

## **Bausung Bridal Tradition of Banjar Traditional Wedding Brides in 'Urf Perspective**

**Rio Salim W**

UIN Maulana Malik Ibrahim Malang

[rioslm24@gmail.com](mailto:rioslm24@gmail.com)

**Jamilah**

UIN Maulana Malik Ibrahim Malang

[jamilah@syariah.uin-malang.ac.id](mailto:jamilah@syariah.uin-malang.ac.id)

### **Abstract:**

*Bausung* bridal tradition is one of a traditional wedding processions of Banjar society. *Bausung* bridal is lifting or carrying the bride and groom up on the shoulders of two men. The society belief if this tradition did not carried out they will get a sanction from their ancestors. The purpose of this research is to analyze this tradition deeply to find out the *Bausung* bridal tradition in the composition of Islamic legal rules according to the perspective of 'urf. This research is an empirical that has qualitative approach. Data source to be used are primary as and secondary data. The results of this study indicate that the *Bausung* bridal tradition is classified as 'urf *amali* in terms of 'urf material because it is focuses on a practice, in terms of the scope of 'urf is 'urf *khaas* because it is only carried out by the Banjar tribal society and in terms of the validity of 'urf is 'urf *shahih* because the majority of the process of the *Bausung* bridal tradition does not conflict with Islamic law, although there are still some practices from this tradition that must be abandoned because it has the potential to cause shirk to Allah SWT.

**Keywords:** tradition; wedding; bausung.

### **Introduction**

Tradition or culture actually has its own attachment to Islam that cannot be separated from one to another. Tradition is something that has been carried out for a long time and continues to be part of the life of a society.<sup>1</sup> Religion is a universal phenomenon in human life related to the surrounding reality. Which means, a person's religion is always related to the traditional environment and culture. From that, religion is identical with tradition and cultural expression of belief in the sacred. If the relationship between religion and tradition is placed as a form of interpretation in history and culture, then almost all religious domains are constructions of relative human creativity. The relationship between religion and tradition or culture lies in the

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<sup>1</sup> Departemen Pendidikan Nasional, *Kamus Besar Bahasa Indonesia edisi ketiga*, (Jakarta: Balai Pustaka, 2005), 1208.

symbols and values they have. Religion is a symbol that symbolizes the value of obedience to God and culture contains values and symbols so that humans can live in it.<sup>2</sup> The presence of Islam itself in Indonesia does not escape from the role of tradition because religion in the perspective of the social sciences is a value system that contains a number of conceptions of the construction of reality. Islam as a dogma is dynamic in facing the challenges of the times. Islam always presents itself in a transparent form in dealing with society with many cultural characteristics, customs or traditions from each region it encounters.

Banjar traditional marriage is basically based on customs or habits that exist in the society at the region itself. In Banjar customs, there are many traditional wedding processions from preparing the marriage until after the marriage itself. Customary marriage law is a community law that regulates marriage that is not written in state legislation. If there is a violation, it will be judged by the local customary community. This cultural tradition of marriage is one part of the life cycle that must be passed. In Banjar customs, there are many traditional wedding processions, and they are quite unique, starting from pre-marriage, the marriage process, to post-wedding. The stages in detail are: 1. *Basasuluh*, 2. *Batatakunan*, 3. *Badatang*, 4. *Maantar Patalian*, 5. *Maantar Jujuran*, 6. *Nikah*, 7. *Bapingit*, 8. *Mandi-mandi*, 9. *Batamat Qur'an*, 10. *Marriage*. Although this tradition is quite a lot, this does not make some people in the city of Banjarmasin abandon the marriage tradition. Most of the people of Banjarmasin city still use the traditions of their ancestors although sometimes they do not really understand the meanings contained in these series of traditions. This happens because the traditions that exist in traditional marriages are very difficult to be separated from the memory of the community and are also the advice of parents that are impossible to violate. *Bausung* bridal tradition is lifting the bride and groom up, each of the bride and groom are carried on the shoulders of two men. The first man carries the groom, the second man carries the bride and then they are led to the aisle.<sup>3</sup> Most of the people of Banjarmasin city, South Kalimantan still implement the traditions of their ancestors, this happens because the traditions that exist in traditional marriages are very difficult to be separated from the memory of the society and also the advice of their parents that are impossible to violate because according to the Banjar traditional community, if they leave the tradition, they will get sanctions such as possession or a disaster that interferes the wedding ceremony.

