

THE PRACTICE OF *WALIMAT AL-'URS*: Competing Sharia and Tradition in Aceh

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Abstract: One of the most heated debate in a diverse and plural legal system in such as Indonesia, is the issue of harmonization of sharia and tradition. This paper is an attempt to study the extent to which the harmonization of Islamic law and tradition in Aceh. Using a qualitative approach, this paper focuses on *walimat al-'urs* tradition. The author argues that differences between tradition and shari'a may become an avenue for new configuration that would be preserved as a uniting factor in the foreseeable future Indonesia. The data was obtained from in-depth interviews with important local figures. The research shows that sharia through 'urf theoretical framework could not accepts the richness of indigenous entities.

Keywords: *walimat al-'urs*, 'urf, sharia, Aceh

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Introduction

Scientific discussion has long been expressing the relationship between two entities, namely adat and Islam in Indonesia.¹ When compared to other regions in the archipelago, Aceh has a long tradition of applying Islamic law since several centuries ago.² Aceh is the only province in Indonesia that implements Islamic law formally.³ The question that arises is whether customs and religion in Aceh coexist or oppose one another. The discussion above shows that these two entities are officially and politically recognized in the Acehnese public sphere. Both are part of the formal structure of Aceh's governance. Many think that Islamic law dominates Acehnese Muslims wherever they live in various districts. Nevertheless, adat is alleged to have grouped people according to which community they belonged to and which district of Aceh they lived in.⁴ The harmonization of shari'a and tradition becomes an important issue, especially in a country with legal pluralism such as Indonesia.⁵

Harmonization of the Sharia and Tradition

In Aceh, MAA is responsible for promoting customary rituals in marriage. With this task, MAA through its branches at both the district and sub-district levels has not only facilitated the revitalization of adat in many ways, but has also standardized what adat practices and institutions are acceptable in Aceh. Therefore, as a state body responsible for adat norms and institutions, the MAA has turned into a hierarchical bureaucracy that regulates and oversees all matters relating to adat throughout the province.⁶

The Qanun legislation on adat, however, does not necessarily translate into strengthening the MAA as the provincial body that regulates adat. However, its position is not as strong as the provincial Sharia bureaucracy or the Islamic Sharia Service (DSI).

As part of the provincial government structure that enforces the application of Islamic law, DSI has its own legal task force known as *wilayat al-hisbah*, which is under the coordination of the civilian police (*pamong praja*). Given this reality and as far as the bureaucratic positions of DSI and MAA are concerned, it is valid to say that adat has a less influential role than Islamic law in Aceh's contemporary public life.

As a result, like many other formal state institutions, it is very likely that the elastic nature of *adat* will shift to inflexible forms and rigid structures. Here it is relevant to ask: will *adat* still be considered as a set of traditional norms, rules, and institutions when they deviate from their origins? The diversity of forms and functions of *adat*, which are being (re-introduced) or used today, does not necessarily constitute a set of traditional rules passed down from generation to generation in verbatim form. However, they must be seen as a negotiated element in the ongoing changes in the social order.⁷

Walimat al-'Urs

Wedding ceremony, or *walimat al-'urs* in the Islamic law, is a crucial part of marriage that has not been regulated clearly in the structure of Indonesian family law, both in the marriage act and Compilation of Islamic Law (KHI).⁸ In the classical fiqh study, the earlier ulama determine the provision on *walimat al-'urs* comprehensively in the hope of being a guide for the people in organising a wedding party. The provisions in the classical fiqh encompass the instruction in arranging *walimah*, instruction in attending a *walimah*, and the criteria of *walimah* that complies the requirements in Islamic teaching so that with those provisions, the *walimah* is expected to be in line with the teachings of Islam. Al-Shâfi'i stated that attending

walimah is obligatory¹ in a note that there is no element of sin in it. If there is an element of sin in the *walimah*, then the law of attending it becomes haram, and so be the law of arranging it.²

Doing *walimat al-‘urs* (wedding ceremony), besides complying with Islamic teaching, also has positive value for the household as part of a social system in society. Through *walimah*, the marriage between the bride and groom is announced to the community,³ in addition to a form of thankfulness to Allah.⁴ Besides that, *walimah* also acts as a strategic medium to forge a relationship between the two families as well as other relatives and the community. However, the implementation of *walimah* has to be in the constrain that governed in the Islamic law, particularly among the peoples of Aceh that has a strong view towards sharia. Certainly, *walimat al-‘urs* would be a concern that cannot be separated from the marriage act and the Islamic sharia.

Among the peoples of Aceh, it cannot be denied that the domination of custom and tradition in *walimat al-‘urs* is unavoidable, up to the point that marriage becomes a cultural agenda in the Acehnese people generally and in the Gayonese and Tamiang people that are parts of the peoples of Aceh. The cultural diversity and advancement of the people cause a rise in legal problems in wedding parties, especially in the community that inhabits a border region where acculturation is present. Moreover, the appearance of *walimah* that incorporates values that contradict the sharia gives a negative impact to the overall order of the community.

Methodology

This is a field research. This research is a descriptive research

that aims to accurately describe the characteristics of a particular individual, situation, or group in society. The approach used is a socio-legal approach that places law as a social phenomenon. In this study, law is associated with social problems that focus on individual or community behavior in relation to law. This research is about the practice of *walimat al-‘urs* carried out in the traditions of the Acehnese people to be further analyzed with Islamic law through the theory of *‘urf*. By using qualitative methods, this research data will be explored in depth from informants who have qualifications of knowledge and authority regarding Acehnese customs, namely the administrators of the Aceh Traditional Assembly (Majelis Adat Aceh or MMA) and Acehnese traditional leaders throughout Aceh. The results of this study are expected to be able to describe the overall research problem.

