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"Kujujuran" Competition in *Bakumpai* Tribe Marriage: An Islamic Review

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Abstract

The tradition of being honest in marriage is not a legal requirement. In Islamic teachings, it is a dowry as a marriage obligation. In fact, in the Bakumpai tribe, honesty *(kujujuran)* is a measure of self-esteem and social status. Therefore, it is essential to dig deeper into the view of Islamic law from the honest competition to analyze honest competition in Bakumpai ethnic marriages in Indonesia. This research is included in the qualitative research with the type of field research. Data mining was carried out on five subjects from the Bakumpai Dayak tribe who had practiced honesty. The study results found that according to Bakumpai custom, honesty is a means of prestige and differentiating social status, which sometimes the prospective groom cannot fulfill, resulting in the cancellation of marriages and even eloping. Meanwhile, according to Islamic law, honesty is categorized as 'urf; it also includes muamalah because it is helpful. This means that there has been a shift in values in honesty in Bakumpai custom in Indonesia; it has deviated from the values of marriage in Islam, which should not burden one another in marriage.

1. Introduction

Marriage is essential in human life; the legal way of marriage makes the association of men and women happen in an honorable manner according to the position of humans as creatures of honor (Muslimah, 2015). Association of household life is fostered in an atmosphere of peace, tranquility, and

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affection between husband and wife. A wife was created from a husband's rib so that every couple feels at ease in carrying out life in the world, and Allah SWT promises to give love to everyone who gets married. This affection will give happiness to the family. Therefore, people who are not married, both men and women, will not feel the pleasures that are felt by people who are married according to Islamic sharia.

Talking about marriage cannot be separated from a dowry or dowry. In Islamic marriage law, dowry is an obligation a groom must pay a bride according to his ability. The Prophet Muhammad SAW wanted the dowry to be in a reasonable (simple) form. According to customary law, marriages that apply in several regions in Indonesia restore the magical balance in the woman's family because the woman who marries will move or leave her family environment.

Park Cahu City, Murung Raya Regency, Central Kalimantan, Indonesia, consists of various ethnicities, races, religions, and cultures. Of the various tribes that exist, one of them is the Bakumpai Dayak tribe, which is a sub-ethnic Dayak Ngaju Kalimantan who is Muslim. This tribe mainly inhabits the banks of the Barito River basin in South and Central Kalimantan, from Marabahan City to Puruk Cahu City, Murung Raya. The Bakumpai Dayak tribe respects and preserves their customs. Marriage is an aspect that is quite thick with the name customs, including customs that have been passed down from generation to generation in the Bakumpai Dayak community, known as 'kejujuran.' Honesty is a gift from the man to the woman based on mutual agreement (the parents); here, honest money is distinguished from dowry.

Honesty in Bakumpai Dayak marriage customs is one of the requirements that the groom must meet. The cost of honesty for a girl is determined by various factors, including the social status of the woman's parents, the woman's parents are respected people, the beauty of the woman, the woman's level of education, the job and because the woman's parents want it as the cost of marriage. However, this tradition that binds the Bakumpai Dayak community from generation to generation forms the perception that honesty in Bakumpai Dayak wedding customs is a tradition that must be paid in addition to the dowry or dowry (Muslimah et al., 2021). So that several problems arise in society, such as delays in marriage because they cannot pay honestly, owe debts here and there to be able to fulfill what is offered honestly, or even marriages will be canceled because they cannot fulfill the request. Even the Bakumpai people think that honest money at a high price is an honor because, according to them, it will impact the festivities, splendor, and even the large number of guests invited to the wedding. So, the essence of honest money is processed as a competition. This makes it interesting to discuss in the view of Islamic science (Muslimah et al., 2020).

In Islam, the principle of *raf'at their* (prioritizing convenience) is known in marriage matters (Saputra et al., 2021a). The non-burdensome religion of Islam (Saputra et al., 2021b). Therefore, if someone is in a problematic condition, Islam provides an alternative law that becomes soft and flexible, making it easy. This is well applied in Islam, namely in the Rule of Fiqh, which states, "Difficulty Brings Ease.