As happened to Mr. Mz and Mrs. AH as a couple of Banjar traditional wedding, they said that *bausung* bridal tradition is lifting the bride and groom up on the shoulders of two men. The first man brings the groom, and the second man brings the bride, the men who lift the bride and groom up must be strong and have good skill at traditional martial arts called *kuntau* or dancing. Because when they lift the bride and groom up, they have to perform it in front of audiences until finally the bride and groom are led to the aisle. This couple also added that this tradition has been carried out from generation to generation from their ancestors and it must be carried out when holding out a wedding procession, because their traditional beliefs said if someone who wants to hold out a wedding and does not carried out the *bausung* tradition, they will get a sanction.

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<sup>2</sup> Laodo Monto Bauto, "Perspektif agama dan kebudayaan dalam kehidupan masyarakat Indonesia", *Journal Pendidikan Ilmu Sosial*, No. 2 (2014): 24. <https://doi.org/10.17509/jpis.v23i2.1616>

<sup>3</sup> Riska Rahma, "Tradisi Bausung Pengantin Pada Banjar Kandangan Di Kecamatan Tembilihan Kabupaten Indragiri Hilir", *JOM FISIP*, No. 2 (2019): 4. <https://garuda.kemdikbud.go.id/documents/detail/1461460>

*Bausung* bridal tradition classified as a unique tradition because the majority of the practitioners from *Bausung* tradition are Muslim, even though there are some *mudharat* aspects as the bride being carried by a man who is not necessarily her *mahram*, as well as the possibility of the bride falling from the shoulders of the man who lifted her, especially with the existence of supernatural beliefs for those who applied the *bausung* tradition as from the perspective of Islamic law. Therefore, to find out why the above traditions are still implemented in the society and whether these traditions are in accordance with Islamic teachings, it is necessary to find out where was the position of the *bausung* tradition in the composition of Islamic legal rules according to the 'urf perspective.

To determine the authenticity of this research, it will be presented several previous research that has the same theme in this article. It aims to seek originality and updating of the research conducted. First, an undergraduate thesis conducted by Akbar Budiman student of the Sharia Faculty of Maulana Malik State Islamic University Ibrahim Malang in 2020 with the title "Praktik resepsi (walimah) perkawinan adat suku Bugis dalam tinjauan 'Urf: Studi kasus di Kelurahan Anaiwoi Kecamatan Tanggetada Kabupaten Kolaka Sulawesi Tenggara".<sup>4</sup> The subject of discussion in the research is the entertainment of musical songs by sexy singers with a certain sway at the wedding reception.

Second, an undergraduate thesis conducted by Sani'atin Any student of the Sharia Faculty of Maulana Malik State Islamic University Ibrahim Malang in 2016 with the title "Tradisi Repenan dalam Walimah Nikah Ditinjau Dalam Konsep 'Urf (Studi Kasus di Dusun Petis Sari Desa Babaksari Kecamatan Dukun Kabupaten Gresik)".<sup>5</sup> Based on the results of the research, *repenan* tradition uses offerings or dishes served in *walimah* and a sacred closed room. This tradition is carried out to keep the bride and groom away from the danger.

Third, an undergraduate thesis conducted by Marsukin student of the Sharia Faculty of Maulana Malik State Islamic University Ibrahim Malang in 2016 with the title "Persepsi masyarakat tentang tradisi piduduk dalam pernikahan adat Banjar perspektif 'urf" (studi di Kelurahan Sidomulyo Kecamatan Ilir Kalimantan Timur)".<sup>6</sup> The results of this research indicate that the concept of the *piduduk* tradition is by serving several dishes in a marriage. This tradition is believed to keep away the bride and the groom from the danger in order to avoid the evil spirits that interfere during the wedding ceremony.

## Method of Research

This article belongs to the type of sociological empirical research using qualitative approach to study how the rules are applied in practice in society by analyzing the relationship between Islamic law and society.<sup>7</sup> The data sources used in this article are

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<sup>4</sup>Akbar Budiman, "Praktek Resepsi Pernikahan Adat Bugis Dalam Tinjauan 'Urf: Studi Kasus di Desa Anaiwoi Kecamatan Tanggetada Kabupaten Kolaka Sulawesi Tenggara", (Undergraduate thesis, Universitas Maulana Malik Ibrahim Malang, 2014), <http://etheses.uin-malang.ac.id/298/>

