iradat* of Allah in the creation of this nature. In contrast, the sunnah of the Apostle means a tradition that the Apostle has established for himself and his *ummah* (Ramlah, 2022). The marriage is performed forever until the death of one of the husband and wife. This is precisely what Islam wants. However, in certain circumstances, some things require the breakup of the marriage, in the sense that if the marriage relationship is continued, harm will occur (Isnaini, 2014).

In Article 1 of the Law. No. 1 of 1974 formulates that marriage is a physical and mental bond between a man and a woman as husband and wife to form a happy and eternal family (household) based on God Almighty. To conduct a marriage, it must fulfil the conditions and pillars of marriage, that marriage must be recorded and carried out in front of a Marriage Registration Officer to obtain legal certainty. A person who will carry out a marriage is required to notify the Marriage Registrar first. A person or the bride and groom can make the notification orally. With this notification, K. Wantjik Saleh argues that the intention to marry must also be stated about the prospective bride and groom's name, age, religion/belief, occupation, and residence. If one or both of the prospective bride and groom have been married, the name of the previous husband or wife must also be mentioned.

In customary law, it is stated that since God revealed man to the earth, he began his life in a family, society, and then a state. Since humans started a family, they have organized their lives and family members according to their customs. As seen from the development of human life, the occurrence of law starts from the human person who continues to develop into habits and habits that become a society's customs. Gradually, communities or groups of communities make it a custom that should apply to all community members so that it becomes "customary law". So, customary law is a custom that is accepted and must be implemented in the community concerned (Marliani & Rukmana, 2023).

Customary law is all favourable rules of behaviour that, on the one hand, have sanctions (that's why they are called laws) and, on the other hand, are not codified (that's why they are called adat). Meanwhile, Soerjono Soekanto provides an understanding of customary law as a complex of customs that are not written down (not codified) and are coercive (so that they have legal consequences) (Hafidz, 2022).

The existence of this customary law does not consider whether or not it will be recognized by state power; instead, it must emerge. The words "must appear" indicate the autonomy of customary law. So, following the provisions in the articles of the Constitution of the Republic

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

of Indonesia, it can be said that customary law is recognized for its existence or existence as long as the customary law is still alive and following the development of society and the principles of the Unitary State of the Republic of Indonesia. The source of customary law is the people's belief in belief, which is expressed among others in the form of customs decisions of the heads of the people. The critical source of Indonesian customary law is the people themselves; sometimes, there is a desire and attempt on the part of Indonesians to write about our customary law, which is just taking notes. In this case, we have to be careful because the records contain outdated customs that are no longer valid in the community, with the possibility that these customs are no longer alive in the people; some are influenced by religion, giving religion precedence over the original customary law; some are influenced by western law so that the records of customary law cannot be trusted (Mawaddah et al., 2023).

The customary marriage system in Indonesia consists of 4 existences, including first, *adat sebenar adat*. *Adat Sebenar Adat* explained that Adat is a Malay principle that cannot be changed. This principle is contained in the customary Sharia code. Customary law that contradicts Sharia law cannot be used, and the Sharia method is the primary basis for doing things. The point is that the foundation of Riau Malay customs wants its footing to be based on the Sunnah of the Apostle and the Holy Qur'an with the expression "Syarak Mangato, Adat Memakai", meaning that Sharia says or is contained in the holy book of the Qur'an and Hadith, while adat is following these Islamic religious teachings. That principle cannot be discarded or eliminated. Therefore, this is called adat, as accurate as adat (Erna et al., 2023).

The existence of true adat, or original adat in the form of natural law, cannot be changed by human reason and lust; in other words, it cannot be contested, so it is also said that it will not wither on the tread will not die, then the laws of Allah and His Messenger as true adat in *ujut syarak*, if damaged by humans will undoubtedly have fatal consequences, in the form of the destruction of human life itself (Sakdiyah, 2023). That is why the perpetrators or destroyers of the laws of Allah and His Messenger are threatened with a painful punishment. While Allah's law in this universe has shown itself as natural properties, this is also called sunatullah, and for example, there is no misguided, wrong way, no exclamation wrong elbow, day lah *disisik malam lah ditanda*, said the female family, there is no twig that nyucuk mata, there is no stump that falls on the head, minor has not been passed, gedang has not been disiang (Marisa, 2018).

The custom of marriage according to customary law, in general, especially in Indonesia, means that marriage is not only a civil bond but also a customary bond and, at the same time, a kinship and family bond. So the occurrence of a marriage bond not only has consequences for civil relationships, such as the rights and obligations of husband and wife, joint property, the position of children, and the rights and obligations of parents but also concerns customary relationships of inheritance, family, kinship and kinship as well as concerning traditional and religious ceremonies. It also concerns obeying religious commandments and prohibitions (Ningtyas, 2021).

Jambi is one of the areas where the majority of the population is Malay. It is called the Jambi Malay, and customary law communities have long been recognized. Jambi is an area where most of the population speaks Malay; like most Malay communities in other regions,

Jambi people are strongly influenced by customary law in their daily interactions. Its customary law is considered to have originated from the Minangkabau region in West Sumatra Province; there are some similarities in the words and basis of Jambi and Minangkabau customary law, but the usage is different, *ico pakai nan balain*. Another similarity is in the Jambi customary shorthand which reads: "adat bersendi syara', syara' bersendi kitabullah". Islam teaches that before the marriage contract takes place, the bride and groom must know each other. Knowing here means not just knowing but also understanding and understanding each other's personalities. This is considered important because the bride and groom will bind themselves in a marriage and form an "eternal" family without divorce. This is a very important issue for the permanence of marriage. Therefore, Islam provides guidelines on the *khithbah* very carefully (Putri et al., 2024).

Marriage for the Batanghari people is seen as very sacred, religious, and highly valued because marriage involves not only the inner and outer bond between a man and a woman but more than that. Marriage is a family relationship between the man and the woman who will form a more prominent family. This can be seen in the following statement: Marriage in Batanghari District is not only aimed at marrying the children we give birth to, but more than that, it is also about wanting to unite the two large families. It is also a way of making their lives good and blessed, respecting each other, loving, caring for and nurturing each other. One of the exciting phenomena for the Batanghari community is that they have a solid traditional commitment to conducting marriage ceremonies because, in addition to adhering to religious teachings, they also adhere to local knowledge that has been adopted and believed to be true for generations (Junikasari et al., 2024).

