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We have reached a decision regarding your submission to JURIS (Jurnal Ilmiah Syariah), "PECOAH KOHON: LOCAL WISDOM OF INDIGENOUS MARRIAGE REJANG TRIBE BASED ON ISLAMIC JURISPRUDENCE".

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1. Revise according to the reviewer's comments in the manuscript file
  2. We only receive authors that consist of minimum two different countries (should be international collaboration)
  3. The references should use at least 40 references, with 80% from the latest publication (2019-2023) from journal/proceeding indexing by Scopus
- Use of a tool such as Zotero, Mendeley, or EndNote for reference management and formatting, and choose style ...

li Witro <noreply-ojs@iainbatusangkar.ac.id>

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We have reached a decision regarding your submission to JURIS (Jurnal Ilmiah Syariah), "PECOAH KOHON: THE PERSISTENCE OF THE RESTRICTION ON INTER-COUSIN MARRIAGE IN A RELIGIOUS INDIGENOUS REJANG SOCIETY".

Our decision is: Revisions Required

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Our decision is to: Accept Submission

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Assalamu'alaikum Wr. Wb.

Dear Authors,

The Editorial Board of the JURIS (Jurnal Ilmiah Syariah) Sharia Faculty UIN Mahmud Yunus Batusangkar stated that the article from:

Name : Supardi Mursalin, Siti Nurjanah, Abraham Ethan Martupa Sahat Marune, Muhammad Hasan Sebyar, Hina Al Kindiya

Title : Pecoah Kohon: The Restriction on Inter-Cousins Marriage in Indigenious the Rejang Society

Instance : Universitas Islam Negeri Fatmawati Sukarno Bengkulu, Indonesia

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We are pleased to inform...

## **PECOAH KOHON: THE PERSISTENCE OF THE RESTRICTION ON INTER-COUSIN MARRIAGE IN A RELIGIOUS INDIGENOUS REJANG SOCIETY**

\*Corresponding Author

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**Abstract:** This study aimed to examine the prohibition of *Pecoah Kohon* in the indigenous marriage Rejang tribe. *Pecoah Kohon* is a marriage between a man and a woman who are still related by blood, namely one grandmother. The research problem is that there is a customary prohibition on this marriage even though Islam does not prohibit it. This research is qualitative-field research with a normative-sociological approach. Data collection techniques used are interviews and documentation. In determining informants, researchers used a purposive sampling technique. The findings of this study were that the *Pecoah Kohon* tradition has survived to this day due to socialization carried out by traditional officials in a systematic, structured, and hierarchical way down to the Rejang community. In addition, sanctions against customary violations are considered quite strict. Good communication and cooperation between traditional officials and the community is a strong foundation for the preservation of the *pecoah kohon* tradition, even though the Islamic religious insights of the Rejang community have increased. The debate about the tradition of *pecoah kohon* has meeting points and solutions. Supporters of the *Pecoah Kohon* tradition believe that *Pecoah Kohon* tradition does not include prohibitions and cancellations of marriage, but they still carry it out as a tribute and cultural preservation. On the other hand, religious experts also understand that the *pecoah kohon* tradition is solely a custom and not a belief that exceeds or equals religion, so there is no need to argue about it.

