

# THE CUSTOMARY PHENOMENON OF SUMBANGSIH IN MUSIRAWAS URBAN MUSLIMS BASED ON ISLAMIC LAW

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## Abstract

This study comprehensively described the customary phenomenon of *Sumbangsih* on Musirawas urban Muslims. It has become a custom in Musirawas if a wedding party has to be held with great fanfare and hires a single organist. The Musirawas community does not need to bother with the cost of the party because the surrounding community is assisted through the *Sumbangsih* custom, but this custom has several negative impacts, so further studies are still needed. The customary phenomenon of *Sumbangsih* will be analyzed using *ushuliyah* studies using 'urf theory. This field research uses interview data collection techniques, observation, and documentation. The approach used in this study is sociological normative. While the data analysis technique was carried out in three stages: data reduction, data presentation, and conclusion. An important finding in this study is that custom *Sumbangsih* are assistance or support in the form of money given when someone is having a wedding. The system for carrying out this donation event is based on a nominal level starting from the largest to the smallest. People who donate will go up on stage when there is a direction from the presenter and will line up from those who donate the most to the smallest the donation will be recorded, and the nominal will be stated. The second finding, the *Sumbangsih* (donation) custom belongs to *al-'urf al-fasidah* because if this *Sumbangsih* is carried out, it causes a lot of harm or immorality, such as the many illegal singers dressed in sexy clothes looking for *saweran* (giving money), gambling, drunkenness, and fights. So, it is necessary to harmonize Islamic teachings in this custom *Sumbangsih* by removing the *mudhorat* or immorality that appears in this custom.

**Keywords:** Customs *Sumbangsih*; Islamic law; Urban Muslims.

## A. Introduction

Marriage in Islam is ritual worship (Yunus Samad, 2017). More than that, marriage is considered sacred, so its implementation is carefully prepared. However, some couples are nervous before their wedding day. It is nothing, but what the couple wanted was not in line with his parent's wishes. For example, children do not want complicated traditional events, while parents want to have a lively event according to the customs of their place of residence. The wedding party tradition has given rise to different perspectives between parents and the perspective of the bride and groom. This difference can be seen when the child wants to get married, while the parents want it significantly. Children want the wedding to occur as soon as possible; parents want certain days to get married because they prepare the economy. Regarding who wants to be invited, there are also differences in judgment between children and parents and so on (Jamali et al., 2016).

The highlight of the wedding ceremony is the wedding procession, popularly known as the wedding party. This event manifests gratitude to God and broadcasting or publicizing the wedding to relatives and role models (Aboud et al., 2011). For most people, this is the pinnacle of happiness because, on that day, the bride and groom are crowned king for a day or even days. He was like a king; all eyes were on them throughout the wedding ceremony. In the past, it was enough for a wedding party to invite neighbours and family (Octavianna et al., 2020). They are the only ones who witness the historic day of the bride and groom, accompanied by the recitation of blessings and praise of gratitude to Allah SWT. The princess has been edited by her ideal man, who is flattered and becomes the hope of the family in the future. The happiness of the parents of the bride and groom is incomparable. Because the parents of the bride and groom feel they have carried out their obligations properly. Likewise, with the bride and groom, they felt they were in a new world. A world that seems filled with the bright colours of love and affection and never splashes of gray or even darkness. Meanwhile, at this time, the implementation of the wedding party has undergone extraordinary modifications, even almost outside of the purpose of the wedding ceremony itself (Abubakar et al., 2019).

The celebration of the wedding party, which is enlivened by various kinds of entertainment (Yagi, 2020), has been carried out since the time of the Prophet Muhammad. This is permissible in Islam as long as it does not lead to sinful acts; it is even prescribed in happy situations to create feelings of joy (D. Santoso et al., 2022) as meant by the hadith narrated by Aisha that she brought a woman as a bride to a man Ansar, the Prophet SAW said: O Aisyah, what game do you have? Verily the Ansar loved games (entertainment). The purpose of this entertainment is within Islamic boundaries; however, if it exploits an abomination that contains lust in its entertainment and singing, then it is unlawful (Ramadhani & Sultan, 2021).

Family and neighbours are not considered sufficient as witnesses in the coronation of the bride and groom as husband and wife (Gill & Gould, 2020). However, everyone who knows him is required to attend and be a witness to his marriage. Appreciating happiness is not enough to offer gratitude and blessings; renting music or a single organ and the singing of the singers is part of the manifestation of the feeling of happiness. Holding a wedding ceremony is a religious order (Saleh et al., 2022). However, it has become a common culture that the name of a wedding party must be luxurious (Chimera, 2022). The tradition of a wedding party is a must that must be held even though they are less able, but they try to enliven it even at the cost of millions, even if these costs are used for personal needs. His son's family will certainly be better (Wahyu & Alam, 2022). In our society, a tradition has grown to enliven

weddings with entertainment such as singing and music. *Walimah al-urs* can strengthen the bonds of friendship between the two families, relatives, neighbors, and fellow Muslims. According to Muhammad Mutholib, the purpose, and wisdom of *walimah al-urs* is to avoid unregistered marriages. *Walimah al-urs* also broadcast to the public, both those closest and those who are far away, about her marriage (Sutarto et al., 2021).