<sup>5</sup>Sani'atin Any, "Tradisi Repenan dalam Nikah *Walimah* Ditinjau dalam Konsep 'urf (Studi Kasus di Dusun Petis Sari, Desa Babaksari, Kecamatan Dukun, Kabupaten Gresik)", (Undergraduate thesis, Universitas Maulana Malik Ibrahim Malang, 2016), <http://etheses.uin-malang.ac.id/5419/>

<sup>6</sup>Marsukin, "Persepsi masyarakat terhadap tradisi piduduk dalam pernikahan adat Banjar dari perspektif 'urf" (studi di Desa Sidomulyo, Kabupaten Ilir, Kalimantan Timur)", (Undergraduate thesis, Universitas Maulana Malik Ibrahim Malang, 2016), <http://etheses.uin-malang.ac.id/9462/>

<sup>7</sup>Zainuddin Ali, *Metode Penelitian Hukum*, (Jakarta: Sinar Grafika, 2011), 17.

primary data sources and secondary data sources. Primary data sources in this study is an information obtained through direct interviews with the couples who carried out the *bausung* tradition and several community leaders consisting of traditional and religious leaders. While the secondary data sources is an information relevant to the object of research, which is obtained from literature/books, articles, previous research related to *'urf*, as well as Islamic Law Compilation. The collected data is then analyzed by using the theoretical framework listed in the literature review and linked to the facts that have been obtained in the interview process. In this study, the research subjects were divided into 2 (two) categories. The first category is married couples who carried out the *bausung* tradition during their marriage. The second category is community leaders which include traditional leaders and also religious leaders in the city of Banjarmasin, South Kalimantan. The collected data then aligned into a data analysis that is neatly structured between one data and another so that this research becomes research that is in accordance with the format of the writing.<sup>8</sup> The reasons for choosing the research subject is because the problems that occur in that location have not been studied that much.

### **The Implementation of Bausung Bridal Tradition in Banjar Traditional Weddings**

Traditional marriage is a form of life bond between men and women. The goal is that the next generation is passed down from generation to generation so that the life between their people or their communities will not become extinct. This event is usually preceded by several traditional ceremonies, which symbolize the change in the identity of each bride and groom from living alone to becoming a family. The bride has passed the tradition indicating that they must live together as husband and wife, a new family is established and a symbol that they have shown themselves.<sup>9</sup> Then according to Islamic law, The word marriage has various meanings, but the definition of marriage by the mostly expert in *fiqh* like syafi'i, hanafi, and wahbah zuhaili principally does not make any significant difference except in the wording. As they said marriage is a religiously regulated contract that aims to give the man the right to own and enjoy the woman's entire body and form a family. This is done to meet the needs of human physical and spiritual life. Marriage also aims to form a family and maintain and continue offspring in living the life of a partner, creating peace and tranquility for the person concerned and his family and society.<sup>10</sup> Meanwhile, according to the the Islamic Law Compilation, the definition of marriage is contained in chapter two of the book which stated "Marriage according to Islamic law is marriage, which is a very strong contract or *mitsqan ghalizhan* to obey Allah's commands and carry it out is worship".<sup>11</sup> Marriage is a *sunnatullah* that is recommended for every of his servant, in this case, among the legal basis of marriage are ar-Rum verse 21: "*And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them. And He has placed between you compassion and mercy. Surely in this are signs for people who reflect*", an-Nur verse 32: "*Marry off the 'free' singles among you, as well as the righteous of your bondmen and bondwomen. If they are poor, Allah will enrich them out of His bounty. For Allah is All-Bountiful, All-Knowing*", an-Nisaa' verse 3: "*If you fear you might fail to give orphan women their (due) rights (if you were to marry them), then*

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<sup>8</sup> Bambang Sunggono, *Penelitian Hukum Normatif*, (Bandung: CV Mandar Maju, 2000), 76.

<sup>9</sup> Yulia, *Buku Ajar Hukum Adat*, (Aceh: UNIMAL Press, 2016), 49.

<sup>10</sup> Idris Ramulyo, *Hukum Perkawinan Islam*, (Jakarta: Bumi Aksara, 2004), 26.

<sup>11</sup> Pustaka Yustisia, *Kompilasi Hukum Islam*, (Yogyakarta: Pustaka Widyatama, 2014), 11.