**Keywords:** *Pecoah Kohon, Inter-Cousin Marriage, Rejang Society.*

**Abstrak:** Penelitian ini bertujuan untuk mengkaji larangan *Pecoah Kohon* dalam perkawinan adat masyarakat Rejang. *Pecoah Kohon* yaitu perkawinan yang terjadi antara laki-laki dan perempuan yang masih punya hubungan kekerabatan sedarah, yakni satu nenek atau satu poyang. Masalah penelitian ini adalah adanya larangan Adat dalam pernikahan ini padahal Islam tidak melarang. Penelitian ini adalah penelitian kualitatif-lapangan dengan pendekatan *normatif-sosiologis*. Teknik pengumpulan data yang digunakan adalah wawancara dan dokumentasi. Dalam penentuan informan, peneliti menggunakan teknik *purposive sampling*. Temuan penting dalam penelitian ini adalah tradisi *pecoah kohon* masih bertahan hingga saat ini disebabkan oleh sosialisasi yang dilakukan oleh perangkat adat secara sistematis, terstruktur, dan hierarkhis sampai kepada masyarakat rejang. Ditambah lagi, penerapan sanksi terhadap pelanggaran adat dirasa cukup ketat. Komunikasi dan kerjasama yang baik antara perangkat adat dengan masyarakat menjadi pondasi kuat untuk lestariannya tradisi *pecoah kohon*, meskipun wawasan keagamaan keislaman masyarakat rejang sudah meningkat. Perdebatan tentang tradisi *pecoah kohon* sebenarnya memiliki titik temu. Pendukung tradisi *pecoah kohon* menyakini bahwa tradisi *pecoah kohon* tidak termasuk larangan dan batalnya perkawinan, akan tetapi mereka tetap melaksanakannya sebagai penghargaan dan pelestarian budaya. Sebaliknya, para 'alim juga memahami bahwa tradisi *pecoah kohon* semata-mata sebagai adat dan bukan keyakinan yang melebihi atau menyamai agama, sehingga tidak perlu dipertentangkan.

**Kata kunci:** *Pecoah Kohon, Perkawinan Antar Sepupu, Masyarakat Rejang.*

### **Introduction**

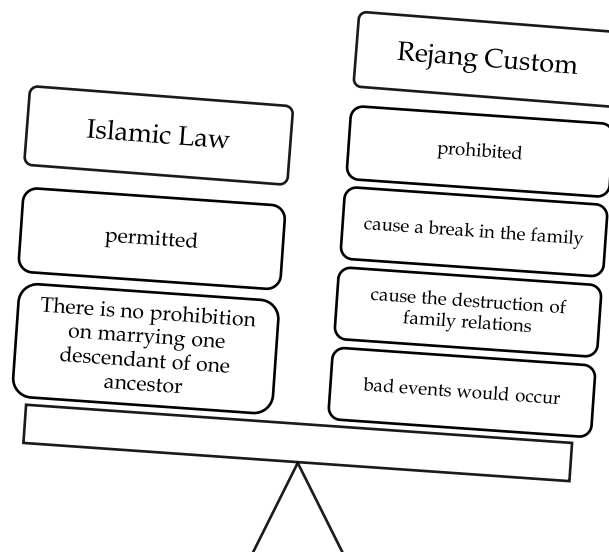
The Rejang people adhere to the traditional heterogamy marriage system (Arso, 2018), namely a marriage system in which there is no obligation to marry outside relatives and no prohibition on marrying within one relative, but what is prohibited is a marriage that is still related by blood. (Arso & APHA, 2020). In the customs of the Rejang people, it is regulated about the prohibit of mating with fellow wildlings (*sukau/margo*). This prohibition developed into a ban on marrying one tribe (Busyro &

Malindo, 2022) and a ban on marriages with parallel cousins (Yusdiawati, 2018) and cross-cousins. Prohibitions on same-sex, same-ethnic, parallel-cousins, and cross-country marriages generally contain customary law (Albuhari, 2021).