In Mekarsari, it has become a custom when a couple of bride and groom want to tie the knot towards the marriage level, a marriage ceremony (Wedding Party) is held by holding a lively activity, by renting music or a single organ and inviting many people to come to the wedding ceremony. In the village of Mekarsari, Megang Sakti District, Musi Rawas Regency, every time there is a pair of bride and groom who want to get married, it is obligatory to rent a single organ, at least rent a large sound system to give news that there is a wedding ceremony in that place, and it would not be perfect if there were not a night party, at the night party there were activities union or auction for the bride and groom (A. Kurniawan, personal communication, 2022). Such a party does require substantial funds. So that most people who hold the party are forced into debt so, and after the event, the debt piles up. In the village of Mekarsari, Megang Sakti District, Musi Rawas Regency, when carrying out a party, there is a traditional *Sumbangsih* event, which is held at night starting from 21.00 to 01.00. customary *Sumbangsih*, namely *Sumbangsih* or assistance in the form of money. And when people want to donate, they will go up on the stage, starting from those who donate the biggest and the smallest, then the donation will be stated in rupiah and recorded in the book, and when the *Sumbangsih* is finished, the nominal obtained will be announced (A. Tantowi, personal communication, 2022). In the practice of this party, they expect a larger *Sumbangsih* than the costs incurred. However, what is donated by guests must be returned similarly when the guests are having a wedding too. This resulted in a shift in the behavior of the guests who came to help turned into transactional because when an obstacle prevented them from attending the wedding ceremony, there was an officer or someone entrusted to deposit the donation that would be given. Not surprisingly, they had much money when the event was over, so their bodies were entangled with the gold they got from the *Sumbangsih*. Sometimes they are also in debt because the results obtained from the wedding are not worth the costs incurred to enliven it. A unique event because the original purpose of the wedding party was to express happiness with gratitude turned into a business activity.

Research related to the customary *Sumbangsih* has never been done before. Somewhat similar research is the *ngalak cara* research. Nadwah Maulidiyah and Asnawi conducted this research. They conducted research with the title *Walimatul Ursy Tradition in Panaongan Village, Pasongsongan District, Sumenep Regency (Semiotic Analysis of Da'wah Communication)*. *Walimatul ursy* has become a tradition for the people of Panaongan village, Pasongsongan sub-district, Sumenep, as a cultural symbol in communicating or announcing to other communities that he is married and releasing his single status. In the process of the *Walimatul Ursy* celebration that took place in Panaongan Village, it was carried out fiercely. *Ngalak Cara* is the community holding the *walimatul ursy* requesting that the people who are invited bring gifts to the bride and groom, but on the other hand, if they do not do so, the people invited to the *walimatul ursy* celebration are asked not to bring gifts to the bride and groom, either in the form of money or objects (Maulidiyah & Asnawi, 2019). This research differs from the research on customary *Sumbangsih*s in several aspects, including customary *Sumbangsih*s are only in the form of money, while customary *ngalak cara* can be in the form of any goods. In addition, the customary *Sumbangsih* is binding; there must be reciprocity, while the *ngalak cara* tradition is a gift and is not bound.

## B. Method

This study was field research. The object of this research is the *Sumbangsih* tradition. The research method used is qualitative; namely, research by paying attention to accurate data or facts, then analyzing and describing to produce conclusions. Sources of data used by researchers in conducting research is to use primary data and secondary data. Primary data is obtained directly from the source, observed and recorded for the first time. So, the primary data sources in research can be obtained through observation, interviews, and documentation of research subjects and objects (samples) as well as reports in the form of unofficial documents which researchers then process. Meanwhile, Secondary Data is obtained from official documents, books related to research objects, research results in reports, theses, and literature. Data collection techniques used in this study were interviews, observation and documentation. This method was carried out by interviewing the Village Government, Traditional Leaders, and Religious Leaders of Mekarsari Village, Megang Sakti District, Musirawas Regency. In this case the author made observations of the *Sumbangsih* Tradition in Mekarsari Village, Megang Sakti District, Musirawas Regency) in the Review of Islamic Law. Data analysis consists of: Data Reduction, Data Display and Conclusion Draw (Miles & Huberman, 2014).