The influence of tradition in the community is so strong that everyone wanting to get married must obey and submit to the rules that apply, both derived from religious teachings and those made by humans themselves, because building a family in the Batanghari community is a big responsibility, something that must be done with careful consideration. Perhaps that is why the marriage custom is so sacred and celebrated with such a festive feast. No event is more sacred, and no party is more significant than a wedding, not even a death. The strong kinship (family clan) also makes marriage more complex because marriage is the union of two lovers and the union of two families (Darmuji & Arisman, 2020).

The purpose of marriage in customary law for Indigenous kinship societies is to maintain and continue offspring according to the fatherly or maternal line, for the happiness of the family or kinship household, to obtain cultural values and peace and to maintain inheritance (Alfarisi et al., 2023). In patrilineal customary kinship societies, marriage aims to maintain the paternal lineage, so the eldest son must perform a form of wife-taking marriage (with payment of honest money), where after the marriage, the wife joins the husband's kinship and relinquishes her customary position in her father's kinship structure. In matrilineal customary kinship societies, on the other hand, marriage aims to maintain the mother's lineage, so the eldest daughter must marry her husband. After this, the husband joins the wife's kinship and relinquishes his customary position in the kinship structure of his parents.

Similarly, the Batanghari community, in carrying out marriages, carries out ceremonies as traditions inherited from their ancestors, even though most of the Batanghari community

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

adheres to Islam. However, in the implementation of the wedding ceremony, some traditions are still considered irrelevant to Islamic teachings. What is often a problem is that customs/traditions take precedence over sharia. As a religious society and the majority of adherents of Islam, the values that dominate the wedding ceremony procession should be the teachings of Islam that they adhere to. These concepts will be examined concerning the traditions of the Batanghari community with Islamic teachings, especially regarding the process of traditional ceremonies in marriage.

Literature Review

The study of marriage customs and their implementation in the lives of the people of Batanghari Jambi Province according to Islamic law has received much attention from previous researchers. To the best of the author's knowledge, specific discussions about marriage customs and their implementation in the lives of Batanghari Jambi Province according to Islamic law have not been comprehensively studied. Therefore, this research is relevant and significant to be researched.

Furthermore, a literature review is needed from several previous works to distinguish and emphasize the special characteristics (character) and novelty in this research. According to Islamic law, there are quite a lot of studies on marriage customs and their implementation in the life of the Batanghari community in Jambi Province. Still, the author will present several scientific works that are considered representative and relevant to the title of this research, including:

1. An article by Akhyar Mubarak entitled *"How Does the Role of Customary Institutions Maintain Community Social Capital? (Case Study in Sarolangun Regency)"*. The results showed that the phenomenon of the application and practice of social capital concerning the norms and noble values of customs in society is quite alarming, marked by changes in behaviour that no longer hold fast and are guided by the noble values of customs.
2. An article written by Supian and friends entitled *"The Existence and Application of Malay Customary Law in Jambi City."* This research focuses on the existence and application of Malay customary law in Jambi city. The results of this study show that since its entry in Jambi, Jambi Malay customary law has been based on Islamic teachings. Pucuk induk undang nan lima is the basis of Jambi Malay customary law. In addition, four types of Jambi Malay customs are known. All customary provisions are sourced from the Qur'an and hadith. This is reflected in the traditional saying *"adat bersendi syarak, syarak bersendi kitabullah."* And the traditional saying *"syarak mengato, adat memakai."* In conclusion, Malay customary law has a vital role for the Jambi community as a guide and social control for the Malay community in Jambi city in addition to state law. Thus, with the awareness of customary law, harmony and order are created in society.
3. An article written by Sibawaihi entitled *"Jambi Malay Marriage Customs Urf Perspective in Ushul Fiqh Science."* The results of this study concluded that the position of customary law in the Jambi Malay community in Muara Tembesi Jambi District as an organizer and director in the community's social life is not contrary to Islamic law and even in harmony

- with Islamic law. For the Jambi people, customary law contains *maslahat*. It is used as an unwritten rule that must be obeyed and developed to be effective for the smooth running of government, development and society and strengthen national resilience.
4. The research report made by Nasution entitled "*Analysis of the Marriage Tradition of the Malay Community in Bandar Khalifah Village, Percut Sei Tuan District, Deli Serdang Regency According to the Perspective of Islamic Law.*" Based on the results of his research study, it was found that the marriage tradition of the Malay community in Bandar Khalifah Village, Percut Sei Tuan District, Deli Serdang Regency starts from the *risk* and review events, proposing or proposing, giving scorching money, putting up curtains to mark the start of work, *mengkhatam* al-Quran, *berinai* night, marriage ceremony, bridal escort event, pairing event, reading *marhaban*, *tampung tawar* event, prayer event, eating rice face to face, and bathing *berindam*.
 5. Lasma Juniati, et al.'s article entitled "*Seloko Aesthetics in Jambi Malay Wedding Customs.*" In the traditional wedding ceremony of the Jambi Malay community, *seloko* plays an essential role in the stages of the implementation of the traditional wedding ceremony of the Jambi people as a form of preservation of the Jambi Malay oral literary tradition which still prioritizes beauty and contains moral messages that can be used as guidelines for society and also for the two people who are united in a marriage bond.

Research Method

The research method used in writing this research is descriptive qualitative. The type of research is library research, namely collecting data or written work relating to the existence of marriage customs and their implementation in the lives of the Batanghari people of Jambi province in terms of Islamic law, which is literary. Qualitative descriptive research is a combination of descriptive and qualitative research. Qualitative descriptive research displays data results as original as possible without manipulation or other treatment (Moleong, 2018).

In Sukmadinata's explanation, the qualitative descriptive method is more directed at describing various natural or human-engineered phenomena, focusing more on the characteristics, quality and interrelationships between activities. On the other hand, descriptive research does not provide treatment, manipulation, or changes to the variables studied but instead describes a condition as it is. The only treatment is research carried out through observation, interviews, and documentation (Soendari, 2012).

Meanwhile, Satori revealed that qualitative research was carried out because researchers wanted to explore phenomena that could not be quantified which were descriptive, such as the process of a work step, the formula of a recipe, the meanings of various concepts, the characteristics of goods and services, various images and styles—the procedures of culture, the physical model of an artefact and so on. Sugiyono, in his explanation, said that descriptive qualitative research as a research method is based on post-positivism philosophy, which is usually used to research natural, objective conditions where the researcher acts as a critical instrument (Qamar et al., 2017).

The aim of this research is for readers to find out about the existence of marriage customs and their implementation in the lives of the people of Batanghari, Jambi province, in terms of

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

comprehensive Islamic law from various angles so that it is hoped that readers in their daily activities can be motivated to carry out Islamic law according to its rules and find Islam as a true religion. Dynamic, humanist, elastic and egalitarian or *shalihun likulliz Zaman Wal Makan*.