If it is wrong to interpret the concept of *honesty in the customary* law of Dayak Bakumpai marriage, it will have negative consequences, such as; 1) obstruction of marriage, especially for those who are serious about each other, 2) encouraging or even forcing the man to take debt in order to pay the honest woman he wants to marry, 3) encouraging eloping or even extramarital relationships, 4) the breaking of good relations between the man and his family just because the man cannot pay the honest money *given,* then the marriage is canceled, and 5) there will be many women who are not married and become old maids because *the honesty* that was previously offered was too high.

Responding to the problems above, the researcher is interested in conducting a deeper study of the tradition of *honesty in traditional* Dayak Bakumpai *marriages* according to Islamic law, and what remains a question is what is the legal status of the tradition of honesty in *marriage,* bearing in mind

that *honesty* is not a requirement for a valid marriage but in Islamic teachings. In Islam, the obligation of a marriage is a dowry.

In this study, the authors conducted by plunging directly into the area of research object to obtain data related to the practice of honest traditions in marriage in the Bakumpai Dayak community in Puruk Cahu City. This research is field research, which the author carried out in the City of Park Cahu, Murung Raya Regency, Central Kalimantan Province, Indonesia. The author chose this location because, in that place, the honest tradition has become popular in the community and because *honesty is wrongly interpreted* as a way to get married. The subject of this research is the Bakumpai Dayak people who have carried out *honesty*; the object of this research is the implementation of the honest tradition in the Bakumpai Dayak people. Thus, the researcher hopes to find out and describe the reasons that form the basis of society in enforcing *honesty* in marriage and the legal status of *honesty* in marriage according to Islamic law. Who practice *honesty* in marriage?

2. Materials and Methods

This study aimed to discuss honesty competitions in traditional Bakumpai weddings in Indonesia. Issues related to customs, including marriage, are an interesting study for developing customs, especially in Islamic teaching (Schärer, 2013). For this matter, we have searched for data through a literature study on the views of Islamic law on marriage ceremonies, especially in several traditional groups in Indonesia. After obtaining the data, the subsequent analysis involves analyzing sociological and anthropological data (Bernard et al., 2016; Richardson, 2018; Antin et al., 2015; (Marshall et al., 2013; Punch, 2013). We designed the report in qualitative data by describing traditional marriage customs where people still place high importance on honesty compared to other social statuses. The data search also involved several methods involving traditional and religious leaders who linked customs and Islamic religious data sources. So that this study can complete the findings that answer the problem, this study also reviews several views of Islamic law and customary pro-law, especially in marriages in several areas, such as Puruk Cahu and Murung Raya District. This includes carrying out a study aimed at understanding honesty competition at marriage ceremonies of the Bakumpai tribe in Kalimantan, which begins with search data and problem formulation and ends with analysis and final reporting (Lune & Berg, 2017; Reay, 2014; (Graue, 2015; Sgier, 2012; Huberman, 1992).

3. Results and Discussions

This part presented the result of data analisys that supported by data evidence from many study dones previously. In this part we also presented the study discussion that support the result part. The part is also written in data qualitative as this study what to understand cultural and religious issue in marriage tradition in several tribu cultures.

Honest Tradition in Marriage

Tradition is the inheritance of norms, rules, and habits. This tradition is not something that cannot be changed; it is instead combined with various kinds of human actions and raised as a whole. Because humans make traditions, humans can also accept them, reject them and change them (Peursen, 2003). Tradition can also be said to be a habit passed down from generation to generation in society, with a broad nature. Tradition can cover all the complexities of life, so it is not easy to set it apart with precise and definite details, especially difficult to treat similarly because tradition is not an inanimate object but a living custom to serve living humans as well (Rianti et al., 2021).

According to the language, habit comes from the word 'ordinary,' which means 'Azim,' as usual, as before, is something that cannot be separated from everyday life. Meanwhile, what is meant by habit is usually done between patterns for responding to specific situations learned by an individual and what he repeatedly does for the same thing. In other languages, adat means "customs" or "traditions" of society that have been carried out repeatedly from generation to generation. The word "custom" Here, is commonly used without distinguishing which ones have sanctions, such as "customary law," and which do not have sanctions, as they are called "customs".