Results and Discussion

***Walimat al ‘Urs* in the Acehnese Tradition**

In the Acehnese tradition, the practice of *walimat al-‘urs*, or colloquially known as wedding party, is split into two parts, *intat linto* and *teung dara baro*. *Intat linto* is a ceremony to welcome the *linto baro* (groom) who is led to the parents' house of the *dara baro* (bride). While *teung dara baro* is an invitation ceremony for the *dara baro* and her entourage to the house of the groom's family. The conditions in *walimat al-‘urs* in the Acehnese tradition can be seen in the following discussion:

Guidelines in Practicing the Custom

In responding to the questions asked concerning the regulations and instructions in the implementation of *walimat al-‘urs*, varied

answers were gained even though the general substance of the answers still led to the same notion.

The Head of the Gayonese Customary Council (MAG) of the Bener Meriah Regency⁹ uttered that: “Although there is no specific regulation, there is a code of conduct in the handover procession of the bride and groom in the walimah, there is handover and reception process in it. In the wedding custom, the village head of the groom submitting the groom and the bride’s village will accept him; that what is happened in the handover. It called ‘menyerah nyempele’ in Gayonese.

Meanwhile, the MAG of Central Aceh Regency, in responding to the problems in the customary regulation that exist in the region, stated that: “Most has not been written yet. Many of the traditions that the ancestors left have been forgotten. Reviving the tradition is easy, but keeping it will be difficult because the meaning, values, and significance of the procession have become unknown to many. Not doing it will be felt like something is missing while doing it perfectly will no longer be possible. That is why it has not been documented, as many are unable to explain it. Nevertheless, if we ask it to the elderly, they will certainly tell the tradition. Because the tradition or the customary council does not appear to the surface in the government, MAA acted only as a partner to the government. Even if it is there, all of that has no clear guide or regulation, moreover what is not allowed by the elder but there is no regulation on it, the government can give it an allowance. The tradition gives a feeling of lacking when left, but then again, there is no real obligation to do it. Nonetheless, in recent times, there has been some documentation, but with limited prints. The people also do not really feel the need as the custom has been told from generation to generation. Still, the need to increase the printing is apparent.¹⁰

Based on the data above, it can be concluded that the customary provisions of the peoples of Aceh are not well documented except form only a small number that exists in the form of brief guidelines, other than that the custom lives naturally from generation to generations both in the custom of marriage in general and in the custom of the wedding ceremony (*walimat al-‘urs*) in particular.

Role of Cultural Institutions

As for the role of cultural institution in the practice of walimah, can be presented as follows:

At the Provincial Level

The Acehnese Customary Council (MAA)¹¹ does not govern marriage custom. MAA only provides guidance to the village elders and officials (practitioner of the custom) but not to the technicalities on the field. For example, in the matter of the handover ceremony, what is now practised is led right through the bride’s door while it actually has to be accompanied by a parade. In the front, there are 3 (three) people. One person carries the betel leaves, while the two others in the side as the flank. The one that carries the betel leaves is the respected person of the village. Behind him are the ones that bring the offerings, and then is the groom. That is what the MAA pointed to indirectly through the practitioner of the custom. The Head of the Gayonese Customary Council (MAG) of the Bener Meriah Regency uttered that: “Although there is no specific regulation, there is a code of conduct in the handover procession of the bride and groom in the *walimah*, there is handover and reception process in it. In the wedding custom, the village head of the groom submitting the groom and the bride’s village will accept

him; that what is happened in the handover. We call it '*menyerah nyempele*' in Gayonese.

In the Regional and Municipal Level

According to interviews with the members of MAA, can be pictured as follows: 1. An official of the MAA of Lhokseumawe¹² said that the role of MAA comprises of annual socialisation of cultural values, including the topic of *walimat al-urs*. We conducted the socialisation to the highest customary figure in the village, i.e. the *Geuchik* (head of the village). If in the past parcels given in holidays were transparent but now it has been put inside a box that then covered by a yellow cloth so that what we give could not be seen by the other to prevent jealousy. Related to the matter of marriage, there is a written rule that the offerings have to be decorated. MAA delegates the female officials to teach the mothers in the village to decorate the offerings. If in the past the *halua* were very simple, it now has an artistic value. This activity already has a rule that is written and practiced. 2. In the Bireuen Regency, based on the field data, it is found that MAA¹³ is not directly involved in the custom in marriage, except if there is a wedding on a day with a formal ceremony. Usually, when we went to check to the place, a lot of the stuff was not suitable. Suppose the *wali* (guardian) of the marriage does not comply with the requirements while the ceremony is about to begin because there is a formal ceremony. That is why we forbid a wedding on a day with a formal ceremony. We also give an appeal to the people to arrange the marriage one day before the wedding. However, this is only in the form of a request, not a provision, as it will hinder the wedding itself. Moreover, for this appeal, if being violated, we will give no penalty as there will be customary sanctions from the community itself. 3. In the City of Sabang, through an interview about the

role of MAA, it is stated that MAA¹⁴ plays a role in guiding the community. One of the programmes is a preparation of *antar linto* and a series of other events. In Sabang, we already did *cah ret*, i.e. seeing the future bride and groom, then *meulake* with bringing marker, and then *intat linto* and so on. The most sacred part is regarding the dower (*mahr*). Cases present where some brides' dower were taken by their mother. This kind of act is blatantly wrong except with permission from the bride. If the mother is the one who accepts the dower, then it shall be the mother who will be sitting, beautified, and going to the room with the groom as the one who receives the dower means the one who cedes her body. 4. Meanwhile, in Takengon, the ethic centre of the Gayo people, MAA¹⁵ takes part in renewing the old policy to return to the Holy Quran and Sunnah combined with the tradition with the beauty being taken into account. For example, the suit was regarded as a culture of the infidels but as it is seen to be beautiful and exquisite, it has now been worn commonly without any problem as long as it complies with the sharia, one of which is it covers the *awrah* (intimate parts). Another example, regarding entertainment, is *keyboard* (rural concert), the equipment originated from the west, but since we have collaborated it with our custom, the singers have covered their *awrah*, non-appropriate performance still being done right? Most of the traditional role implemented right now has not been written yet. Many of the traditions that the ancestors left have been forgotten. Reviving the tradition is easy, but keeping it will be difficult because the meaning, values, and significance of the procession have become unknown to many. Not doing it will be felt like something is missing while doing it perfectly will no longer be possible. That is why it has not been documented, as many are unable to explain it. Nevertheless, if we ask it to the elderly, they will certainly tell the tradition. This is because the tradition or the customary council does not