Result and Discussion

A. Islamic Law Perspective in the Marriage Selection Procession (Introduction Period)

1. Visit

In the proposal rules, this does not mean the proposal is free to have a relationship. However, in proposing, there are also rules and ethics. Because the proposal is only binding to strengthen the agreement to enter marriage and conduct research within the limits of Islamic law (Umar et al., 2023). Then, the purpose of marriage in customary law is almost the same as in Islamic law: to maintain and continue offspring together, to achieve a happy family in marriage, neighbours and relatives, to obtain cultural values and peace, and to maintain inheritance. After that, the aim of marriage in Islam is more directed towards upholding Islamic law, namely to form a *sakinah* family and offspring, to protect oneself from immoral acts, to create a sense of love for husband and wife, family, and to fulfil sexual needs, as well as carrying out Prophet's *sunnah* (Marliani & Rukmana, 2023).

It can be understood that the *ḥadīs* explains the advice to a man who wants to get married to pay attention, recognize and assess whether a woman will be a potential life partner. Apart from that, the *ḥadīs* also strongly recommend those who want to get married prioritize choosing a woman whose religion is better than her wealth, heritage, and beauty, which is not solely worldly-directed. The proposal or sermon is the initial process before entering into a marriage. Choosing and establishing someone as a life partner lies with both parties. Both women and men. A choice will produce good results if it is implemented through a process of in-depth research into the behaviour and daily life. This makes it easier for them to adapt their characters and tolerate each other when married.

Based on the results of the author's interview, *batajang* breaks from traditional provisions and is not common in Islamic law, such as a man coming to the house of a woman he likes until late at night, even until dawn, of course, this violates Islamic law, in general, both men and women can meet. When meeting, women must be accompanied by their *mahram*. Based on a report from Ibn Abbas, he heard the Prophet SAW say:

"Never mind When a man is alone with a woman unless the woman is accompanied by her mahram, and it cannot be a woman travelling to except with mahram".

Customs that must be maintained do not conflict with the Al-Quran and *Sunnah* and contain benefits. Given Islamic law, the *ulama* recognizes the existence of *fiqh* rules, which read: *"That data can become a legal basis."* If it has become a custom or tradition in the study of *Ushul Fiqh*, "customs or customs" that apply to a population with legal consequences are called *urf*, namely the habits of most suitable people in words and deeds. In understanding *urf*, things that are habitual and followed by many people, whether in the

form of words or deeds, are repeatedly done so that they leave an impression on their souls and are well accepted by their minds (Sibawaihi & Baharun, 2017).

According to Islamic Law regarding the *batadang* custom carried out by the people of Batang Hari Regency so that it is accepted as law, it can be seen from two aspects, namely whether *urf* these are included *authentic RF* or *urf facade*. *Urf is authentic* and a custom that prevails in society. It does not conflict with the texts of the Qur'an and hadith, does not eliminate their benefit, nor does it bring harm to them. Whereas *urf facades* a habit contrary to the postulates of Sharia' and the basic rules contained in Sharia'.

The negative impact of the *batadang* tradition is that the *batadang* tradition is a tradition that can lead to adultery. As mentioned by one of the sources, there have been cases of pregnancy out of wedlock. So, it can be concluded that the *Batandang* tradition has provisions in Islam, namely that men visit the woman's house they like, bringing close relatives to get to know the woman and her family better to find a life partner. However, the reality that has occurred up to now in Talang Perigi is that the implementation of *batadang* is contrary to the text because it leads to adultery.

Batandang has benefits but can also cause harm. Meanwhile, denying damage and drawing conclusions is prioritized. As stated in the rules of fiqh: "*Rejecting damage takes priority over taking advantage*" This rule explains that if an action contains benefits or benefits and harm (damage) simultaneously, then the priority is to eliminate the harm. This is due to a more significant problem. *Sermon* In Islam, it is highly recommended that those who want to get married to achieve their goals in Islam must pay attention to the conditions that have been determined in the proposal. In a custom or culture, the aim is to achieve the desired marriage. The sermon in *munakahah* fiqh is a clear statement of the desire to get married and is the step towards marriage (Hidayati, 2019).

The kindest and most careful person is the person who does not enter a place before knowing the good and bad atmosphere of the place he is about to enter. Introduction before marriage is not limited to whether or not the desired potential partner is beautiful or good, but knowing and understanding other characteristics is also very necessary by truly and honestly interviewing the people closest to him. The proposal can provide an opportunity for both parties to carefully study the morals, personality, habits, and possibilities of each party so that they feel satisfied. A marriage preceded by an application process like this can produce stability and agreement. For the good of married life, prosperity and enjoyment, a man should first see the woman he is going to propose to determine whether the proposal will continue or be cancelled.

On the other hand, the *begareh* custom is not in harmony with Islamic law when there is one stage of this custom that misuses Islamic law. The stage after the two agree between a man and a woman who like each other. In this case, there is the possibility of something that is prohibited by religion, namely having seclusion with the opposite sex who is not the mahram and is not accompanied by the mahram (Pattiroy & Salam, 2008). The impact arises from the community in Batang Hari Regency, especially young people who generally know little about their religion. Apart from that, there is another side that has been influenced by

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

current developments in the field of technology and has entered foreign culture so that the situation has become increasingly out of control, considering the begareh custom as a place to find entertainment, or a place to date and so on. This custom is the legacy of the ancestors of the people of Batang Hari Regency and must be maintained as authentically and adequately as possible. If an element is prohibited by Islamic law, it can be corrected (Ningtyas, 2021).

In Sad's theory of *az-Žari'ah*, the definition put forward by al-Syatibi that *az-Žari'ah* is doing a job that initially contains evil, meaning that someone doing a job is permissible. Because it contains a benefit, but the goal to be achieved ends in a benefit, therefore *az-Žari'ah* means closing all roads that lead to evil, because Sadness *az-Žari'ah* means closing all paths to benefit, *az-Žari'ah*. In terms of social welfare, Ibn Qayyim divides it into two; (1) The action leads to harm; (2) The act is permissible but is used as a way to carry out an act that is haram (P. Muhammad & Ridwan, 2021). Based on data collected by the compilers found from the field. The begareh custom is a custom that brings benefits. This is because it is clear that custom is an effort to get a future wife and a future husband. This action goes through a research process regarding the targets you want to achieve first when finding a life partner. With a process like this, of course, every young person who takes part in begareh activities will know in advance the disadvantages of being a husband and wife.