## C. Findings and Discussion

### 1. Findings

#### Traditional *Sumbangsih* in Mekarsari Village, Megang Sakti District, Musirawas Regency

Marriage is a physical and spiritual bond carried out according to Islamic law between a man and a woman to live together in one household to have children. Marriage is the *sunnah* of the Prophet, which is highly recommended for its implementation by Muslims (Yunus Samad, 2017). This is a natural event and the most excellent means of preserving offspring and strengthening human relationships, which is the reason for guaranteed peace of love and affection. *Sumbangsih* custom in the Big Indonesian Dictionary is support, assistance in gifts, essays, money, and so on as a sign of love. The *Sumbangsih* tradition is a habit of Mekarsari Village, Megang Sakti District Musirawas Regency in attending a wedding with a certain amount of money to be donated to those who are having a hajatan and will be recorded by those who are having a party. This recording is intended to do the same thing to those who gave before (J. Santoso, personal communication, 2022).

In this study, the author will present the research results on implementing *Sumbangsih* in Mekarsari Village, Megang Sakti District, Musirawas Regency. The first statement was from the secretary of Mekarsari Village, Mr Radius Prawiro. *“The implementation of this Sumbangsih is carried out if there are people who carry out the party. Implementation of this Sumbangsih in the evening. This Sumbangsih has become a tradition in Mekarsari village. In my view, this Sumbangsih is good because he helps people on a pilgrimage. Regarding the history of this Sumbangsih, I don’t know, but what is clear is that this event has been going on for a long time. The positive impact is helping each other, establishing friendship and kinship getting closer. The negative impact is that the event is at night, so there is a lot of gambling and drunkenness (R. Prawiro, personal communication, 2022).*

Based on the results of an interview with the secretary of Mekarsari Village, this donation was carried out at night when someone was holding a wedding party. This *Sumbangsih* can be said to be a tradition in this village. According to Mr. Radius, this

*Sumbangsih* is good because it aims to help people on their *hajat* (needs). The positive impact of this *Sumbangsih* is helping each other, friendships established, and family ties getting closer. The negative impact of this *Sumbangsih* is the amount of gambling and drunkenness. The second statement was from the customary leader of Mekarsari Village, Mr. Iskandar. “*Sumbangsih* custom is held when there is a wedding party. Usually, the *Sumbangsih* custom is held at night. Actually, the custom of *Sumbangsih* is almost the same as donating money. The difference is that when you donate money, you use an envelope, while it is customary to go directly on stage, and the money donated will be mentioned and recorded. *Sumbangsih* tradition has been held by the community for a long time, around the 1970s. In my opinion, *Sumbangsih* customs are excellent because they can help offset the costs of weddings. While the negative impact, sometimes those who have donated do not return their donations.” (Iskandar, personal communication, 2022).

Based on the interview results above, this *Sumbangsih* custom is carried out when someone opens a party or celebration, and the traditional *Sumbangsih* ceremony is carried out at night. In this traditional *Sumbangsih* system, when someone wants to donate, he will come up on the stage handing over cash, and the donation will be mentioned by the presenter and recorded. History This *Sumbangsih* has existed since 1970 when this village just became Tran. According to Mr Iskandar, this *Sumbangsih* is good because it helps people have a party. The positive impact of this donation is that the bonds of brotherhood are getting closer, helping to ease the burden on people on their *hajat*. The negative impact is if the person who has donated does not return the donation, third statement from the Mekarsari Village Imam, Mr Ahmad Zubaidah (Ayub); “*Regarding the implementation of this Sumbangsih held at night. This event has become a tradition/custom in Mekarsari Village. The history of this Sumbangsih is hereditary from the village of Muara Megang, where at the beginning of the founding of this village, the first people to come or live in this village were people from Muara Megang. In my view, this Sumbangsih is good because, with the Sumbangsih, there is mutual cooperation or helping each other. The first positive impact of this Sumbangsih is the establishment of friendship; the second is the emergence of a sense of mutual help between people. While the negative impact is a large number of immorality, drinking, and gambling.*” (A. Zubaidah, personal communication, 2022).

The fourth statement from the BPD (Village Consultative Body), Mr. Efrika, “*This Sumbangsih tradition is held in the evening around 11 pm until it is finished. There are various kinds of implementation of this Sumbangsih custom. People who come to donate will go up to the stage and line up neatly, starting with the large to the small donation; then, the donation will be named and recorded. The history of the customary Sumbangsih begins with a sense of mutual help between people when they are going to carry out a wedding which requires a large amount of money. The purpose of the adat Sumbangsih is to lighten the burden on the cost of the wedding party. The positive impact of this event is first to enliven it because when the Sumbangsih tradition is held, many people come. different from alms (donations in the form of envelopes) can be entrusted. the second, Enliven by donating cash.*” (Efrika, personal communication, 2022).