Al'adah is taken from the word al- a up'or al- mu'awada, which means repeated. Ibn Nuzaim defines al-adah as "an expression of what is hidden in oneself, repeated things that can be accepted by a healthy character (temperament). The above problems are inseparable from the theory of *`urf* in ushul fiqh, '*urf* comes from Arabic from the word عرف, –يعرف -عر فا which means something that is known, while the word custom also comes from Arabic which means the repetition of something events, `urf and adat are two words that are used in terms of habits or something that is often done by the community, '*urf* is also defined

انعرف ئٌ ما حعارف عهيو اننا س ًا عخا ده في اقٌا نيم ًافعا نيم حخى صا ر ذانك مطر دا أ غانبا

"*Urf* is what is known by humans and repeats it in his words and actions until it becomes commonplace and generally accepted" The word '*urf* looks at the quality (both good and bad) so that it is recognized and known by many people. If examined, there is no difference in principle between adat and *`urf* because both refer to events that are carried out repeatedly so that they are recognized and known by people (Sairaji & Muslimah, 2020). This blasphemy of *`urf* shahih was stipulated by ushul fiqh scholars in a rule, namely which انعا دة محكمتmeans "a custom can be determined as law" this rule can be understood that ` u rf or custom can be used as a source of law, if in the Nash no explanation (I. E. A. Pelu & Dakhoir, 2021). `urf can be accepted as long as it meets certain conditions, as follows.

1. The *urf* is worth mashlahat because it can provide sound to the people and prevent them from damage and evil.
2. The *urf* is generally accepted and evenly distributed among people in a particular environment.
3. *`Urf* was valid before that, and no custom came after
4. *'Urf* does not conflict with the existing syara' proposition.

The definition of honesty is money given by the man to the woman as a gift when they are about to get married. The man prepares honesty, the man himself may prepare it, or his parents prepare it, or, in the case of the prospective groom being an orphan, or due to other reasons, the money for honesty is not sufficient; it is prepared jointly assisted by relatives.

Honesty in a marriage procession is a gift in the form of goods as a form of respect from the prospective groom to the prospective bride; this is an expression of love and responsibility in meeting the needs of the woman who wants to be a wife or prospective bride. According to Agustini (2018), delivery, namely the gift of goods from the prospective groom to the prospective bride, is evidence that the prospective groom can provide all the needs of the prospective bride. Delivery is usually in the form of the girl's personal needs, such as bags, shoes, clothes, toiletries, make-up equipment, and others.

In terms of ethical requirements, there are no definite rules. However, usually what happens to the Dayak Bakumpai people must go through a dialogue process that occurs when applying in which there is an agreement between the two parties of the prospective bride and groom. This agreement includes the amount of fair value and delivery time honest.

The prospective groom prepares honestly; it could be that the prospective groom himself prepares or is prepared by his parents and can even be prepared in cooperation with his close relatives if the honesty money is insufficient. Honesty is usually in the form of money and goods for the woman's personal needs. For a girl, the size of the honest girl is determined by several factors: the girl's education level, the social status of the girl's parents, the girl's beauty, and the girl's job because the girl's parents want it. Or the girl's guardian as the cost of marriage and living provisions for the bride and groom.

The tradition carried out by the Bakumpai Dayak community in Murung Raya Regency in the form of *honesty* shows that many customs (habits) still characterize the Indonesian nation. This *honorable* tradition has been going on since the time of our ancestors until now. This honest traditional practice is sometimes analogous to a *dowry*; this aims to elevate the dignity of a woman and as proof that the man wants the woman as his partner to be willing to sacrifice and be responsible. *Honesty* is a symbol of binding or a sign that the man is serious about proposing to the woman. *Honesty* itself is aimed at the costs of the marriage walimah and the provision of life for the bride and groom because honesty is in the form of money for the walimah of marriage and the items in the room, or it can be in the form of money equivalent to the price of these items.