appear to the surface in the government. MAA acted only as a partner to the government. Even if it is there, all of that has no clear guide or regulation, moreover what is not allowed by the elder, but there is no regulation on it, the government can give it an allowance. The tradition gives a feeling of lacking when left, but then again, there is no real obligation to do it. Nonetheless, in recent times, there has been some documentation, but with limited prints. The people also do not feel the need as the custom has been told from generation to generation. Still, the need to increase the printing is apparent. 5 Whereas in the Aceh Tamiang Regency, which is a basis of the Malay community, reports show that MAA¹⁶ directly involved in the technicalities in the cultural practice in general in the governmental activities. Meanwhile, in a marriage ceremony, MAA is not directly involved. Instead, it takes responsibility in organising workshop activities and composing provisions that will be used as the Tamiang cultural guideline in marriage events. It includes the procession of *walimah* or known by the term of *lalu naek*, i.e. escorting the groom to the bride's family with some other series of events, and *pulang naek*, i.e. the bride and groom, will be brought by the public and their relatives to the groom's family residence where a *walimah* or the second ceremony will ensue.

Based on the information mentioned above, it could be concluded that, in general, MAA as a cultural institution in the provincial, regional, and municipal level in Aceh is not directly involved in the procession of *walimah* in the community. However, the MAA's role is composing and giving customary provisions in a simple manner to be taken as guidelines by the people and socialises it in the form of guidance or workshops so that the people will be able to understand their culture. As a consequence, the implementation of the custom of *walimah* is non-binding. This will result in an inconsistency in the custom processions,

as in the researcher's several observations in attending *walimat al-'urs*, mixing of the custom of the population has easily happened that applies to the Acehnese, Gayonese, and Tamiang custom that can be mixed with the custom of the other communities that may present in the area such as the Batak, Minang, Javanese, etc.

Forms of *Walimat al- Urs*

The procession of walimah in the traditions of Acehnese, related to what has been mentioned before, consists of two sequence events, which are *intat linto* and *teung dara baro* in the Acehnese term, *lalu naek* and *pulang naek* in the Tamiang term, and *mah bei* (escorting the groom (*aman manyak*) to the house of the bride (*inen manyak*) in a parade) and *nrime bru* (the bride and her companies coming to the groom's house). The *walimah* processions can be visualised as follows:

The officials of MAA of Aceh described that *walimah* is the reception event after marriage with inviting families and relatives as information to the people that the member of the family is now married to someone. Procedures of the arrangement differ from one culture to the other, e.g. the procession in the Acehnese custom is generally different to the Gayonese one. In the Gayonese custom, the dish is served on a single plate while the others act only as decorations. Meanwhile, in the coastal parts of Aceh, the rice and the side dish were separated, with the side dish varies according to the arranger's wealth or status. If the Malays has a custom of pantun, the coastal Acehnese has *seumapah*. The MAA does not direct any particular procession of the customs, but the people are free to do any of the *walimah* practices that fit their own tradition. Furthermore, the Acehnese tradition of *walimah*, *linto baro*, has been done by led the groom right to the door of the bride's house these days, while it should be accompanied by a group of escorts in a parade. The

parade consists of three frontmen where one of them carries betel leaves, and the other two guards the right and left side of the groom. The one who carries the betel leaves is the one who is the most respected in the *Gampong* (village). Behind them are the ones that bring the offerings or called *bungong jaroe* in Acehnese.

In the City of Lhokseumawe, based on an interview, there is a ceremonial and customary session of the event during a procession of *walimah* (*antar linto baro*). In the ceremonial part of the event, *seumapah* is widely regarded to be a necessity by the people, even though this is not obligatory. The one that is obliged is the exchange of *ranup* (betel). There would be an incomplete feel if the event were absent. Why is the exchange of *ranup* considered to be sacred? It is because *ranup* or the betel leaf symbolises tongue, which means the two families have been discussed the marriage long before this wedding. Then there is the betel nut that symbolises the heart that has been attached to each other, the chalk that symbolises the bone, the gambier that symbolises the liver, the tobacco that symbolises the veins, and the *puan* (pad) that symbolises the clothing. When the six elements have been exchanged, there is now an attachment from head to toe.

Moreover, in the procession of *walimah* of the Bener Meriah people that belong in the Gayonese community, the event of the *walimah* present there is escorting the groom to the bride's family that is known as *melengkang* in which a representative of the groom handed him to the bride's family using traditional communication. The custom practitioner will then accept the groom with beautiful words (not *pantun*) about the capabilities of the custom practised. After that, the groom's side gives nine wraps of rice with the meanings of, either directly or indirectly, the husband has now demanded the wife, and what has been

taken can no longer be returned with the supply that has been prepared by the man that can be in the form of her clothing, rice (food), firewood, and else. However, this tradition is now being left by the Gayonese as it is now regarded as contradicting the right that a woman should still be able to return to her parents even though she is already married.