*marry other women of your choice two, three, or four. But if you are afraid you will fail to maintain justice, then (content yourselves with) one or those (bondwomen) in your possession. This way you are less likely to commit injustice”, and Rasulullah SAW hadiths: From Abdullah bin Mas’ud, He said: Rasulullah SAW said to us: "O young men, whoever among you is able to marry, let him marry. So surely, marriage hinders the view (to those forbidden by religion) and maintains honour. And whoever is unable, let him fast. So surely fasting is a shield for him”.*

The *bausung* bridal tradition has existed since the days of the Banjar sultanate. At the first of moment, this tradition was only held for the nobles and the wealthy merchants. But nowadays, *bausung* bridal tradition is no longer a party for the rich. *Bausung* bridal tradition has become a tradition for the Banjar tribal society at most of the wedding. The word "*bausung*" in the Banjarese means to carry or to lift up. While the word bridal means the couple of bride and groom who are getting married. *Bausung* bridal means carrying or lifting the bride and groom up on the shoulders of a man to be paraded to the aisle.<sup>12</sup> Mr. NH as the Banjar tribal chief explained that *bausung* bridal tradition is the lifting the bride and groom up onto the shoulders of a man called *juru usung* who is considered strong and skilled in *pencak silat* or dancing to be paraded then to the aisle.<sup>13</sup>

Banjar traditional weddings are taking very respectful to the bride and groom so the philosophy of this tradition is the bride and groom like a king and queen for a day at the wedding ceremony, the bride and groom must be carried or lifted up so that their position is higher than the others. In addition, the meaning of the *bausung* bridal is to broadcast the message, that a couple has officially become the husband and the wife. *Bausung* bridal usually done before the couple sitting side by side on the aisle, also before the bathing or showering procession. But over time, a lot of people there done *bausung* bridal only before the couple go to the aisle.<sup>14</sup> According to the belief of the Banjar tribal society in the city of Banjarmasin, the *bausung* bridal tradition must be carried out during a wedding because the Banjar tribal society believe that if the tradition is abandoned at the wedding process, the bride and groom or only each of them will get sanctions in form of possession and seclusion.<sup>15</sup>

The practice of *bausung* bridal tradition is quite unique compared to the other wedding procession in general, such as the meaning of *Bausung* itself, which is to carry or lift someone up. The *bausung* bridal is implemented by being carried on someone's shoulder. This tradition is held at the *walimahan* or wedding reception, so that before the wedding reception is held, the bride's family has looked for and appointed a *juru usung* (the man who lift the bride and groom up) for the *bausung* bridal tradition. Thus, the process of implementing the *bausung* bridal tradition includes the following: 1. The two brides and grooms wear traditional wedding clothes, 2. The bride and groom are placed in a place not far from the aisle. But in this case, women and men are not placed in the same place, 3. The groom will be carried up on the shoulder of *juru usung* in a straddle position to be then reunited with the bride, to pick her up, 4. When the groom

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<sup>12</sup> Riska Rahma, "Tradisi bausung pengantin di Banjar Kandungan Kecamatan Tembilahan Kabupaten Indragiri Hilir", *JOM FISIP*, No. 2 (2019): 12.

<sup>13</sup> Bapak NH (Ketua adat Banjar), hasil wawancara, 30 Maret 2022

<sup>14</sup> Ibu AH (Pelaku tradisi Bausung), hasil wawancara, (Banjarmasin: 23 Maret 2022)

<sup>15</sup> Riska Rahma, "Tradisi bausung pengantin di Banjar Kandungan Kecamatan Tembilahan Kabupaten Indragiri Hilir", *JOM FISIP*, No. 2 (2019): 12. <https://garuda.kemdikbud.go.id/documents/detail/1461460>

arrives at the bride's place, the bride is also carried up over the shoulders by a *juru usung* in a sideways position, which is then carried up and paraded to the aisle.<sup>16</sup>

During the *bausung* bridal process, the bride and groom are carried accompanied by rhythms such as traditional music or gamelan. The person who lifts them (*juru usung*) walks while dancing or performing *pencak silat* moves to the beat of the existing music. Not only that, the *bausung* bridal process is also carried out by being paraded among invited guests to be brought to the aisle. According to the explanation of Mr. AS as a religious leader of the local community, someone who does the appointment of the bride and groom is recommended from the family itself and wear traditional clothes that does not reveal the genitals. This is done in order to avoid *mudharat* that might occur during the *bausung* bridal ceremony.