Then, in Begareh, there is also great pressure on bachelors and girls to maintain manners. This is so that you have more value in finding a soul mate. This can undoubtedly maintain boundaries in social interactions to avoid things you don't want. Then, in terms of supervision and control, in ancient times, begareh was still significantly suppressed, and customs were still powerful with the norms that had been in force in Batang Hari Regency society, especially the role of parents and family towards children was still mutually guarding and controlling. Apart from that, the role of the community is still very unified in maintaining order in begareh (Ikrom, 2019).

So, the author's observations regarding the things collected above follow Sad's theory *az-Žari'ah*, namely in the fourth point. This point talks about a permissible job. Then, the third point talks about legal actions that are permissible and not aimed at evil. However, these actions will sometimes lead to evil and show that the people of Batang Hari Regency still do not understand Islamic law, especially regarding finding a soul mate, proposing marriage and related to the possibility of marriage. This will lead to more significant negative impacts if this implementation is not in harmony and line with Islamic law. Hence, the begareh custom is no longer worth maintaining because it will cause more significant harm than its benefits if not addressed unless this custom can be maintained if it does not cause adverse impacts or harm.

2. Sympathize Pantun

Jambi Province, which is rich in art, includes Batang Hari Regency. The art of "reciprocating *pantun*" (*besimbat pantun*) is one of the arts practiced in Batang Hari Regency. In traditional marriages among the people of Batang Hari Regency, this custom is often used as a means of communicating or conveying messages and goals. Since the time

of the Jambi sultanate, people have exchanged rhymes with each other. Researchers were able to learn from three informants during interviews that religious rhymes, advice, and witty is a type of pantun too often used in Jambi Malay wedding traditions. The sheikhs also included religious rhymes, advice, and witty in a similar poem. Para Sheikhs usually use isipantun which are created spontaneously in their poetry. So that their listeners don't get bored, the sheikhs add limerick content to make the rhymes more interesting (Ridwan, 2020).

The word "effective" indicates effectiveness. Effectiveness can also be viewed as a measure of achieving goals or tasks. It is less understood that meaningful effectiveness measures goal achievement. If the goal is achieved, the effort is considered adequate. According to the study, some data was collected from informants, and each informant received interview transcripts. Results of an interview with Abi Kuya Ali, Tgk. M Yusuf and Isaac. According to sources, something like that is said to be effective if its implementation succeeds in entertaining the audience or people watching. Because tradition is a priceless inheritance from our ancestors, it is a custom at weddings in Batang Hari Regency to exchange rhymes.

As a group of people maintaining the tradition of reciprocating rhymes (*seumapa/bersimbat*) is to introduce *bersimbat* rhymes to today's younger generation with different forms and contents of rhymes so that when they are carried out, they do not make the audience or audience bored, and can also arouse public interest, especially among teenagers, in learning about the tradition of reciprocating rhymes (*simbat* rhymes) and can continue this tradition.

3. Escape

Islamic law is a regulation taken from revelation and formulated in the four products of fiqh legal thought, fatwas, court decisions, and laws guided and enforced by Muslims in Indonesia. Islamic law also became an independent legal system used in Islamic kingdoms in the archipelago. It is not an exaggeration to say that in the period long before Dutch colonialism, Islamic law was a positive law in the archipelago. On several occasions, ordinary people often use Islamic law as a translation of Islamic law or Islamic fiqh. So this understanding is very narrow because the meaning of sharia is not only the legal aspect but also the i'tiqadiyah and khuluqiyah aspects. It also implies that the legal values in the discussion of Shari'a are qath'iy (absolute truth, applicable at every time and place). In this case, Islamic law does not adhere to aspirations because, like it or not, the law is like that.

Meanwhile, if Islamic law is identified with Islamic fiqh, then the law in question includes the discussion of ijihad, which is dzonni. It does not include Islamic law in the sense of sharia, which is qath'iy. So, Islamic law generally protects religion, soul, mind, lineage and property. In this way, the scholars also divide the scope of Islamic law (fiqh) which is divided into two, namely, Ahkam Al-Ibadat are the provisions or laws that regulate the relationship between humans and their God, for example, prayer, fasting, zakat, hajj, nadzar, oaths. At the same time, Ahkam Al Mu'malat is provisions or laws that regulate relationships between humans (creatures), for example, laws regarding people and family

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

law, such as marriage law, relating to objects, Islamic Criminal Law, Procedural Law, Constitutional Law, International Law, Economic Law and others.

4. Arranged marriage

In essence, all marriages are expected to bring happiness to every person who gets married, as is the case with weddings in Batang Hari Regency, which are permitted to get married and build a good household. In marriage, of course, several principles in Islam are adhered to. Likewise, when looking at matchmaking, Islamic law also adheres to several points considered in the matchmaking family in Batang Hari Regency. The phenomenon of arranged marriages in Batang Hari Regency tends to be parents who find a mate for their children, but they get various responses from children; some children accept arranged marriages from their parents based on compulsion so that in marriage, there are often arguments, misunderstandings and also a lack of compatibility. , and often ends in divorce. Some children accept arranged marriages because their parents have already chosen a partner, and they feel it is the best for them, and their marriage lasts until now.

Marriages that occur based on arranged marriages usually mean that parents feel they have guardian rights because of the power or rights inherent in guardians who can marry their children to whomever they wish. As stated by Aini's father, he said that by marrying Aini's daughter to a man of her parent's choice, her daughter would be able to live happily, peacefully and prosperously with that man because he was considered to come from a family and lineage that had long been well known and said to be well-off. Even other people already know about the condition of this man's family. However, it turns out that the partner chosen for their child is not the best match (F. Muhammad et al., n.d.).

In matchmaking, the people of Batang Hari Regency are more dominant in the endogamous type of matchmaking because there are still many elements of kinship or *co-sekufu* in the decision-making steps in marriage. However, some use exogamous matchmaking. From the results of interviews with the respondents themselves, endogamy and exogamy produce harmonious and disharmonious households.

In households in Batang Hari Regency, there are several harmonious and disharmonious households in arranged marriages. Arranged marriages also occur due to several underlying factors, namely customs, social status, economics, and agreements. In Islam, Rasulullah SAW recommends that when choosing a soul mate, you must pay attention to several things, including religion, lineage, face and wealth. This is also included in creating household harmony in Batang Hari Regency, which follows Al-Adalah, which means fairness in building an understanding between husband and wife, having an attitude of tolerance or respect for each other, and complementing each other. As explained in the Al-Qur'an Surah Al-Baqarah verse 187 as follows:

Meaning: "It is permissible for you to mix with your wives on the night of the fasting month; they are clothes for you, and you are clothes for them. Allah knows that you cannot control your lust. Therefore, Allah forgives you and forgives you. So now join them and follow what Allah has ordained for you, and eat and drink until the white thread becomes clear to you from the black thread, namely dawn. Then complete the fast until (comes) evening, (but) do not interfere with them while you are

performing I'tikaf in the mosque. That is Allah's prohibition, so do not approach it. Thus Allah explains His verses to people so they become pious." (QS. Al-Baqarah: 187).