In the traditional Bakumpai marriage system, after going through the process of visiting, if this application has been accepted, then the following discussion is to discuss the amount of *honesty* desired by the woman's family and approved by the man's family and in this meeting also discuss the time to deliver the *simple*, marriage contract and marriage ceremonies. The following process is delivering *honesty*; this process is also referred to as Italian, binding the two prospective brides and groom as well as engagement. In this process, the man's family comes to the woman's residence bringing various kinds of goods and honest money that has been agreed upon in advance.

Usually, the decision to continue or not marriage plans occurs at this time, either if one of the parties cannot find common ground regarding the amount of *honesty* or the woman remains adamant about the amount of honesty value *requested*. At the same time, the man cannot pay as requested, then cancels the wedding plans. However, in some instances where the man states that he is unable to pay the *fair amount* requested by the woman, but the woman and her family expect the man to result in an annulment of the marriage, there are also cases where the two of them already love each other then the amount of *honesty* is understandable in the sense that according to the ability of the man with the approval and willingness of the woman and her family.

Views of Islamic Law on Honest Competition in Bakumpai Tribe Marriages in Puruk Cahu, Murung Raya District

The tradition of being *honest in Dayak Bakumpai* wedding customs has been seen for generations as not something good, and is a good habit that must be carried out by those who wish to marry Dayak Bakumpai women and something that is considered good and carried on from generation to generation over and over again—not forbidden in Islamic law.

As contained in a book entitled Philosophy of Islamic Law written by Hasby Ash-Shiddiqie, it is said that customs or habits can be used as a source of Islamic law if they meet the following requirements:

1. Customs are acceptable by common sense and accepted by public opinion;
2. It happens repeatedly and is common in society;
3. The custom has already been implemented or is currently being implemented; the custom may not apply;
4. There is no other agreement between the two parties, which differs from custom and;

5. We are consistent with the text. Therefore, even though the honest tradition in the Banjar community is not regulated in Islamic law, this gift is permissible as long as it does not conflict with the aqidah and sharia.

Honesty and customary law implemented by the community in Islam is known as 'urf (I. E. A. S. Pelu et al., 2019). '*Urf* is something known by the community and is a custom in Indonesia among them in the form of words and deeds (I. E. A. Pelu & Tarantang, 2021). Some useful fiqh scholars call '*urf*' adat (customs). Judging from whether '*urf* is accepted or not, as well as in terms of assessment,'urf shahîh is 'urf, which is good and acceptable because it does not conflict with Shari'a, and 'urf faced is '*urf* which is unacceptable because it is contrary to Shari'a. Before the Prophet Muhammad was sent, many customs and traditions applied to people worldwide. Customs are built by values considered reasonable by the community, which are then created, understood, agreed upon, and implemented based on awareness. The values carried out are sometimes not in line with Islamic teachings, and some are already appropriate to Islamic teachings.

Adat can be used as a basis because Islamic law recognizes the effectiveness of customs in legal interpretation (Khanif et al., 2021). When Islam came, it brought teachings containing religious and human values to meet traditional values in society (Muslimah et al., 2020). Some follow Islamic values, even though the philosophical aspects are different. Some are different and even contradict the values that exist in Islamic teachings (Supaini, 2019). This is where the scholars then divide the customs that exist in society into al-âdah al-shahîhah (good, correct, good customs) and al-âdah al-fâsidah (customs that are mafsadah, wrong, damaged). "What many people do is hujjah (reason/ argument/ argument) that must be practiced. The purpose of this rule is that what has become customary in society becomes a guideline in the sense that every community member obeys it.

Direct payment is a general tradition that applies to every Bakumpai Dayak ethnicity, Murung Raya Regency. Even though this practice is not regulated in Islamic law, this gift can already be considered a tradition permissible in that community as long as it does not conflict with the aqidah and texts. Marriages that are carried out by giving a modest amount of honesty or not even carrying out a ritual of delivering honesty but only giving a dowry to the prospective bride, even if with a very modest amount but based on the willingness of both parties, the marriage is valid according to Islamic law. The tradition of giving leads to honesty following the principles of Islamic marriage law as in it, there is a principle of willingness and agreement between the groom and the bride in determining the value of honesty; there is no element of exaggerating or burdening the amount of dowry and honesty, giving absolute rights to women who will be married.