Although the *bausung* bridal tradition is classified as a unique tradition, in fact this tradition does not bind any special requirements, but according to the local custom usually before this tradition is held, some bride's family will prepare *piduduk* (offerings), the *piduduk* are prepared in the form of young coconuts, 1 litre of rice, brown sugar, needles and threads are placed under the aisle, besides that there is also another *piduduk* for the *juru usung*. However, according to Mr. NH's explanation as a community leader in the local area, *piduduk* is not an obligation to be able to hold a *bausung* bridal, because it is only a habit to honour the ancestors, so if the *piduduk* is not prepared during the *Bausung* bridal procession, it is also okay.

The tribal society of Banjar inform that there are several important factors that make them still implementing the *bausung* bridal tradition. In general, the factors behind the *Bausung* bridal tradition are due to the habits of the ancestors of the Banjar tribal society. Meanwhile specifically, *bausung* bridal tradition is motivated by three other factors: 1. Preserving ancestral traditions or customs, 2. Magical belief in the *bausung* bridal tradition, 3. Sense of obedience to their parents.

The *Bausung* bridal tradition is a unique feature of the Banjar tribal society in the city of Banjarmasin, which is still rarely encountered in the other processes of *walimah al-'urs* tribal people's weddings. Thus, the Banjar tribal society try to preserve the *Bausung* Bridal tradition by implementing it out at their wedding ceremony. It also aims to introduce to the world that the people of Banjar have a unique tradition at the marriage celebration ceremony, that when the bride and groom held the *walimah al-'urs* procession, they are considered like kings and queens who are prohibited to step on the surface, so they must be carried or lifted up when they want to move to the aisle. The lifting of the bride and groom up is quite unique, because they are not lifted by a cart or a vehicle, but are carried on the shoulders by the *juru usung*, and at the same time when they carrying the bride and groom up to the aisle on their shoulders, they also do a dance or even perform *pencak silat* movements accompanied by gamelan music.

The *bausung* bridal tradition is a hereditary tradition from the ancestors of the Banjar tribal community which is still preserved today. This tradition is considered sacred by the tribal people of Banjar, they assume that this tradition must be implemented by every bride and groom when they get married, because when the bride and groom do not implement the *bausung* bridal tradition out then they will be punished or get any sanctions by their ancestors. The sanctions referred into the belief of the Banjar tribe are sanctions from their ancestors, these sanctions are in the form of supernatural disturbances such as trance. This is as expressed by several sources as the

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<sup>16</sup> Bapak SR (Tokoh masyarakat), hasil wawancara, 27 Maret 2022

Banjar tribal society, including the explanation from Mr. MZ as the couple who carried out the *bausung* bridal tradition. The public's belief in sanctions for the couple who does not carry out the *bausung* bridal has been attached since the time of their ancestors, and this is a form of magic belief in supernatural things other than Allah SWT because according to the beliefs of the Banjar tribal society, the sanctions came from their ancestors.

The implementation of the *Bausung* bridal tradition is also based on the sense of obedience of the Banjar tribal society to their parents and ancestors, but some of them who implementing the *bausung* bridal tradition actually do not understand the purpose of the *bausung* bridal tradition is, they just implemented *bausung* bridal tradition because of an order from their parents. Just like what Mr. HE and Mrs. CS as a married couple who carried out the *bausung* bridal tradition, they said that they actually do not understand it themselves, they used to only follow orders from their parents, because they parent said if they do not carry out this tradition, they will be affected by a sanction.

### **Bausung Bridal Tradition of Banjar Traditional Wedding Brides in 'Urf Perspective**

Marriage is a *sunnatullah* that is recommended for every human being, this shows that marriage is a form of worship which contains the intent and purpose to hope for the pleasure of Allah SWT. In addition, marriage also has a purpose and wisdom for the prosperity of human life, because by marrying someone will get love, descendants and peace of mind as Allah SWT said in ar-Rum verse 21 that has the meaning “*And one of His signs is that He created for you spouses from among yourselves so that you may find comfort in them. And He has placed between you compassion and mercy. Surely in this are signs for people who reflect*”. The verse emphasizes how marriage has very noble wisdom for the life of His creatures. Marriage also has a role to protect oneself from deeds that Allah has forbidden to do. Humans that created by Allah SWT have an instincts, which include biological needs. Therefore, in Islam, the relationship between men and women is regulated by a marriage bond. Islam aims to teach its followers not to suppress their sexual urges but to fulfil them in a responsible way. The glory of marriage in Islam is not just only reflected in its purpose and wisdom but more than that because Islam regulates the law of marriage itself. Marriage in Islamic law has been arranged so well, starting from the *ta'aruf* process, *khitbah*, marriage to *walimah al-'urs* (wedding reception). *Walimah al-'urs* is a form of celebration of the bride and groom as an expression of gratitude for their marriage by serving a banquet and inviting relatives and the community to enjoy the banquet and share the joy of witnessing the inauguration of the wedding. In Islamic jurisprudence, *walimah* contains general and special meanings. The general meaning of *walimah* is all forms of celebration that involve many people. While *walimah* in a special meaning called *walimah al-'urs*, contains the meaning of the inauguration of a marriage whose purpose is to inform the public that the bride and groom have officially become husband and wife, as well as gratitude for the families of both parties for the ongoing marriage.<sup>17</sup> *Walimah al-'urs* is an recommended activity in Islam for the people who have carried out marriage.