From several explanations submitted by respondents in Batang Hari Regency, it can be analyzed that in reviewing Islamic law itself, the practice of matchmaking in Batang Hari Regency already complies with the principles of marriage and its basics. However, in a household, arranged marriages can also create a less harmonious household due to several obstacles caused by the failure to fulfil the principles of marriage. Also, in matchmaking itself in Batang Hari Regency, Endogamous matchmaking is more dominant. However, this does not rule out the possibility that endogamous marriages can also result in less harmonious families.

B. Islamic Law Perspective in the Marriage Determining Procession (Deliberation Period)

1. Upright Batuik Sitting Betanyo (Proposing)

The Malay tradition of proposing marriage or proposing also aligns with Islamic teachings. The proposal or sermon is the gateway to marriage. The legal proposal is Sunnah. In the traditions of Malay society, several girls or women cannot be proposed to, as follows:

- a) A woman who is forbidden from marrying this man.
- b) A woman who has been proposed to by someone else.
- c) Women who are currently in the iddah period.

Furthermore, the traditional event of delivering forfeited money sincerely assists the woman's family, who will prepare all the wedding events and receptions in the form of money that has been discussed together. This is also based on Islamic teachings, which recommend helping each other to do good deeds. Meanwhile, marital activities are acts of virtue. The burnt money indicates that the man's and the woman's families have the same views of a joint will, and there is mutual help (*ta'awun*). In Islamic teachings, helping each other is highly prioritized. Helping fellow relatives and friends is an important teaching to build brotherhood and unity among Muslims.

2. Bind to Promise Semayo (Swap Rings)

Marriage is Sunnatullah and one part of the life of creatures called humans. Good offspring will be born from this legal bond by holding a marriage. As for the syara': Marriage is a contract of handover between a man and a woman to mutually satisfy each other and form a sakinah household and a prosperous society. The goal of a good marriage will always result in a good domestic life as well. However, if the intended goal is initially wrong, it may cause many problems in the marriage. Marriage is the Sunnah of the Prophet, so in determining everything related to marriage, you must follow what the Prophet stipulated in His Sunnah, and humans must not make their own rules based on their desires.

Sermon is one of the beginnings of the pre-wedding process. A sermon is a statement or request to marry a prospective partner, whether made by the man or woman directly or through the intermediary of another party they trust under religious provisions. Concerning

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

khitbah, most ulama think that khitbah is not obligatory but only recommended (mustahab), whereas according to the Daud az-Zahiri school of thought, it is obligatory. The exchange of rings in the sermon does not come from a Muslim tradition but from a Christian one.

The hadith mentioned above was declared authentic by Al-Albani in Ash-Saheihah. So far, the practices in village communities in Batang Hari Regency are not under the provisions of Islamic law. Before the proposal is made, the man and woman get to know each other better by going through a process called "courtship". Frequent meetings in places unknown to others characterize this process. The purpose of this meeting was only to discuss each other's problems and, not least, to channel their desires (Yahya & Rahman, 1979).

This method will, of course, have negative implications. Firstly, it will give rise to slander; Second, the tendency to commit immoral acts that lead to adultery; Third, it is an insult to the sanctity of the dignity of Muslim young men and women who are essentially in purity (*fitrah*). Before holding a wedding, the people of Batang Hari Regency have their tradition in terms of its implementation, namely the Ring Exchange Tradition, which is a procession of giving rings to the bride and groom during the application procession, which each family witnesses as a symbol of interest or commitment to move towards a more serious direction (marriage).

In this event, many things were not following the teachings of the Islamic religion, including the use of gold rings and the belief that these rings were a means of binding their relationship. A marriage proposal occurs after the sermon is carried out, and the woman accepts the proposal. The marriage proposal in Batang Hari Regency is marked by an official proposal, which in Batang Hari Regency terms is called *naleni*. In this event, the male suitor usually brings his family and neighbours to the house of the woman who will be proposed to by bringing several types of cakes or snacks. The exchange of rings is less important as a symbol of binding the sermon. After the application is completed, the marriage proposal is formal.

The legal status of men and women in a marriage relationship is: "*ajnabiyah*". This means the relationship between men and women who are not mahram has specific provisions or boundaries that must not be violated. Violation of legal provisions means committing a sinful act. There is no reason whatsoever to bargain in legal matters. Islam provides that haram laws will not change to halal as long as the reasons given are not accepted by sharia. "However, in certain situations and conditions or emergencies, the law provides concessions from what is not permitted to what is permitted. However, the permission form must also go through procedures determined by Sharia.

C. Islamic Law Perspective in the Customary Handover Procession

1. *Delivery Belanjo* (Obligations of Single Children)

Islamic law recognizes custom as a source of law because it is aware that customs and traditions have played an essential role in regulating human life among members of society. Customs and customs are also unwritten laws but are strictly adhered to by the community. In people's lives, many activities and rules come from their ancestors. This custom or tradition has been passed down from generation to generation and is still maintained today.

In practical human activities, tradition is essential. The function of tradition is to provide guidelines for action and provide each person with behavioural values according to applicable customs or customs.

Regarding the tradition that applies in Batang Hari Regency, namely the tradition of giving delivery goods, it cannot be abandoned, and it has become an unwritten law passed down from generation to generation that applies to the local community. The implementation of the tradition of giving gift items, even though it is not stated in Islamic law, is not contrary to Islamic law and does not damage the faith because one of the functions of giving gift items is as a sign of capability or a sign that the groom is ready to become a leader and take responsibility. burden of responsibility as head of household. Customs like this are called *al-Urf al-Shahih*, which are excellent and correct and can be used as legal considerations.

2. *Lembago in Pour* (Women's Party)

Many other hadiths indicate the importance of ease and simplicity in the wedding procession. At first glance, the understanding of these hadiths seems to contradict the wedding ceremony practices of the Jambi Malay community. But is that true? H. Hasan Basri, an *Depati Setio* traditional family elder, denied this. According to him, the wedding ceremonies of the Jambi Malay community have very valuable philosophical values. Moreover, custom is not something that is rigid and must be fulfilled as written.