Honesty, which at first was a form of respect and respect for the proposed bride, is now experiencing a shift in meaning to a more materialistic one (Helim, 2011). Honesty becomes a place of prestige between a family and other families in the community, so the demand for honesty increases until the value requested becomes unreasonable. The increase in the value of honesty that must be fulfilled is to make the wedding ceremony more luxurious and, of course, livelier so that it becomes a source of pride for those who can hold a wedding with such a grand event. It would be a disgrace or talk in the extended family or neighbors if, in the marriage being held, the honesty required was of little value and the wedding ceremony or walimah was just simple, so of course, it would be embarrassing for the family carrying out the marriage. When the honesty requested is large enough, and the prospective groom can fulfill it, it is not a problem, but it becomes a problem when the honest groom cannot fulfill it. So that events that should not have happened, such as postponement of marriages, cancellation of marriages, until eloping occurred. With this shift in values in honesty, there has inevitably been a deviation from the values of marriage in Islam, which should not burden one another in marriage (Khanif et al., 2021).

So that is following social facts that some men who marry Bakumpai Dayak women feel burdened by the existence of a fair amount that makes the men unable even to owe it to fulfill it. However, some people are also capable, so they are not burdened with honesty in custom Bakumpai Dayak marriages are relatively high. This is because in determining this honest money, there will be a process of bargaining or agreement between the two parties of the bride and groom so that it can be said that the man already knows or agrees with the customs that exist in the community in which the man has agreed to the limits of his ability to fulfill honest money to be paid. When giving honest money is difficult, it is contrary to Islamic law. Likewise, conversely, it does not complicate the occurrence of marriage, so this does not conflict with Islamic law as long as there is no compulsion to give it.

In the author's opinion, the tradition built by the Bakumpai Dayak community regarding honesty is acceptable to carry out as long as there is a voluntary nature between the two parties or there is an agreement in which the man has agreed with the limits of his ability to fulfill the honest money that must be paid and not there is a side where there is compulsion in it, or it is burdensome for the men. So from the rules above, it can be emphasized that a human being must refuse something masa dah by eliminating harm or at least mitigating it, and something that has been made obligatory cannot be abandoned (Hasanudin et al., 2021), except for an obligation that requires to leave and something (Rianti et al., 2021).

While the phenomenon of the meaning of honesty can be said to be still in the index of the social status dimension rather than its moral and spiritual dimensions, honest money is set high or low in the Bakumpai Dayak community; they have their arguments or reasons for placing that price either because of the influence of social status, environment, economy, education and so on and what needs to be remembered is that Islam is never the same religion once burdensome servant especially in the matter of marriage though.

4. Conclusion

From the results of the study, it can be concluded that the view of Islamic law on honest competition in Dayak Bakumpai traditional marriages in Murung Raya Regency is that honesty is a gift in the form of money from the prospective groom to the prospective bride as proof that the prospective man wants a woman as a partner is given based on mutual agreement. Meanwhile, honesty, according to Bakumpai custom, is one of the traditional wedding processions in Indonesia where there are some people; the prospective groom must be able to meet the actual financial needs desired by the woman by giving a certain amount of money to the prospective bride as a wedding process and walimah costs. However, some people also do this based on an agreement.

According to Islamic law, honesty is categorized as 'urf, namely customs or habits. Payment of honesty is a customary tradition that is generally carried out by people of the Bakumpai Dayak tribe, Murung Raya Regency,' urf is something that is known by the community and is a custom among the community in the form of words and deeds and by some fiqh scholars' urf are called customs. Apart from 'u rf, the honest tradition is a form of muamalah. Muamalah is based on the honest tradition, namely helping the prospective groom to the bride by giving honest money to help with the walimah event. Meanwhile, according to the Bakumpai custom, honesty becomes a place of prestige between a family and other families in the community, then a request occurs. Increased honesty until the requested value becomes unreasonable. When the honesty requested is large enough, and the prospective groom can fulfill it, it is not a problem, but it becomes a problem when the honest groom cannot fulfill it. So, events that should not have happened, such as postponement of marriages, cancellation of marriages, until eloping occurred. With this shift in values in honesty, there has

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