Based on an interview with Mr Efrika, it is true that giving is a charity at night and during the day. The implementation of this *Sumbangsih* began at around 23.00 and was finished. The people who come to donate will advance to the stage. If there has been direction from the presenter and this *Sumbangsih*, from the nominal level from the largest to the smallest, will advance to the stage, and the *Sumbangsih* will be mentioned and recorded. The history of *Sumbangsih* is due to a sense of compassion and a sense of helping each other so that there is a *Sumbangsih*. In Mr Efrika’s view, this *Sumbangsih* is as good as the motto “*With Mutual Assistance, everyone is Helped,*” but this

*Sumbangsih* also creates a feeling of disappointment if the person who donated does not return the donation. The positive impact of the first was enlivening because the people who wanted to donate came straight away without entrusting *Sumbangsih*; the second was lively because the *Sumbangsih* were in cash, and many came.

The fifth statement from the Qur'an teacher, Mr Muhammad Abdur Rahman (Maman), "*This Sumbangsih is carried out at night, and this Sumbangsih is a tradition, custom or culture in Mekarsari Village. This Sumbangsih is good because it helps people with their hajat (needs), especially if the person is less able than he feels very helped. The positive impact is helping each other and establishing friendships. Moreover, the bonds of brotherhood are getting closer. While the negative impact is the number of illegal singers, the amount of liquor, and gambling.*" (MA Rahman, personal communication, 2022).

Based on the results of interviews with the village government, traditional leaders, and religious leaders, this *Sumbangsih* is carried out when someone organizes a party, be it a wedding, circumcision, or *marhabah*, but the party that is often held as a wedding party. The implementation of this *Sumbangsih* at night is often called the reception. This donation starts at around 23.00 until it has finished. This donation system that will donate goes up to the stage when there is the direction from the presenter, and it is based on the level from the biggest to the smallest. Donators of the *Sumbangsih* will be mentioned and recorded. So that you know who donates a lot and a little if the person who donates has a need, the money will be returned the same or more than the money He donated.

*Sumbangsih* in Mekarsari Village has become a tradition because this is a hereditary custom still carried out in a community. The history of this *Sumbangsih* began in 1970 from Muara Megang, and this *Sumbangsih* existed when this village was first established. The views of the village government, traditional leaders, and religious leaders regarding this *Sumbangsih* are good, as is the motto "*With Mutual Assistance Everyone Is Helped,*" but this *Sumbangsih* also creates a feeling of disappointment if the person donated does not return the donation.

## 2. Discussion

### 'Urf as Mashodirul Ahkam

'Urf etymologically comes from 'arafa, *ya'rufu* is often interpreted as *al-ma'ruf*, which means something that is known (Najib, 2020). The word 'urf is often equated with the word *adat*; the word *adat* comes from the Arabic the root: 'there, *ya'udu* implies repetition. Therefore, something that has only been done once is not yet called *adat*. While the word 'Urf in terminology, as stated by Abdul Karim Zaidah, means: Something familiar to a community because it has become a habit and integrates with their lives in the form of actions or words (Muddin, 2022).

Even in the discipline of Ushul Fiqh, the definition of *adat* (*al-'adah*) and 'urf has a significant role. Both come from Arabic, which was adopted into standard Indonesian. The word 'urf comes from the word 'araf which has a deviation from the word *al-ma'ruf*, which means something known (Salleh et al., 2017). At the same time, the word custom comes from the word 'add', which derivates the word *al-'addah*, which means something repeated in habit (Rosyid & Kushidayati, 2022). The literal meaning of 'urf is a condition, speech, deed, or provision known to humans and has become a tradition to carry out or abandon it. Among the people, 'urf is often referred to as *adat*. Meanwhile, according to Abdul Wahab Al-Khalaf, 'urf is what is known by humans and becomes their tradition, both words, deeds or taboos, and is also called custom (Wandi, 2018).

The ushul fiqh scholars divide *'urf* into three types: first, in terms of its object, *'urf* is divided into: a. *Al-'urf al-lafdzi* (habits concerning expressions), are the habits of the people in using certain pronunciations/expressions in expressing something so that the meaning of that expression is understood and comes to mind in the community. For example, the word meat means beef, even though the word meat includes all existing meat. b. *Al-'urf al-'amali*, is a community habit related to ordinary deeds or civil *muamalah*. What is meant by everyday actions are the actions of the community in matters of their lives unrelated to other people's interests, such as the community's habit of wearing certain clothes on special occasions (Princess, 2020).