According to him, Jambi Malay customs, apart from being closely compatible with Islam, also have flexibility in their fulfilment. He gave an example of one of the requirements for marriage in marriage: the presence of seven eagles. However, according to custom, this does not have to be fulfilled. Customs dispense to replace eagles with chickens because it is challenging to get eagles. The example he gives, of course, does not answer other accusations of wastefulness, for example, regarding the sowing of turmeric rice and the procession of stepping on a buffalo's head, which can no doubt give rise to slanted views among those who do not yet understand the philosophical meaning and the basis of its beliefs (Olivia, 2014).

Munsarida researched the Jambi community's wedding customs in his article "Implementation of Islamic Values in the Customary Wedding Procession of the Jambi Malay Community in Telanaipura District. This research is said to be descriptive qualitative research. This research is field research conducted in Batang Hari Regency. This research concludes that marriage is valid according to the Jambi traditional community if it meets the provisions of custom, religion and applicable laws and regulations. This research does not clearly explain the philosophical basis according to custom in each stage of the Jambi Malay community's wedding ceremony and the philosophical basis according to *syarak* in each stage of the Jambi Malay community's wedding ceremony (Karim, 2017).

Nurhasanah once wrote something similar in *Symbolic Expressions of Jambi Traditional Seloko*. In an article that appears to be adapted from the thesis in question entitled *The Symbolic Meaning of Seloko Adat Jambi: A Philosophical Review*, Nurhasanah succeeds quite well in explaining the symbolic meaning implied by the marriage system of the Jambi community, namely the cycle of life. According to him,

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

marriage symbolizes the cycle of human life, which is considered sacred by the Malay people of Jambi, namely birth, marriage, and death. Apart from that, marriage is also a cyclical ritual of passage (passage rites) for a person from one socio-religious group to another group, where this is reflected in the traditional *seloko-seloko* which is used when handing over the bride and groom, showing off and reprimanding each other. *sapo* and *iwa*.

D. Islamic Law Perspective in the Marriage Contract Procession

Then, the marriage tradition of the Malay community in Batang Hari Regency in the *bernai* event, which starts with reading verses from the Koran and praying has a sincere meaning that for the success of the wedding event the next day the family asks Allah SWT, who the neighbours also help. Reading the Koran is one of Allah's commandments to keep misfortune away from the family. Islam recommends that every effort undertaken be accompanied by prayer, starting by mentioning the name of Allah SWT. *Bernai* is a symbol of the commitment of a man and woman to end their single life and desire to live together. For this reason, the henna leaves in women are the same as those in men. *Berina* also shows beauty, and Allah loves the beautiful. Next is the marriage procession.

In the Jambi Malay tradition, a person is recognized and authorized to build a household if they have gone through a ceremony or marriage. In this way, the person is protected from various forms of slander, which are very taboo in the life of the Jambi Malay community. The process of a person's life through the stages of matrimony/marriage is the chain that links two families. Therefore, marriage is highly recommended according to Islamic teachings. In Malay tradition, guardians and witnesses from both parties must attend the marriage process. This is in line with Islamic teachings regarding marriage. In Islam, it is explained that unmarried men or unmarried women should be assisted so that they can marry. Thus, it is clear that marriage is a command of Allah SWT that believers must follow as part of an act of worship. This means that marriage is a *sunnatullah* that glorifies humans so that they are not the same as other creatures of Allah SWT in giving vent to their lusts. If someone is not able to get married, then he should fast.

E. Islamic Legal Perspective in the Hari Lek Procession

1. Procession (Belarak)

Kompang is the name of a percussion musical instrument, such as a tambourine. This musical instrument is thought to have been brought by Arab immigrants to the archipelago in the 13th century. Kompang has become a traditional musical instrument generally played at Malay wedding ceremonies, including Jambi. In Batang Hari Regency, Kompangan is accompanied by Islamic poetry such as *salawat* and *pantun*. Even though instrumentally *kompangan* is not part of Islamic culture, it becomes an Islamic event and culture when the game is always accompanied by Islamic poetry. The unity of the three traditions above manifests the local wisdom possessed by the ancestors of the people of Batang Hari Regency. The ancestors saw that nothing should be eliminated from any of these traditions.

This wisdom was then continued by the next generation even though the society had changed to become more Islamic. Even though many rituals considered *shirk* were eliminated during the 80s and 90s, religious teachers found other ways to maintain the

Belarak tradition. Even though it has undergone quite significant changes, this is what makes Belarak remain sustainable. For this effort to be realized, collaboration must be carried out between traditional and religious groups. For indigenous people, traditions must be maintained because they are an identity that must be preserved.

Meanwhile, traditional religious people must be free from shirk rituals prohibited by religion. Because indigenous people realize that the basis of Jambi customs is ABS-SBK, this change does not cause significant friction between traditional and religious groups. In other words, ABS-SBK is vital to realizing the collaboration between tradition and religion.

Tambourine or, also called tambourine music, is a form of artistic tradition with strong Islamic nuances among the people of Jambi City. Hadrah is usually played to accompany brides and grooms, baby shavings and other religious events. Initially, Hadrah was used as a form of media to spread or broadcast the Islamic religion. As time progressed, this art began to be used at various events such as the Prophet's birthday, wedding processions, shavings and welcoming grand guests.

Hadrah art itself has a philosophy of harmony between art and religion. Hadrah is an art that becomes a medium for the spread of the Islamic religion, connecting and harmonizing the spread of the Islamic religion through art. Hadrah is an art with Islamic nuances featuring the accompaniment of the tambourine musical instrument, the chanting of poetry, and the praise of Allah SWT. and the prophet Muhammad Saw. Hadrah can be a means of spreading Islam, which contains cultural values. Hadrah, apart from functioning as art, can also be a means to stay in touch and build friendships between fellow citizens because there is a process of interaction and communication when Hardah's activities occur.

2. Marhabanan event

The *marhaban* event carried out by the Malay community in the tradition of marriage does not conflict with Islamic teachings. Because the poetry in the Barzanji and Marhaban readings is about the history of the life of the Prophet Muhammad. Marhaban was once delivered when the people of Medina welcomed the Prophet Muhammad, and the Prophet Muhammad migrated from the city of Makkah to the city of Medina. Likewise, in Malay tradition, the arrival of guests, namely the groom, who will enter the bride's house, is a guest of honour.