In the Gayonese community of Takengon, the *walimah* procession also begins with escorting the groom to the bride's house, with the groom carrying the dower in the marriage. As for in the wedding ceremony, the groom usually brings the offerings. In the past, it would be consisted of sumpit, floor mat, and pillowcase, while now the offerings will vary depends on one's ability. Meanwhile, in the *tueng dara baro* (bringing the brief to the groom's house), the entourage will bring several wraps of rice, in which the number has been set be 16 or more, with fish as the side dish. The rice is shaped to resemble a granary wrapped in banana leaf to be then given by some people. The 16 wraps mean to ask for prayers by the guests for the couple to be given offspring and health to the baby. The banana leaves used as the wraps are taken from a creek that symbolises that even though the couple's fortune is on a creek, it can still be achieved. The meaning of fish as the side dish is they are hoped to be able to live anywhere as the fish. The last is the granary. It symbolises that whatever their fortune might be, it would be endless as the granary. Nevertheless, in the end, Allah is the one who sets and gives one's fortune.

In the tradition of the Tamiang people, *walimah* is arranged in the series of *lalu naek* and *pulang naek*. These are the wedding ceremony done in the bride's house (*lalu naek*) and the groom's house (*pulang naek*). In the procession of *lalu naek*, the groom's family, neighbours, official villages, villages for Imams, and other social figures led by a *telangke* (spokesperson) come to

the bride's residence and bringing offerings in the forms of food, clothing, betel, and container. They will then be welcomed by the bride's family, neighbours, and village officials, who will sprinkle grains of rice to the groom's party. Afterwards, the bride's mother, or if she is unable, the bride's grandmother or aunt, will bring the groom to be met to the bride to eat face-to-face. Then, the couple is taken to the aisle to *tepung tawar* be performed on them by both of the family and the religious and social figures. In the last session of the ceremony, bridal advice to the couple will be given by the representative of the two sides that will be closed by a handover procession of the bride and groom.

Subsequently, the *pulang naek* will be arranged after a few days following an agreement before. In the procession, the couple and their family, neighbours, and their official villages and social figures will come to the groom's residence and will be welcomed by the groom's mother and other family members with the social figures in the same sequence of events as the *lalu naek*. This is the main event of the *walimah* tradition of the Tamiang people. After the main event has been done, *berbesan* will be done where the two sides and their main family will be back to the bride's residence to introduce and getting to know each other, giving a calling name to the couple, and bestowing the title of '*besan*' as a calling between the parents of the couple.

As for the responsibility of the cost in the practice of *walimah* in the Acehnese tradition, in general, the procession that is done in the bride's place will be covered by the groom with the number that has been agreed before in the engagement. At a minimum, three forms of offerings will be agreed upon in the engagement: firstly, the form and the amount of the dower; secondly, the offerings in the form of goods and object; thirdly, the money for the *walimah* procession. The amount of money

for the *walimah* is not fully covered by the groom, but it is adjusted to his ability, and the bride's family will cover the remaining. While for the *walimah* in the groom's place, the whole cost shall be covered by the groom.

Meanwhile, there is some tradition in the Acehnese communities in which the community fully funds the cost for the *walimah*. The cost will be set in an agreement, e.g. Rp 20,000 per person. If there are five people in the house, then it will be 100,000 for the family. All of this will then be recorded in a book. This kind of mutual cooperation is not really present in the custom. This is just a form of agreement that has been done since the 70's. Recently, in Ulee Lheue, a *kenduri* has to wait for the rice harvest so that they can cooperate on the event and not give a burden to the community.

Along with the times, based on the data gathered on the field, the main procession in the tradition of *walimah* is only done in the bride's residence both in the Acehnese, Gayonese, and Tamiang communities, while the event on the groom's place has sometimes been left behind based on various factors, one of which is to save the expenses due to economic limitations.

Other Processions in *Walimah*

Some other processions are conducted in the sessions of events in *walimat al-'urs* of the general peoples of Aceh, namely:

Tepung Tawar (Peusijuk)

In the *walimah* procession, *tepung tawar* is an irreplaceable part of the tradition of the peoples of Aceh, both for the Acehnese, Gayonese, and Tamiangs. For the manners of the procession in the sessions of *walimah*, interviews were done to collect the information and observations were conducted to the procession.

The official of MAG of Bener Meriah views that *peusijuk* can still be practised if the ways are appropriate to the sharia. This is because it depends on what we hope from Allah during the ritual as long as we solely ask from Allah, even via his creatures such as water and rice as the medium, while the intention is direct to Allah. According to the said official, *peusijuk* is not a tradition but more so a habit. Though some people regard this as being wasteful, it depends on the community's custom, such as the people who conduct the procession has to be in an odd number. We do not show hostility to the people who do not practise *peusijuk*, and we also do not oppose the ones who practise it. The most important thing is that the one who practises *peusijuk* understands the ritual, and it is best to let the elders do the procession as they are already experienced in the practice as not anybody can do the ritual.

A similar view also stated by an official of MAA of Sabang that *peusijuk* is a practice of the people, with a small portion of them that assume it as deviant behaviour. However, there is a form of hopes and prayers in the practice itself. In reality, this is only a difference in the custom, but there is still many who aggravate this matter of difference.

Based on information browsing through interviews, documentation, and observations on the field, it can be concluded that the entire ethnicities in Aceh incorporate *peusijuk* or *tepung tawar* as a part of the walimah procession. The procession of *peusijuk* is done while the bride and groom are sitting on the aisle, which then the *peusijuk* is performed by the families of both of the sides started by the bridegroom's parents and continued by the eldest and closest relatives. Additionally, the *peusijuk* can also be performed by the social figures of the community. Following what has been described before, based on the observations, the procession of *peusijuk* is performed with the incantations

of *istighfar*, *salawat* to the Prophet, and certain prayers by grabbing the *tepung tawar* materials in hand before being spread to the bride and groom.

There is an interesting condition to be analysed in the procession of *peusijek* in the Tamiang community. The procession has undergone a process of change. Based on the information from the officials in MAA of Aceh Tamiang, there have been some people who are starting to leave the *tepung tawar* behind, while many of the processions conducted are no longer resembles the one that was practised by the ancestors. According to them, one of the reasons might be caused by the development of Islamic knowledge in the community.