Second, in terms of coverage, *'urf* is divided into; a. *Al-'Urf al-'am*, which is a general custom that applies to most people in a wide variety of areas. b. *Al-'Urf al-khas* is a custom that applies to a certain community or area (Nusirwan, 2017). Third, from a linguistic point of view, *al-'urf* can also be divided into two parts, namely as follows: a. *Al-'Urf Al-Shaheeh*, namely the customs of the community that are following and do not conflict with the rules of Islamic law. In other words, *'urf* who does not change the provisions of haram to be halal, or vice versa, change halal to haram, for example, there is a custom in society, gifts or gifts given to the woman when the proposal is not returned to the man if the man cancels the proposal. b. *al-'urf al-fasid* (damaged/incorrect), namely the customs of the community that are contrary to the provisions of the Shari'a arguments. So, the wrong custom is to justify unlawful things or forbid what is lawful, for example, the habit of kissing between men and women who are not mahram at party gatherings. The scholars agree that *al-'urf al-fasid* cannot become a legal basis and that custom is null and void by law. It is better if it is done in a *ma'ruf* way, trying to change customs that conflict with the provisions of Islamic teachings and replace them with customs that follow Islamic law (Furqan & Syahrial, 2022). Basically, all scholars agree on the position of *al-'urf al-sahih* as one of the propositions of *syara'*. However, scholars agree that not all *'urfs* can be used as evidence for establishing Islamic law. *'Urf* can be accepted as one of the legal foundations if it meets the requirements. In this case, the Hanafiyyah and Malikiyyah scholars are the ones who use *al-'urf* as their argument the most, compared to the Syafi'iyyah and Hanabilah scholars (Fawzi, 2018). As evidence of the Qur'anic argument regarding the position of *'urf*. The word of Allah SWT in Surah al-A'raf verse 199.

خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ

Meaning: Do thou forgive and order people to do *ma'ruf* (goodnes) and turn away from stupid people. (QS. al-A'raf; 199).

Through the verse above, it can be interpreted that Allah SWT commands Muslims to do what is good. Whereas what is referred to as *ma'ruf* itself is what Muslim's value as good, done repeatedly and does not conflict with true human nature, and is guided by the general principles of Islamic teachings. Based on the arguments for the proof of *'urf's* blasphemy as a legal argument, the scholars, especially the Hanafiyah and Malikiyah scholars, formulated the legal principles relating to *al-'urf*, among others, reads:

الْعَادَةُ مُحْكَمَةٌ

Customs can become laws. Two important things can be concluded: *al-'adah* has elements of being repeated and *al-'uruf* has elements of *al-'ma'ruf*, known as something good. The words of *al-'uruf* have to do with the values in society that are considered good so that *al-'adah* is more precisely defined by "What is considered good and proper

by humans in general (*al'adah al'ammah*) which is done repeatedly so that it becomes a habit and does not deviate. A mujtahid must maintain the position of *urf* authenticity in creating laws and by a judge in deciding cases (Sanusi, 2010).

'*Urf* that applies amid society sometimes conflicts with texts (verses or hadiths) and sometimes conflicts with other *syara'* propositions. In the matter of *urf* conflict with texts, *ushul fiqh* experts detail it as follows:

- a) Contradiction '*urf* with specific texts. If the conflict between '*urf* and specific texts causes the law in the text not to function, then '*urf* cannot be accepted. For example, during the *Jahilliyah* era, it was customary to adopt children, where the adopted children were the same as their biological children so that they would receive an inheritance if their adoptive father died. '*Urf* like this is not valid and accepted.
- b) Contradiction '*urf* with general texts. As quoted by Mustafa Ahmad Al-Zarqa, if '*urf* already exists (Sucipto, 2015). So that the general text is specific to the extent of the '*urf al lafzhi* that has been in effect, with the condition that no indicators indicate that the *urf* cannot specify the general text. If an '*urf* is formed after the arrival of the general text and the two are in conflict, then all *fiqh* scholars agree to state an *urf* like this, both *lafzhi* and practice, even if the '*urf* is general in nature, cannot be used as evidence in establishing *syara'* law, because the existence of this '*urf* appears when the *syara'* text has determined the law in general (Azani, 2021).

### **Views of Islamic Law Regarding the *Sumbangsih* Tradition in Mekarsari Village, Megang Sakti District, Musirawas Regency**

The thing that we cannot deny in terms of marriage is the wedding reception (Carter, 2022). *Walimatul'ursy* is highly recommended because *walimah* is a banquet ceremony held either during the contract, after the contract, or after *dukhul* (intercourse). The essence of *walimah* is to notify and celebrate marriages performed as an expression of gratitude. The Qur'an does not mention the application of *walimah al-urs* but only recommends holding a marriage. In our society, a tradition has grown to enliven weddings with entertainment such as singing and music.