Therefore, the guest of honour must be welcomed voluntarily by reciting Al-Barzanji and Marhaban to welcome the noble guest. Apart from that, reciting Marhaban is also part of Islamic art and culture. Because in ancient times, when the Indonesian nation had not yet made progress, there was no entertainment; reciting burdah and barzanji was part of the entertainment for Muslims. Moreover, the contents of the barzanji are Islamic.

3. Face-to-face Eating Event

The tradition of eating face to face also does not conflict with the Islamic religion because, in the Malay tradition, the essence of eating face to face is actually to connect communication between the two families to understand each other, to understand each other's character so that they can respect each other. The tradition of eating face-to-face has more play elements, bringing closer the intimacy between the two families, especially

between the groom and the bride. The Islamic religion teaches its followers to respect, understand character, and love each other.

Eating together is essential in building togetherness relationships between community members. By carrying out this activity, people can strengthen social ties personally and in groups. This activity is usually carried out at various events such as weddings, kendurian, circumcisions and other rituals. This tradition marks traditional activities and events where traditional food typical of the local community is usually available. This tradition of eating together is often carried out in mosques. Ba'lawi is the oldest mosque in the Malay Arab village (Islam et al., 2021).

This tradition is carried out after the Eid al-Fitr prayer. This tradition is only carried out by men in the traditional way, with two to five people sitting around a tray containing food and then eating it with the mainstay of curry. This habit is a symbol of a community relationship. Apart from fostering a sense of togetherness and family, this activity also provides a way of life. Humans must live side by side and need each other. No human being can live and carry out all his activities in isolation. All humans who Allah SWT has created are the same, and they must work together to achieve their life goals.

F. Perspective of Islamic Law in the Handover Procession between the Bride and Groom.

The prohibition of husband and wife relations before the marriage contract is an act that is prohibited by custom in Batang Hari Regency even though the marriage contract has already been carried out. However, we were born into the Islamic religion. Of course, adhere to applicable Islamic law. In Islamic law, marriage is the goal of the Shari'a brought by Rasulullah SAW—namely, the arrangement of human affairs in worldly and spiritual life. According to Islamic legal terms, there are several definitions, including Marriage according to Sharia', namely a contract established by Sharia' to allow for fun between a man and a woman. The above understanding seems very clear that one of the purposes of marriage is legal permissibility in the relationship between a man and a woman, which was previously prohibited. Still, now it is permissible, making it permissible for men and women and women and men to have fun. In this regard, Muhammad Abu Ishrah provides a broader definition:

A contract that provides legal benefits for establishing family relations (husband and wife) between a man and a woman provides mutual assistance and limits the owner's rights.

In Customary Law, some customs are established, such as traditional customs, traditional customs, and customary customs, which have been explained in the previous chapter. For the authors, the prohibition of husband and wife relations before this inter-relationship is not an actual custom, but this kind of custom is an established custom (Ridwan, 2022). Because a custom that is a custom is a custom that follows the sharia. If the prohibition on husband and wife relations before exchanging marriage is a custom that is a custom, of course, this relationship is permissible. This kind of exchange between *jawat Tarimo* is an established custom. The purpose of prohibiting husband and wife relations before exchanging marriage is solely to refine the use of Islamic law, which teaches how

and manners a child-in-law enters their in-laws' house, how to behave when living with in-laws, how to live life when building an excellent household to get the family you dream of.

Conclusion

Procession implementation of appropriate customs in peRegency community weddings Batanghari is carried out comprehensively and systematically in nine series, the series of which include: caring for single children and young girls, choosing a mate, negotiation period, handing over customary delivery, marriage contract, day of anchoring, *ulur* between handing over the bride and groom, teaching and reprimanding sapo bride and groom, and iwa.

The philosophical basis for the existence of customs, marriage and implethe explanation is *selike* the crystallization of the values upheld by the people of the Regencyn Batanghari emerged due to several factors, namely: the existence of harmony between customs and Islamic law, the formation of a community which supports the Jambi traditional system, the role of LAM,

Pective Islamic law interfaces with activities that behave according to people's customs. Regency community weddings Batanghari are in harmony with Islamic values, although minor specific aspects in particular series have experienced expansion and conflict with Islamic law.

Suggestion

The community, especially parents, should instil in their children the need to improve education, especially religious knowledge, as the next generation. The role of a young person in society is crucial in terms of education and relationships in society so that they have more extensive knowledge;

Traditional stakeholders should not only study traditional knowledge. Religious knowledge should also be understood more deeply so that customs and Shari'a can work together without overlapping laws. And don't assume that previous scholars studied religion more intensely than today's scholars.

For Syara' employees, we continue to proclaim the message of Islam to the community and invite the community, traditional leaders and village officials in Batang Hari Regency to sit together or discuss and review together again the customary law in marriage so that the philosophy of "custom is coded as syara', and syara' *besandi* kitabullah" really has implications for society.

Government Officials in Villages, especially Village Heads in Batang Hari Regency, have created programs to provide education about marriage in Islamic law, traditional law and customary law so that people know what marriage is according to Islamic law, customary law and customary law. So that later it will be guided by the philosophy of "adat *besandi* syara', syara' *besandi* kitabullah".

Customary Marriage and Its Implementation in the Life of People in Batanghari, Jambi Province: According to Islamic Law