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<sup>17</sup> Lia Laquna Jamali, Lukman Zain dan Ahmad Faqih Hasyim, “Hikmah *Walimah Al-Ursy* (Pesta Pernikahan) Dengan Kehormatan Perempuan Perempuan Perspektif Hadits”, *Diya Al-Afkar*, No. 2(2016): 168. <http://10.24235/diyyaafkar.v4i02.1161>

Especially in Indonesia, *walimah al-'urs* in traditional marriages have a uniqueness in the process of implementation. Like when it is viewed under Islamic law, it was never carried out by the Prophet SAW, but the implementation of *walimah al-'urs* with all its uniqueness was not intended to create a new religious teachings, it was only for entertainment in celebrating the wedding of the couple of bride and groom, and this usually happens from generation to generation by indigenous peoples in each indigenous tribe, which then becomes a tradition that is preserved continuously such as the *bausung* bridal tradition. The *bausung* bridal tradition is one of the processes at *walimah al-'urs* event of the Banjar tribal society in Banjarmasin. According to the article's explanation, *bausung* bridal is a tradition of lifting the bride and groom on the shoulders of two men to be paraded down to the aisle. *Bausung* bridal tradition is held after the marriage contract or at *walimah al-'urs*. Practically, *bausung* bridal tradition is a custom that maintained and regulated by Banjar customary law, so the implementation of *bausung* bridal tradition is not prohibited by applicable customary law. *Bausung* bridal tradition has its uniqueness because of the implementation process and the people's belief in it. This uniqueness and belief are what this article will analyze next according to the perspective of Islamic law, especially *'urf*, because *bausung* bridal tradition is included in customs or habits that have occurred from generation to generation.

There are three types and divisions of *'urf*, *'urf* in terms of material, the scope of use, and its legitimacy from a *sharia* perspective. In terms of material, *'urf* is divided into two part that are *'urf qauli* and *'urf amali*.<sup>18</sup> *'Urf qauli* is a habit that applies in the use of words or speech. *'Urf qauli* is the habit of a people using the word whose meaning is different from the original meaning, but when the word is spoken, they immediately understand its meaning. For example, every creeping animal on earth uses the "*dabbah*" word. However, "*dabbah*" is interpreted as a donkey in Egypt and an absolute word for horse in Iraq. At the same time, *'Urf 'amali* is a habit of action. As the custom of buying and selling at a society without saying transaction contracts. Even though according to the *Sharia*, transaction contracts is one of the pillars of buying and selling, but because it has become a habit in society to buy or sell something without contract and it does not happen anything bad, the *Sharia* allows it. After reviewing each definition of the division of *'urf* according to the material aspect, researchers analyze that the *bausung* bridal tradition can be categorized in *'urf' amali*, because *bausung* bridal tradition is an activity of carrying the bride and groom up by a *juru usung* during the *walimah al-'urs* and it is focused on an action.

Then from terms of the scope of *'urf*, there are *'urf 'aam* (general) and *'urf khaas* (special), then *bausung* bridal tradition is included in the category of *'urf khaas*, because the scope of the *Bausung* bridal tradition is in line with the definition held by *'Urf khaas*'. *'Urf khaas* is a special habit at a certain time, situation, society or area. Such as holding *halal bihalal* which is usually done by Indonesian Muslims at the end of every eid prayer, while we do not see something like this in the other Islamic countries.<sup>19</sup> Likewise with the *Bausung* Bridal tradition which is an activity or tradition that only applies to the Banjar tribal society and does not generally apply to other tribes.

Furthermore, from the legitimacy from a *sharia* perspective there are *'urf sahih* and *'urf fasid*, then to categorize whether bridal *Bausung* is included in the category of *'urf sahih* or *'urf fasid* the researcher wants to review the *Bausung* bridal tradition using

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<sup>18</sup> Satria Effendi, M. Zein, *Ushul Fiqh*, (Jakarta: Prenada Media, 2017), 124-128.