Music (Performance)

Concerning the presence of art performance as an event in the procession of *walimah* in the tradition of the Acehnese, based on the collected data, it has shown significant development, including performances in the Islamic, ethnic, and even modern style. An example for this case can be taken from what is happening to the people from Bener Meriah Regency. People invited *didong* to perform in wedding ceremonies that were tied up with poems that tell about a *sakina* and *mawadda* family, which holds in the Quran and Sunnah. The performance was held in the night after the ceremony. Although keyboard (rural concert) is more prevalent in the recent past, even though the time has been limited and the singer (*biduan*) has to comply with the ethics. The limitation is put into place because custom is the guardian of religion, so when the custom is well-maintained, so does the religion and when the custom is crumbling, so does the religion. In this tradition, there is *sumang* (taboo/abstinence to avoid unwanted occurrence). Then again, the people have recently

been more inclined towards traditional performances such as *rebana*, *marhaban*, and *nashid*.

In the event of the performance, MAG takes a role in establishing the order of life under the custom and sharia. In some places, the community takes this order and implements it seriously, while some other places still require further improvement, but overall good progress is already shown. Gradually an effort to reinforce the Islamic community's knowledge of the sharia through tradition is carried out to avoid the unwanted. If the event is carried away into midnight, consequences such as liquor consumption, drugs abuse, adultery, fights, etc., may arise. For that instance, an improvement through tradition needs to be revived even little by little to fix the community. All of this is expected to avoid the undesirable after the *walimat al-ʿurs* procession.

The same situation is also present in Takengon, which is also a basis of the Gayo ethnic community. The true traditional performance from the Gayonese tradition is *didong*. However, the advancement of time caused keyboard, in which the singers can freely be men or women, to be an entertainment in *walimah*. For the female performers, as the recent improvement in the Islamic sharia, has now used hijab in their performances. This can cause a problem in the older villages or the Gayonese ancestral villages but not in the newly established community where the people are mostly newcomers who do not take female singers in keyboard as an issue.

Meanwhile, based on data gathered from the Municipality of Langsa, besides ethnic and Islamic art performance, modern music performance like the keyboard is starting to appear in the last few years. The ethnic and Islamic arts such as *rapa'i*, *seurunee kale*, and *seumapah* are still present in the *walimah* event to get rid of boredom from the guests because laughter and social values are contained in it, which afterwards proceeded

by *pemulia jamee* or *ranup lam puan*. It is then continued by other dances like *seudati*, *saman*, and *rateb meuseukat*. This ethnic performance in the *walimah* procession is still well-preserved generally in Banda Aceh, Aceh Besar, Sigli, Pidie, Bireuen, Lhokseumawe, some parts of Aceh Tamiang, and other Acehnese majority regions. Although, in some places like Langsa and Aceh Tamiang, this kind of art performance is presented on the night of the *walimah* or in the procession of welcoming the bride and groom. The performance in welcoming the guests in Langsa had also used keyboard with female performers that had caused violence when the Head of Islamic Sharia Department tried to put the event into order as it was carried out to the night.

Even something surprising happened in some part of the Aceh Tamiang Regency. Some keyboard performances are found crossing the line of cultural and religious norms. Based on observation result on entertainment performance in *walimah* processions, it is found that some performances carried on late through the night that displays erotic female performers with improper clothing.

This phenomenon in the procession of *walimah* in Aceh shows the diversity between one region and the other. In the Acehnese majority communities in Aceh Besar, North Aceh, East Aceh, Pidie, and some other region, the entertainment in *walimah* still firmly holds its ethnic and Islamic nuances such as *rapa'i*, *seurunee kalee*, *seumapah*, *pemulia jamee*, or *ranup lam puan* and also with other dances like *seudati*, *saman*, and *rateb meuseukat*.

There is no detailed regulation regarding performance or entertainment in *walimah*. It all comes to the wish and desire of the host (*ahli bait*). In the past, entertainment performed in wedding ceremony were usually *rapa'i* and *rebana* as said performances

are an ancient tradition. While nowadays, those kinds of arts have started to be left in some region and replaced by keyboard, sometimes even played through the night that seemed to negatively impact society (Interview with an official of the MAA of the Municipality of Lhokseumawe).

Based on the descriptions above, it can be established that the entertainment performance in the *walimah* processions in Aceh is still showing the events that contradict with the Islamic law, such as female singer and dancer and the time of the performance that is until late at night which is prone to violations of sharia.

Rain Charming

In some of the *walimah* processions in Aceh, there is the practice of 'rain charming' by bringing some particular person believed by the community to have the power to prevent the rain from falling during the wedding ceremony. In practice, the rain charmer conducts certain rituals by using a *mantra*, potion, or abstinence to dispel the rain from the location of the celebration.

Based on an interview with a customary figure in Bener Meriah, the practice of rain charmer had been around for a long time, but the tradition has now become non-existent because it has now regarded to violate the custom and religion as it is straying away from the will of Allah. Religious figures are making an effort to end this kind of rituals as it has been in the realm of *shirk* (idolatry). A similar condition also happened within the people of Bireuen and Lhokseumawe, which in the past, some communities used the service of rain charmers, but the practice has been absent in the current times.

Contrary to what is found in Bener Meriah, some communities in Takengon still use the service of rain charmers in wedding parties. The rituals include throwing an article of clothing to the roof and using coconut shells.

Likewise, within the Tamiang community, the practice and ritual of rain charming are still widely performed. This is thought to be because the teachings of other religions still have a significant influence on the life of the people. This is proven in an information collection with a Tamiang customary figure that shows a massive number of people who do not understand that this contradicts the Islamic teaching and can lead to *shirk*.