References

- Alfarisi, U., Riswandi, F., Dzakira, A., Selvita, A., Zulfikar, A. F., & Rosfiani, O. (2023). Religious and Community Leaders' Perspectives on Minor Marriage Resulting From Unwed Pregnancy. *Journal of Modern Islamic Studies and Civilization*, 2(01), 119–127. <https://doi.org/10.59653/jmisc.v2i01.573>
- Darmuji, D., & Arisman, A. (2020). PELESTARIAN BUDAYA SELOKO ADAT PERKAWINAN JAMBI. *Suluh Abdi*, 2(1), 7–11.
- Erna, W., Ira, W., & Ummi, K. (2023). *PENGARUH SOSIAL EKONOMI PADA PEREMPUAN TERHADAP PERNIKAHAN DINI DI KECAMATAN PEMAYUNG KABUPATEN BATANGHARI PROVINSI JAMBI*. Kependudukan dan Ketenagakerjaan.
- Hafidz, M. (2022). Penerapan Teori QIRĀ'AH MUBĀDALAH Terhadap Analisis Waktu dan Jumlah Jatuhnya dalam Konsep Talak Tiga Sekaligus. *TASAMUH: Jurnal Studi Islam*, 14(1), 22–46. <https://doi.org/10.47945/tasamuh.v14i1.584>
- Hidayati, R. (2019). Tinjauan Hukum Islam terhadap Pemberian Uang Adat (Selemak Semanis) dalam Perkawinan Adat Melayu Jambi. *Journal of Islamic Family Law*, 1(1), 57–74.
- Ikrom, M. (2019). Syariat Islam Dalam Perspektif Gender Dan Ham. *Humanika*, 18(1), 16–30. <https://doi.org/10.21831/hum.v18i1.23126>
- Islam, P. H., Ridwan, M., Chatib, A., & Rahman, F. (2021). SEJARAH MAKKAH DAN MADINAH PADA AWAL ISLAM. *SEJARAH*, 7(1).
- Isnaini, E. (2014). Perkawinan Siri Dalam Perspektif Hukum Islam, Hukum Positif Dan Hak Asasi Manusia. *Jurnal Independent*, 2(1), 51. <https://doi.org/10.30736/ji.v2i1.18>
- Junikasari, S., Zulfahmi, M., & Firman, F. (2024). Struktur Musik Buka Lanse Dalam Adat Perkawinan Masyarakat Melayu Di Kabupaten Batanghari Propinsi Jambi. *Jurnal Musik Etnik Nusantara*, 4(1), 1–13.
- Karim, M. (2017). Seloko Adat Ulur antar serah terima adat pada pernikahan adat Melayu Jambi: Kajian Bentuk dan Fungsi. *Pena: Jurnal Pendidikan Bahasa Dan Sastra*, 6(2).
- MARISA, M. (2018). *ANALISIS NILAI-NILAI PENDIDIKAN KARAKTER DALAM SELOKO ADAT PERNIKAHAN MASYARAKAT DESA NIASO KABUPATEN MUARO JAMBI*. Universitas Batanghari.
- Marliani, S. R., & Rukmana, L. (2023). TRADISI DULANG DALAM ADAT PERNIKAHAN DI DESA TURE PEMAYUNG JAMBI. *Krinok: Jurnal Pendidikan Sejarah Dan Sejarah*, 2(2), 96–103.
- Mawaddah, A., Azmi, U., & ZE, D. S. (2023). PERAN LEMBAGA ADAT MELAYU KOTA JAMBI DALAM MELESTARIKAN PROSESI PERNIKAHAN DI SEBERANG KOTA JAMBI TAHUN 1950-2020. *Istoria: Jurnal Ilmiah Pendidikan Sejarah Universitas Batanghari*, 7(1), 29–37.
- Moleong, L. J. (2018). Metodologi Penelitian Kualitatif, cet. In XI. Bandung: PT Remaja Rosdakarya.
- Muhammad, F., Umar, M. H., Ghafar, A., Ridwan, M., & Anwar, S. (n.d.). *FORMULASI HUKUM BISNIS SYARIAH KONTEMPORER (Implementasi Kaidah Fiqhiyah dalam*

Hukum E-Commerce).

- Muhammad, P., & Ridwan, M. (2021). Reformulasi Fiqih Kontemporer dalam Perspektif Fazlur Rahman. *Studi Multidisipliner: Jurnal Kajian Keislaman*, 8(2), 159–170.
- Ningtyas, K. D. (2021). *TRADISI SELOKO DALAM ADAT PERKAWINAN MASYARAKAT KOTA JAMBI 1991-2020*. Universitas Jambi.
- Olivia, F. (2014). Akibat Hukum Terhadap Anak Hasil Perkawinan Siri Pasca Putusan Mahkamah Konstitusi. *Lex Jurnalica*, 11(2), 18085.
- Pattiroy, A., & Salam, I. (2008). Tradisi doi'menre'dalam pernikahan adat bugis di jambi. *Al-Ahwal: Jurnal Hukum Keluarga Islam*, 1(1), 89–116.
- Putri, D. D., Endrizal, E., & Kahanna, M. (2024). Perubahan Tradisi Arak-Arakan Pengantin Naik Garudo di Kecamatan Mersam Kabupaten Batanghari Provinsi Jambi. *Social Integrity Journal*, 1(1), 86–98.
- Qamar, N., Syarif, M., Busthami, D. S., Hidjaz, M. K., Aswari, A., Djanggih, H., & Rezah, F. S. (2017). *Metode Penelitian Hukum (Legal Research Methods)*. December, 176.
- Ramlah, R. R. (2022). THE IMPLEMENTATION OF NIKAH SIRI WITH THE PURPOSE OF MAINTAINING FAMILY SALARY BENEFITS: THE PERSPECTIVE OF ISLAMIC LAW. *INNOVATIO: Journal for Religious Innovations Studies*, 22(2), 126–140.
- Ridwan, M. (2020). Ijtihad Pada Era Kontemporer (Konteks Pemikiran Islam dalam Fiqih dan Maqashid al-Syariah). *Masohi*, 1(2), 110–121.
- Ridwan, M. (2022). Hukum Islam antara Positivisme dan Idealisme. *Jurnal Indragiri Penelitian Multidisiplin*, 2(3), 147–154.
- Sakdiyah, I. H. (2023). Application of Usul Fiqh Rules to the Phenomenon of Online Marriage Contracts. *Journal of Modern Islamic Studies and Civilization*, 1, 40–49. <https://doi.org/10.54298/jmisc.v1i01.5>
- Science, L. (2023). *Relevansi Pencatatan Nikah Sirri dalam Kartu Keluarga Menurut Hak Asasi Manusia dan Maqashid Syariah Ifrohati 1 , Sintri 2*. 1(1), 11–20.
- Sibawaihi, M., & Baharun, M. (2017). Adat Pernikahan Melayu Jambi Perspektif 'Urf dalam Ilmu Ushul Fiqh. *Istidlal: Jurnal Ekonomi Dan Hukum Islam*, 1(2), 167–174.
- Soendari, T. (2012). Metode Penelitian Deskriptif. *Bandung, UPI. Stuss, Magdalena & Herdan, Agnieszka*, 17.
- Suroya, N. (2022). Perspektif Maqashid Syari'ah Terhadap Fatwa Majelis Ulama Indonesia Nomor 10 Tahun 2008 Tentang Nikah Di Bawah Tangan. *Jatiswara*, 37(2), 195–204.
- Umar, M., Sultan, L., L, S., Ridwan, M. S., Syamsuddin, D., & Idrus, A. M. (2023). Perspectives from Islamic Law on the Muhammadiyah Central Leadership's Tarjih Council and Its Significance for Religious Moderation. *Journal of Modern Islamic Studies and Civilization*, 2(01), 78–93. <https://doi.org/10.59653/jmisc.v2i01.517>
- Yahya, M., & Rahman, F. (1979). *Dasar-dasar pembinaan hukum fiqh-Islamy*. Sa'adiyah Putra.