<sup>19</sup> Rusdaya Basri, *Ushul Fiqih 1*, (Parepare: IAIN Parepare Nusantara Press, 2007), 127.

several points of view of 'urf which is then associated with the concepts of *walimah al-'urs* in Islam. The implementation process of the *bausung* Bridal tradition which carrying the bride on the shoulders of a *juru usung* to be brought to the aisle, with the reason that the local community views that the bride and groom are like a king and queen whom must be glorified so that they are not allowed to step on the earth is a quite unique tradition. And from the legal basis of *walimah al-'urs*, this does not appear to be a recommendation or even a prohibition in Islam. Because in the hadith of the Prophet SAW narrated by Abu Daud, Islam just recommends the implementation of *walimah al-'urs* as a wedding celebration.<sup>20</sup> Meanwhile, to fill the *walimah al-'urs* event in the hadith, there are no restrictions regarding how the process is carried out. It's just that in the hadith narrated by Abu Daud by the meaning "From Anas that prophet Muhammad SAW saw traces of za'farān oil on Abdurrahmān bin 'Auf. Then the Prophet said: What is this? Then he said: O Messenger of Allah, I have married a woman. The Prophet said: What was the dowry you gave to her? He said: gold as the size of a date seed. He said: Celebrate it (hold walimah) even if it is only by slaughtering a goat". Then at the word "أَوْلِمَ وَلَوْ بِشَاةٍ" it is recommended for brides to celebrate their marriage even if only by slaughtering a goat. So in the according to the article, regarding how the process of implementing *walimah al-'urs* is returned to the customs of the community. As one of the rules of 'urf which states that "Every action that has no limits, both in language and in the Sharia, will be returned to him through customs or habits". The purpose of the rules above is that Allah SWT revealed the Sharia regarding *halal* and *haram* thing in Arabic texts. Some of these words and sentences already have signs of restricted language, but there are also some words that are returned to humans based on their customs and habits, such as buying and selling and marriage which do not have definite boundaries in the Sharia, due to differences in human nature which are influenced by customs at the time and place, so these are used.<sup>21</sup> Thus, the *Bausung* bridal tradition in the *walimah al-'urs* event is considered relevant to the rules above, which is how the implementation of *walimah al-'urs* is returned to the prevailing custom, as that the habit does not deviate from Islamic law.

Then related to the practice of the *Bausung* bridal using the technique of carrying the bride, especially the bride by a *juru usung* according to the researcher's view, this can be accepted by 'urf as long as a *juru usung* appointed to carry the bride is one of his family (*mahram*), and the bride takes care of their genitals by wearing traditional clothes that cover their nakedness. The process of carrying the bride and groom up towards the aisle accompanied by traditional music or gamelan, and followed by dancing or *pencak silat* movements by the *juru usung*. If it is only for entertainment and does not infuse immorality then it is permissible according to Islamic law. As the hadith of the Prophet SAW narrated by Tirmidzi. However, if the process of implementing the *Bausung* bridal in *walimah al-'urs* mixed with disobedience such as holding a drinking party, committing adultery or other disobedience, then it is prohibited by Islamic law.<sup>22</sup> Therefore, traditions or customs that exist in society are permissible as long as they

<sup>20</sup> Abū al-Husain Muslim al-Hajjaj al-Qusyairī, *Ṣaḥīḥ Muslim*, (Riyadh: Dār al-Salām, 2000), 603.

<sup>21</sup> Muhammad Musthofa Az-Zahili, *Al-Qawaid Fiqhiyyah Wa Tathbiqatuha fi Madzahibu Al-Arba'ati*, 314.

<sup>22</sup> Ali Abu Bakar, Yuhasnibar dan Muhammad, "Hukum Walimah al-al-'urs Menurut Perspektif Ibn Hazm Al-Andalusi", *El-Usrah: Jurnal Hukum Keluarga*, No. 2(2019): 174. <http://dx.doi.org/10.22373/ujhk.v2i2.7653>

have nothing to do with matters of worship and do not conflict with the principles of the Sharia.<sup>23</sup>

Furthermore, related to the factors of the implementation of the Bausung Bridal tradition by the Banjar tribal society. Preserving traditions with good intentions and their implementation does not conflict with Islamic law is a permissible act, because in essence custom or tradition is a *muamalah* affair (worldly action), and an action that does not damage the aqedah of Muslims are allowed by law<sup>24</sup>. This argument is based on the rule of *'urf* which stated “the original law of everything is permissible” and “the original law in *muamalah* matters is that it is permissible to do it, other than things that have been determined to be haram by the Quran/Hadith”. The two rules above are placed in the study of *muamalah*, which means everything can be done even though there is no order, as long as there is no prohibition.