*Walimah al-urs* can strengthen the bonds of friendship between the two families, relatives, neighbors, and each other, namely between the husband and the wife. The exchange of invitations between the husband and wife can strengthen the bonds of brotherhood and help us understand more about close and distant relatives. According to Muhammad Mutholib, the purpose and wisdom of *walimah al-urs* is to avoid unregistered marriages. *Walimah al-urs* also broadcast to the public, both those closest and far away, about her marriage (Saputra & Rahmi, 2021).

In Mekarsari, it has become a custom or custom, when a couple of bride and groom want to tie the knot towards the marriage stage, a wedding ceremony (Wedding Party) is held by holding a lively activity, renting music or a single organ and inviting many people to come to the wedding ceremony. In Mekarsari Megang Sakti District Musirawas Regency, every time there is a pair of bride and groom who want to get married, it is mandatory to rent a single organ, at least hire an extensive sound system intending to convey the news that there is a wedding ceremony in that place, and it would not be perfect if there were no night party, at that night party there was a unity activity or an auction for the bride and groom.

*Walimatul 'ursy* is a tradition carried out after marriage, which is a usual habit. In Mekarsari village, there is something called *Sumbangsih*. This event is part of the wedding party but is implemented at night. Based on some of the basics of the Koran.



By Usul Fiqh scholars QS. al-A'raf verse 199 below is understood as an order to do something considered good and has become a societal tradition.

حُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ

Meaning: *Be forgiving, order people to do what is right, and not care about stupid people.* (QS. al-A'raf: 199).

It is permissible if a tradition or custom does not harm or violate religion. Even though a word or deed has become an 'Urf or a tradition or custom, which means that the said or deed has become commonplace, considered normal, and acceptable to common sense, not all Urf following Islamic law. 'Urf can be used as a legal argument if it does not conflict with Islamic law (Bukido et al., 2022). According to its validity, urf is divided into 2, namely: first, Al-'Urf ash-shahihah and the community customs that are appropriate and do not conflict with the rules of Islamic law. In other words, 'urf who does not change unlawful provisions to become lawful, or vice versa, change those that are lawful to become unlawful. Second, Al-'Urf al-fasidah (damaged/incorrectly), Namely the customs of the community that are contrary to the provisions and arguments of syara'. On the other hand, from al-'urf ash-shahihah, the wrong custom justifies things that are forbidden or forbids lawful things (Harisudin, 2016).

*Sumbangsih* is the highlight of the party because the money obtained from the donation is greater than the donation event, but much harm is caused by donating, namely, many illegal singers who dress sexy, lots of people get drunk, and lots of dice gambling. *Sumbangsihs* are the target of singers looking for *saweran* and alcohol traders to sell. Things like this are heinous acts as the word of Allah SWT in QS al Maidah verse 90.

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ

Meaning: *O you who believe! In fact, drinking alcohol, gambling, (sacrificing to) idols, and raffling fate with arrows are abominable acts and include the deeds of Satan. So, stay away from those (deeds) so that you will be lucky.* (QS Al Maidah; 90).

Based on the research results, it can be analyzed that a *Sumbangsih* is good if it is carried out sincerely to help. However, suppose the implementation is based on compulsion or is not sincere and causes much harm. In that case, the *Sumbangsih* is a tradition in Mekarsari Village, Megang Sakti District, is classified as al-'urf al-fasidah ('urf damaged/wrong) because it is contrary to the provisions of the Shari'a such as lots of gambling, drunkenness, fights, and illegal singers who dress sexy. So even though the purpose of holding a donation is to help, much harm is caused if the event is held. In fact, the aim is good and follows Islamic teachings, but the method is not quite right.

#### D. Conclusion

Based on the research that has been done, it can be concluded as follows: the *Sumbangsih* tradition is assistance or support in the form of money given when someone is carrying out a wedding ceremony. The implementation of this *Sumbangsih* at night starts at around 23.00 until it is finished. The system for carrying out this donation is based on nominal or level starting from the largest to the smallest. People who donate will go up on stage when there is direction from the presenter and will line up from those who donate the most to the smallest and the donation will be recorded and stated in nominal value, after finishing all those who contributed the money will be counted and will be broadcast to the invited guests

how much money did the person with the wish get. The tradition of giving *Sumbangsih* in Mekarsari Village, Megang Sakti Subdistrict, belongs to *al-'urf al-fasidah* (damaged/incorrectly) because if this *Sumbangsih* is carried out, it causes much harm, such as the many illegal singers dressed in sexy clothes which are looking for *saweran*, gambling, drunkenness and fight.

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### F. Author Contributions Statement

The author consists of four researchers who have their respective roles. The three authors live in Indonesia, and one researcher comes from Pakistan. Nurmala initiates the research, compiling and designing the analysis, and proposes joint research with partners. Resti, Musda Asmara, and Hina Al Kindiya worked together to develop research and data collection instruments, work on managing references, and contribute data or analytical tools. All authors cooperated in collecting data, analyzing data, and reading to agree on the final manuscript.