Kuda Kepang

Besides poetry and musical performance, processions of *walimah* also display the play of *kuda kepang*. *Kuda kepang* is a traditional Javanese performance that has been developed in some *walimah* ceremony in Aceh. Related to the performance, customary figures in Aceh do not reject its presence as it is considered that a performance cannot be forbidden too far, and there is a tolerance regarding the matter. However, if the performance is displaying odd worshipping rituals such as eating glass, trance or possession, or else, then MAG views that as a deviation from the religious teaching. Nonetheless, because Indonesia is rich in its culture, it is hoped that religion and custom can go hand in hand. The people of Bener Meriah see *kuda kepang* as a custom of other people, so they let the other perform it even though it is against their conscience.

A similar view is also expressed by a figure of the Takengon community. The people see it not only from the perspective of sharia but also from the essence of tradition inside it. Only when it leads to some odd unwelcomed stuff, it will be disciplined.

The only provision is the regulation of curfew that starts from 6 in the evening. This is different from *didong* (singing while clapping) that is allowed to be performed on the night of the wedding. Everyone can watch this entertainment performance without differentiating between men and women. *Kuda kepang* is no longer being widely performed by the community as it regarded as not very important (Interview with an official of the MAG of Takengon). In principle, *kuda kepang* is a tradition that deviates from sharia; however, because it is another ethnic's culture, the people ignore it as long as it is not disturbing the greater public. As for the stance of the MAG of Takengon on this issue is, as it is the custom of other people, as long as the clothing is appropriate to the manners and sharia, then it best to be left ignored, even though in the view of the Gayonese community rejects it or there is a feeling of not fitting in the event of the rituals of being possessed, eating glass, etc.

Unlike the Bener Meriah, Takengon, Langsa, and Aceh Tamiang communities, in Sabang, Bireuen, Lhokseumawe, Aceh Besar, Sigli, and Pidie, the *kuda kepang* performance has been non-existence as it is seen to contradict the Islamic sharia. Principally, every event that does not violate the sharia will be allowed, but it will be forbidden if it crossed the line. Regarding the performance of *kuda kepang*, it is allowed but not if the play incorporates the eating of glass and getting possessed, because the act that is prohibited and the magic has to be eradicated likewise clothing that reveals the *awrah*, it has to be disciplined.

***Walimat al-'Urs* in Aceh: 'Urf Perspective**

From the explanation of the field data related to the practice of *walimat al-'urs* or what is commonly known as wedding party, it can be summarised that, in general, the implementation

in the Acehnese tradition to be as the following:

1. *Walimah* is held twice, in the bride's residence (*intat linto, lalu naek, and mah bei*) and in the groom's residence (*toeng dara baro, pulang naek, and nrime bru*).
2. The cost for the *walimah* needs in the people's tradition comes from three sources, the groom, community contribution, and the bride's family (only for the procession in the bride's residence). In practice, the cost for *walimah* is relatively high as this is caused by the number of people and event involved in the procession.
3. The series of event in *walimah* started from welcoming the bride or groom and the guests and entourage, eating together, *tepung tawar* of the couple by their families and the public figure from both of the side, guidance to the bride and groom in the form of handover representing the two side, and the final ceremonial event is the prayer led by a religious figure (ulama). During the procession of *walimah*, the bride and groom sitting side by side on the aisle to receive congratulations and prayers from the families and guests invited to the *walimah* ceremony.
4. It is found in the *walimah* procession that there is an admixture of the male and female guests' place of sitting and even shaking of hands between the guests of the opposite sex. This happened commonly in Aceh, even though there is a division between the men and women in the event in some places.
5. Besides those main events, the *walimah* procession also incorporates other events such as *salawat* and reading the story of the Prophet Muhammad through *barzanji mathaban* and Islamic arts and local art and cultural performance based on the local ethnicities. Furthermore, in some parts of Aceh, there are *keyboard* and *kuda kepang* performances that, in some

places, the intensity has become so big and violating the community's cultural values and the sharia. Additionally, practices of shamanism were also found in several *walimah* processions to secure the event from rains, even though the Acehnese have never accepted the tradition of *kuda kepang* and rain charming as part of the Acehnese society.

6. There is a tradition of hanging marriage in some parts of Aceh in which the procession of *walimah* will be delayed for a relatively long period, and as long as the procession of *walimah* has not been conducted, the married couple will not be allowed to interact as a husband and wife to the point that they are prohibited from visiting each other.

If the practice of *walimah* in those traditions of the peoples of Aceh analysed based on the provision of Islamic law, therefore, as what has been described before, according to the ulama, *walimat al-'urs* can be considered as follows:

1. Essentially, practising *walimat al-'urs* is ruled as *sunnah muakkadah* by the husband if he is *rashid* (the one who is able to manage and utilise his wealth properly), or by the guardian, i.e. the father or grandfather, if the husband is not considered as someone who can use his wealth properly. If the *walimah* is arranged by someone other than the husband or his guardian, e.g. arranged by the wife's father or by her, and if it has been agreed by the husband, then the sunnah is fulfilled, and it is obliged to fulfil the invitation as a guest. However, if the husband is not approving the arrangement, then the requirement is not fulfilled. Moreover, some ulama within the Shâfi'i school ruled it is *wajib* (compulsory) to carry the *walimah* procession.¹⁷
2. There is no minimal measure in the quantity of food served in *walimat-al'urs*. For the ones who are capable, it is more advisable (*afdal*) to provide a goat, while for the underprivileged,

it is allowed to provide whatever is easier for them. This represents the important value of modesty in implementing *walimah* to avoid wastefulness and difficulties to the husband.