Some people carry out the *Bausung* Bridal tradition because it is based on the belief in magic within tradition. Some Banjar tribal society think that Bausung Bridal is a sacred tradition and has sanctions if it does not carry out, the sanction is in the form of possession of supernatural things from the ancestors of the Banjar tribal community. Believing in something coming from other than Allah is shirk. Moreover, if in the process of implementation it is mixed with activities that refer to polytheism, such as preparing offerings and believing in shamans, then this activity is forbidden. As the word of Allah in the letter An-Nisaa verse 48. To obey the parents' orders is allowed if the order is based on good faith that does not damage one's aqidah. But if the order refers to polytheism then it is forbidden by law<sup>25</sup>.

Thus, the process of implementing the *Bausung* Bridal tradition in the *walimah al-'urs* event at Banjar traditional wedding brides is a tradition that can be accepted by *'urf*, because it does not conflict with Islamic law. Moreover, the *piduduk* (offerings) that are prepared in the *walimah al-'urs* are not a requirement for the implementation of the *Bausung* bridal tradition and skipping the *piduduk* (offerings) part during the process of implementing the *bausung* bridal is not prohibited in Banjar customary law. However, related to the habit of some people who prepare *piduduk* and still believe in supernatural things, it is prohibited according to Islamic law, because this is an activity that refers to shirk. Thus, according to the researcher, the implementation of the *Bausung* bridal tradition can be categorized as *'urf sah*, but the custom regarding the belief of some people towards supernatural things that associate partners with Allah is classified as *'urf fasid*.

## Conclusion

*Bausung* bridal tradition is a customary marriage tradition that used to be carried out by Banjar tribal society. The practice of this tradition began with lifting the bride and groom up by some man called *juru usung*, meaning that here the bride and groom are carried on the shoulders of two men. The first man carries the groom, and the second man carries the bride. Of course, the two men who carry the bride and groom must have strong energy and good skill at martial art or dancing. Because when the bride and

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<sup>23</sup> Ansori, “Prinsip Islam dalam Merespon Tradisi (Adat/’Urf)”, *Kajian Aswaja*, 22 Oktober 2020, diakses 22 April 2022, <https://unupurwokerto.ac.id/prinsip-islam-dalam-merespon-tradisi-adat-urf/>

<sup>24</sup> Fathurrahman Azhari, *Qawaid Fiqhiyyah Muamallah*, (Banjarmasin: Lembaga Pemberdayaan Kualitas Ummat (LPKU), 2015), 121.

<sup>25</sup> Fathurrahman Azhari, *Qawaid Fiqhiyyah Muamallah*, (Banjarmasin: Lembaga Pemberdayaan Kualitas Ummat (LPKU), 2015), 125.

groom are carried, *juru usung* must perform specific martial art movement called *kuntau* or dance in front of everyone until finally the bride and groom are brought to the aisle accompanied by traditional music or gamelan. According to the Banjar indigenous people, this tradition must be carried out. If you leave it, you will get sanctions in the form of possession or a disaster that interferes with the wedding ceremony.

There are three reasons to practice the *Bausung* bridal tradition by the Banjar tribal society in the city of Banjarmasin, South Kalimantan: 1. Preserve the customs or culture of their ancestors, 2. Magical belief in *Bausung* tradition, and 3. Sense of obedience to their parents. Analysis of 'urf perspective to *Bausung* bridal tradition in Banjar traditional wedding brides are: In terms of 'urf material, the *Bausung* bridal tradition is classified as 'urf *amali* (*fi'li*) because this tradition is an activity of carrying the bride and groom up by *juru usung* and it is focused on an action. In terms of the scope of 'urf, the *Bausung* bridal tradition is classified as 'urf *khaas* (special) because it is an activity or tradition that only applies to the tribal society of Banjar and does not generally apply to other tribal society. And in terms of the validity of 'urf, the implementation of the bridal *Bausung* tradition is classified as 'urf *sahih*. But the custom regarding the belief of some people towards supernatural things that associate partners with Allah like preparing *piduduk* (offering) because of their fear to the ancestors is classified as 'urf *fasid*.

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