### G. References

- About, A. A., Kirti, N., & Ramesh, V. (2011). Wedding ceremony and skin diseases; a need for vigilance! *Journal of Pakistan Association of Dermatologists*, 21(2), 109–111. Scopus.
- Abubakar, A., Yuhasnibar, Y., & Jufrihisham, M. N. A. B. (2019). Hukum Walimah Al-'Urs menurut Perspektif Ibn Ḥazm Al-Andalusī. *El-Usrah: Jurnal Hukum Keluarga*, 2(2), Article 2. <https://doi.org/10.22373/ujhk.v2i2.7653>.
- Azani, M. (2021). The Development of Islamic Law in Indonesia Through Traditional Theory and Legal Changes. *Jurnal Mahkamah: Kajian Ilmu Hukum Dan Hukum Islam*, 6(2), 113–128. <https://doi.org/10.25217/jm.v6i2.1626>.
- Bukido, R., Harun, N., Gunawan, E., & Mantu, R. (2022). Harmonization of customary and Islamic law in the gama tradition of the muslim Mongondow community of North Sulawesi. *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan*, 22(2), Article 2. <https://doi.org/10.18326/ijtihad.v22i2.239-254>.
- Carter, J. (2022). Traditional Inequalities and Inequalities of Tradition: Gender, Weddings, and Whiteness. *Sociological Research Online*, 27(1), 60–76. Scopus. <https://doi.org/10.1177/1360780421990021>.
- Chimera, C. (2022). The marriage of attachment theory and systemic family therapy practice: An invitation to join the wedding party. In *The Routledge Handbook of Attachment: Assessment: 3 Volume Set* (Vol. 3, pp. 65–82). Scopus.
- Efrika. (2022). Interview [Personal communication].
- Fawzi, R. (2018). Aplikasi Kaidah Fikih العادة محكمة dalam Bidang Muamalah. *Amwaluna: Jurnal Ekonomi Dan Keuangan Syariah*, 2(1), Article 1. <https://doi.org/10.29313/amwaluna.v2i1.3279>.
- Furqan, M., & Syahril, S. (2022). Kedudukan 'Urf sebagai Sumber Hukum dalam Mazhab Syāfi'ī. *Jurnal Al-Nadhair*, 1(2), 68–118.

- Gill, A. K., & Gould, D. (2020). The role of family coercion, culture, expert witnesses and best practice in securing forced marriage convictions. *Journal of Gender-Based Violence*, 4(1), 89–105. Scopus. <https://doi.org/10.1332/239868019X15711199936183>.
- Harisudin, M. N. (2016). 'Urf Sebagai Sumber Hukum Islam (Fiqh) Nusantara. *Jurnal Ushuluddin: Media Dialog Pemikiran Islam*, 20(1), Article 1. <https://doi.org/10.24252/jumdpi.v20i1.2311>.
- Iskandar. (2022). *Interview* [Personal communication].
- Jamali, L. L., Zain, L., & Hasyim, A. F. (2016). Hikmah Walimah Al-'Ursy (Pesta Pernikahan) Dengan Kehormatan Perempuan Perspektif Hadits. *Diya Al-Afkar: Jurnal Studi al-Quran Dan al-Hadis*, 4(02), Article 02. <https://doi.org/10.24235/diyaafkar.v4i02.1161>.
- Kurniawan, A. (2022). *Personal Interview* [Personal communication].
- Maulidiyah, N., & Asnawi, A. (2019). Tradisi Walimatul Ursy di Desa Panaongan Kecamatan Pasongsongan Kabupaten Sumenep. *Maddah: Jurnal Komunikasi Dan Konseling Islam*, 1(1), Article 1. <https://doi.org/10.35316/maddah.v1i1.237>.
- Miles, M. B., & Huberman, A. M. (2014). *Analisis data kualitatif: Buku sumber tentang metode-metode baru*. Universitas Indonesia Press.
- Muddin, M. I. (2022). Inheritance System Mayorat on the Komerling Tribe in Urf Perspective. *Nusantara: Journal Of Law Studies*, 1(1), Article 1.
- Najib, A. M. (2020). Reestablishing Indonesian Madhhab 'Urf and the contribution of intellectualism1. *Al-Jami'ah*, 58(1), 171–208. Scopus. <https://doi.org/10.14421/ajis.2020.581.171-208>.
- Nusirwan, N. (2017). 'Urf Sebagai Sumber Hukum. *Salam: Jurnal Sosial Dan Budaya Syar-i*, 4(3), Article 3. <https://doi.org/10.15408/sjsbs.v4i1.7873>.
- Octavianna, Y., Sibarani, R., Situmorang, H., & Hasibuan, N. S. (2020). Traditional praying performance Martonggotonggo and dancing performance Marpaniaran for the women's health at the Toba Batak traditional wedding ceremony. *Enfermeria Clinica*, 30, 357–360. Scopus. <https://doi.org/10.1016/j.enfcli.2019.11.003>.
- Prawiro, R. (2022). [Personal communication].
- Putri, D. N. (2020). Konsep Urf sebagai Sumber Hukum dalam Islam. *El-Mashlahah*, 10(2), Article 2. <https://doi.org/10.23971/maslahah.v10i2.1911>.
- Rahman, M. A. (2022). *Interview* [Personal communication].
- Ramadhani, P. R., & Sultan, L. (2021). Pelaksanaan Walimatul 'Ursy di Tengah Pandemi Covid-19 dalam Perspektif Hukum Islam. *Iqtishaduna: Jurnal Ilmiah Mahasiswa Hukum Ekonomi Syari'ah*, 70–80. <https://doi.org/10.24252/iqtishaduna.v3i2.23522>.
- Rosyid, M., & Kushidayati, L. (2022). Anticipating Disaster: The 'Urf Perspective of Rebo Wekasan Ceremony in Kudus, Central Java. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial*, 17(1), 91–112. Scopus. <https://doi.org/10.19105/AL-IHKAM.V17I1.5705>.
- Saleh, J., Amri, N., Kamal, M., Abdullah, A., & Mukhtar, M. (2022). Marriage Guidance Towards Family Resilience in Aceh: A Study of Islamic Law Philosophy. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 6(2), Article 2. <https://doi.org/10.22373/sjhk.v6i2.12448>.
- Salleh, S. F., Ismail, S. K., & Yusoff, Z. M. (2017). An analysis of the elements of social change in the context of 'urf in islamic law. *Global Journal Al-Thaqafah*, 7(1), 99–116. Scopus. <https://doi.org/10.7187/gjat13120170701>.