3. The time for *walimat al-‘urs* is better (*afdal*) to be after the *dukhul* between the husband and wife. This is based on the act of the Prophet, who did not arrange *walimat al-‘urs* to his wives before *dukhul*. If the *walimah* is conducted after the marriage contract but before *dukhul*, the *walimah* is regarded to have fulfilled the sunnah. *Walimat al-‘urs* is more *afdal* to be performed at night rather than in the day.
4. The ruling for fulfilling an invitation to *walimat al-‘urs* is *fardh al-‘ayn*, although several ulama within the Shafi’i madhhab rules this as *fardh al-kifâyah*. The obligation to fulfil *walimah* invitation has several prerequisites, that is:
 - a. There is no element of sin at the place of the *walimat al-‘urs* procession, such as serving of alcoholic beverage, playing of music, or picture of animal either on a wall, pillow, carpet or everywhere else. On the other hand, if the invited person knows his/her arrival the sin will be stopped or removed or by the person’s instruction they will stop their action then the invited person must fulfil the invitation. If the person does not know whether there is an element of sin or not in the *walimah* procession and the person fulfils the invitation, he/she have to stop or prevent the sin but if they ignore his/her instructions then the person may leave the ceremony. If the condition does not allow the person to leave the place, then he/she may stay in the place with a feeling of hatred towards the music and try to not listening to it.
 - b. The invitation has a general nature. If the invitations only gave to the rich for their wealth, then the invitation is not obligated to be fulfilled. However, if the invitation

to the rich were caused by being a colleague or a neighbour, or only specialised the poor, or only given to one person because the food served is not enough, then the invitation has to be fulfilled.

- c. The *walimat al-‘urs* is attended on the first day. If the procession is carried out for three days or more, the invitation is not required to be fulfilled besides the first day.
- d. An invitation to *walimat al-‘urs* has to be addressed clearly even if through writing or by sending a trusted person. If the person who invites stated “Please come to those who please”, then it is not obligated to be fulfilled.
- e. The invitation is based on a feeling of fondness, either for the person’s knowledge and wisdom, piousness, virtue, or without any intention. If someone is being invited because the host is afraid of them or their prestige, position, or wealth is expected to help the host in something wrongful in the sharia or to be proud of their attendance, etc. then the invitation is not required to be fulfilled.
- f. The person who invites and being invited is Muslim. If the host is not a Muslim, there is no obligation to fulfil the invitation.
- g. The inviting person is legally competent and is legally allowed to use their wealth. If the one who invites is not a legally competent person it is not obligated to fulfil their invitation and it is prohibited for them to use their wealth to hold the *walimah*. However, if the *walimah* is arranged by the guardian, i.e. the father or grandfather, from their possessions, the invitation has to be fulfilled.
- h. The invited person does not ask for permission from the one who invited and the inviting person is content with their absence. If the invited person apologised because

they were not able to come and the host is content with it then the invitation is no longer obligated to be fulfilled.

- i. The invited person has not yet been receiving another invitation for *walimah* on the same date.
- j. The inviting person is not a *fasiq*, tyrannical person, or other vile behaviours.
- k. The inviting person is not someone who gains most of their wealth illegally. If most of the wealth of the person who invites were unlawful, then it is *makruh* to fulfil the invitation as long as the invited person is not knowing that the food that they consume comes from a substance that is haram for them. If they know that the food served comes from a haram wealth, it is haram to attend the *walimah* even though they did not consume anything served there. This is because by fulfilling the invitation the guest has approved the sinful conduct. If most of the inviting person's wealth were not haram but there is vagueness in it, the invitation is still not obligated to be fulfilled and the ruling changes to *mubah* (permitted).
- l. The invited person is not a *qadi* (judge in the court of sharia), also includes the one who has power and authority in general. Judges or other similar professions are not obligated to fulfil an invitation from the people within their authority. Moreover, if the host is having a lawsuit or there is a high possibility for the person to having one, it is prohibited for the judge to fulfil the invitation.
- m. The invited person does not have the same hindrance that is able to prevent them from *jamâ'ah* prayer in the mosque, such as being sick, heavy rain, strong winds, etc. except for hunger and thirst.

If the implementation of the *walimah* practice will be analysed by using the consideration of the ‘*urf*’ theory as the tool of analysis, it needs to be put forward that in the study of the Islamic law philosophy, ‘*urf*’ theory¹⁸ is regarded as the rule and standard to evaluate whether a customary tradition is compatible to Islamic law or not.

In the study of *qawâ'id al-fiqh*, ‘*urf*’ can be categorised to ‘*urf shahîh*’ and ‘*urf fâsid*’. ‘*Urf shahîh*’ is an ‘*urf*’ that does not contradict the sharia. This ‘*urf*’ has to be maintained in the development of Islamic law and justice as it serves as a needs of the people and in accordance with the general benefits. On this basis of ‘*urf shahîh*’, appeared the expression of “*al-ma'rûf 'urfan ka al-mashrum sharman, wa thabit bi al-'urf ka al-tsabit bi al-nash*”. Meanwhile, ‘*urf fâsid*’ is an ‘*urf*’ that contradicts the sharia. ‘*Urf fâsid*’ cannot be accepted as it violates the established Sharia law, such as the behaviour of usury.¹⁹

When reviewed based on the provision of Islamic law according to the classical ulama that sourced from their presented propositions, it is found that the customary practice in *walimah* among the peoples of Aceh does not in agreement with the views of the ulama. Among the examples is the traditional ritual that tends to be wasteful, the intermingling between male and female guests, the habit of shaking hands between two non-*mahram* individuals, the prevalent performance of female singers that do not properly cover their *awrah* and song with lyrics that contradict Islamic manners, and the influx of mystical traditions (shamanism) that has assimilated in most tradition within *walimat al-'urs* in Aceh. Besides that, there are many positive aspects found developed in the *walimah* tradition of the peoples of Aceh. They have not only interpreted the *walimah* as a form of gratitude by inviting neighbours and families to eat together but also have made *walimah* to be an event that involves the

extended families of the two sides, neighbours, their community, and the official government.