- Santoso, D., Jafar, W. A., Nasrudin, M., Asmara, M., & Fauzan, F. (2022). Harmony of religion and culture: Fiqh munākahat perspective on the Gayo marriage custom. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 22(2), Article 2. <https://doi.org/10.18326/ijtihad.v22i2.199-218>.
- Santoso, J. (2022). *Personal Interview* [Personal communication].
- Sanusi, A. (2010). Implikasi Kaidah-Kaidah Al Adat & Al Urf dalam Pengembangan Hukum Islam. *Al Ahkam*, 6(1), Article 1. <https://doi.org/10.37035/ajh.v6i1.2836>.
- Saputra, H., & Rahmi, N. (2021). Tinjauan Hukum Islam terhadap Walimatul ‘Ursy di Rumah Gadang (Studi di Nagari Abai Kecamatan Sangir Batang Hari). *Jurnal Integrasi Ilmu Syariah (Jisrah)*, 2(3), Article 3. <https://doi.org/10.31958/jisrah.v2i3.4951>.
- Sucipto, S. (2015). ‘Urf Sebagai Metode dan Sumber Penemuan Hukum Islam. *Asas*, 7(1), Article 1. <https://doi.org/10.24042/asas.v7i1.1376>.
- Sutarto, S., Warsah, I., & Ngadri, N. (2021). Kostruksi Makna Tradisi Walimatul ‘Ursy bagi Masyarakat Barumanis Kabupaten Rejang Lebong, Bengkulu, Indonesia. *Religious: Jurnal Studi Agama-Agama dan Lintas Budaya*, 5(1), Article 1. <https://doi.org/10.15575/rjsalb.v5i1.9817>.
- Tantowi, A. (2022). *Personal Interview* [Personal communication].
- Wahyu, W., & Alam, A. A. P. (2022). Interfaith Marriage Perspective of Fiqh Law and Positive Law. *Nusantara: Journal Of Law Studies*, 1(1), Article 1.
- Wandi, S. W. S. (2018). Eksistensi ‘Urf dan Adat Kebiasaan Sebagai Dalil Fiqh. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam*, 2(1), Article 1. <https://doi.org/10.22373/sjhk.v2i1.3111>.
- Yagi, F. (2020). Transformation of musical performances at wedding ceremonies in the post-socialist period: The Kazakh tamada in Bayan-Ölgii Province, Mongolia. *Central Asian Survey*, 39(4), 540–555. Scopus. <https://doi.org/10.1080/02634937.2020.1815652>.
- Yunus Samad, M. (2017). Jurnal Hukum Pernikahan Dalam Islam. *Istiqra` : Jurnal Pendidikan Dan Pemikiran Islam*, 5(1), Article 1. <https://jurnal.umpar.ac.id/index.php/istiqra/article/view/487>.
- Zubaidah, A. (2022). *Interview* [Personal communication].