Conclusion

From the discussion above, it is evident that the three major ethnic groups in Aceh which constitute Acehnese, Gayonese and Tamiang paid special attention to the practice of *walimat al-‘urs* or wedding ceremony. All ethnic groups declared that their particular traditions are in line with Islamic teachings stipulated in: *hukom ngon adat lage ngon sifeut* (custom and sharia like a substance and its nature) in Acehnese ancestral advises, *sebadi adat with syara‘* (the tradition is in line with sharia) according to the Tamiang ancestral advises, and *murip i kanung edet, edet i kanung agama* (life is in the biological realm, and custom is in the religious realm) in terms of the Gayo ancestral advises. The research finds that the Acehnese *walimat al-‘urs* practices were not in line with sharia. ‘Urf theory was used in the research as the tool of analysis. Based on the ‘urf theory, as long as the customary practice is in accordance with the sharia, it can be implemented. However, if it is contradicting to the sharia, it has to be avoided. It is found that some traditions deviate from Islamic teachings, such as ritual that tends to be wasteful, the intermingling between male and female guests, the habit of shaking hands between two non-*mahram* individuals, the prevalent performance of female singers that do not properly cover their *awrah* and song with lyrics that contradict Islamic manners, and the influx of mystical traditions (shamanism) that has assimilated in most tradition within *walimat al-‘urs* in Aceh.

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¹ Anthony Reid, *Islam, Law, & Equality in Indonesia* (Cambridge: Cambridge University Press, 2003).

² Anthony Reid, *Southeast Asia in the Age of Commerce 1450-1680* (New Haven: Yale University Press, 1988).

³ Muhammad Amin Suma, Ridwan Nurdin, and Irfan Khairul Umam, "The Implementation of Shari'a in Aceh: Between the Ideal and Factual Achievements," *AHKAM: Jurnal Ilmu Syariah* 20, no. 1 (June 30, 2020), accessed January 1, 2022, <http://journal.uinjkt.ac.id/index.php/ahkam/article/view/14704>.

⁴ Arskal Salim, "Adat and Islamic Law in Contemporary Aceh, Indonesia: Unequal Coexistence and Asymmetric Contestation," *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 5, no. 2 (December 25, 2021): 529, accessed January 1, 2022, <https://www.jurnal.ar-raniry.ac.id/index.php/samarah/article/view/11082>.

⁵ Muhammad Taufiki and Badriyah Badriyah, "Al-Insijâm Bayna Al-'Urf Wa Al-Shari'ah Al-Islâmiyyah Fi Taqlid Ngarunghal Bi Majalengka, Indûnisiyâ," *AHKAM: Jurnal Ilmu Syariah* 21, no. 1 (June 30, 2021): 2021-189, accessed January 1, 2022, <http://journal.uinjkt.ac.id/index.php/ahkam/article/view/19779>. See also generally Mhd. Syahnan, *Hukum Islam dalam Bingkai Transdisipliner* (Medan: Perdana Publishing, 2018).

⁶ Arskal Salim, "Aceh's Shariah Office: Bureaucratic Religious Authority and Social Development in Aceh," in *The New Santri* (Singapore: ISEAS Publishing, 2000).

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⁸ Euis Nurlaelawati, *Modernization, Tradition and Identity: The Kompilasi Hukum Islam and Legal Practice in the Indonesian Religious Courts* (Amsterdam: Amsterdam University Press, 2010); Ahmad Tholabi Kharlie, "Modernisasi, Tradisi, Dan Identitas: Praktik Hukum Keluarga Islam Indonesia," *Studia Islamika* 18, no. 1 (April 30, 2011), accessed August 25, 2021, <http://journal.uinjkt.ac.id/index.php/studia-islamika/article/view/444>. See also Mhd. Syahnan and Abd. Mukhsin, "Islamic Law of Procedure: An Analysis of Kitâb al-Qâdhî ıla al-Qâdhî in Islamic Legal Literature," *Islamijah: Journal of Islamic Social Sciences* 1, no. 1 (2020), 97-106.

⁹ Interview with an official of MAG (Bener Meriah), Wednesday, May, 1, 2019.

¹⁰ Interview with the Head of MAG (Aceh Tengah Regency), Saturday, May, 4, 2019.

¹¹ Interview with an official of the Provincial MAA (Banda Aceh), Sunday, April, 20, 2019.

¹² Interview with an official of MAA (Lhokseumawe), Friday, May, 10, 2019.

¹³ Interview with an official of MAA (Bireuen Regency), Saturday, May, 11, 2019.

¹⁴ Interview with an official of MAA (Sabang), Friday, June, 28, 2019.

¹⁵ Interview with an official of MAG (Takengon), Friday, May, 3, 2019.

¹⁶ Interview with an official of MAA (Aceh Tamiang), April, 17, 2019.

¹⁷ Zakariyâ al-Anshârî, *Tuhfat al-Thullâb* (Kairo: al-Halabi, 1941); Husain al-Baghâwî, *Al-Tahzîb fi Fiqh al-Imâm al-Shâfi'i* (Beirut: Dâr al-Kutub al-'Ilmiyyah, 1997); Ibrâhîm al-Bâjûrî, *Hâshiyah al-Bâjûrî* (Indonesia: al-Haramain, 1994); al-Sayyid al-Bakri, *Hâshiyah I'ânat al-Thâlibîn* (Indonesia: Al-Haramain, 1994); Ibn Qâsim al-Ghazî, *Fath al-Qarîb* (Indonesia: Al-Haramain, 1994); Zayn al-Dîn al-Malîbârî. *Fath al-Mu'în* (Indonesia: Al-Haramain, 1994).

¹⁸ Shihâb al-Dîn al-Qarâfi. *Al-Furûq* (Kairo: Dâr Ihya' al-Kutub al-'Arabiyyah, 1999); Taufiki and Badriyah, "Al-Insijâm Bayna al-'Urf wa al-Sharî'ah al-Islâmiyyah Fî Taqlîd Ngarunghal Bi Majalengka, Indûnisiyâ."

¹⁹ 'Umar 'Abd al-Karîm al-Jidi. *Al-'Urf wa al-'Amal fi-Mazhab Mâlik wa Mathum Lada al-'Ulamâ' fi al-Maghrib* (Maroko: al-Mathba'ah al-Muhammadiyyah, 1987).