Concerning matchmaking, the customary provisions of the Rejang Tribe are that marriages are carried out with other people (*mok tun luyen*). (Arso & APHA, 2020) If marriages are forced, then *Pecoah kohon* marriages occur between related or unrelated people. *Pecoah Kohon* means breaking up in the family or breaking off the kinship between the two. Marriage in Islam is a strong bond or *misaqan galizan* (Samuri et al., 2022), as an inner and outer bond between a man and a woman to obey Allah's commands and carry them out is worship (Moyazzem Hossain et al., 2022), as well as to realize *sakinah* household life, *mawaddah wa rahmah* (Hasan et al., 2022). Marriage is one of worship and creates a sense of peace in the household (Berkah & Sawarjuwono, 2019). Regarding the choice of partner, it is permissible to marry, (Takwa et al., 2022) and there is also a prohibition to do so (Elmali-Karakaya, 2022). Islamic law states that groups cannot be married, meaning that women cannot be married to a man (Asmara & Sahara, 2022), or conversely, men cannot marry a woman (Fahimah & Zaenal, 2022). The prohibition on marriage is divided into two (wahyu & Alam, 2022), eternal prohibition and temporary prohibition, as stipulated in the letter An-Nisa', 4:23. (Suhairi, 2021)

According to the *Pecoah Kohon* tradition, it is forbidden to wed a relative who still shares an ancestry or other form of ancestral affinity. It is known as "*Pecoah kohon*". It is not permitted to marry persons who are connected or share many characteristics because it is thought that this may damage or sever family ties. It is feared that the marriage of "*Pecoah Kohon*" will result in the breakdown of the union. Even though this restriction is not absolute, marrying within a single ancestor's kinship line is still acceptable as long as you follow the customary procession. This conviction has been steadfastly cherished since the era of our ancestors. This custom is still relevant since it symbolizes the public's appreciation for the struggles of historical forebears. Furthermore, it was claimed that *Pecoah Kohon's* marriage might result in a family dissolution or severing their connection because marriage has its joys and pains. This is the point that kinship or familial bonds will be broken. Because of this, *Pecoah Kohon's* wedding should not take place.

Chart 1. The problem of "*Pecoah Kohon*" Marriage between Islamic Law and Rejang's Custom



Source: Author's Interpretation

Based on this chart, there is an imbalance between Islamic law and the Rejang custom. The *Pecoah Kohon* marriage is legal and is permitted by Islamic law. Islam clearly explains the rules of marriage, but the rules that apply in society are inseparable from the influence of the culture and environment in which

the community is located (Baihaqi et al., 2022); in Islamic cultural and environmental influences become traditions known as local Wisdom, adat or urf (Bukido et al., 2022).

Research on *pecoah Kohon* has been done before. Fuji Ayu Lestari conducted this research titled *Pecoah Kohon Marriage In The Rejang Tribe Based On Urf Perspective*. The findings of this study are that according to the conditions and types, the *Pecoah Kohon* marriage is considered *sahih* local Wisdom because it can avoid incestuous marriages, and if there is a split or divorce in the future, it will not damage the extended family relationship. However, it can become *fasid* local Wisdom if the community believes that *Pecoah Kohon's* marriage can bring disaster and even determine the survival of the married family. (Lestari, 2020)

Sanuri Majana carried out subsequent research on the traditional marriage of the Rejang tribe with the title "*beleket marriage in rejang lebong adat based on islamic law*". The findings in this study are that *beleket (jujur)* marriage is a form of marriage in Rejang custom which requires the bachelor's family to pay *jujur* or sticky money to the girl's side, and in *beleket (jujur)* marriage, the *jujur* money is large, and there are lots of *cakkericik* (additional money besides money). *Jujur* marriage is a form of exogamous marriage; the child then enters the clan or lineage of the father because the form of *beleket* marriage is a marriage that guarantees patrilineal lineage. Whereas the goal of *beleket* marriage is equal marriage following the concept of marriage in Islam. (Majana, 2017) Ferdiana Haryani, Iskandar Syah, and Maskun Maskun conducted subsequent research. They researched "*Begawai in the Rejang Rawas Tribe Marriage in Muara Quiz Village*". The results of this study are *begawai* before the agreement consisting of *prasanan*, tightening, introductory tribes/ introductory customs, *Tandang*. *Begawai* at the time of the agreement, asking for permission, erecting tents, offering sacrifices, packing, delivery, marriage contract, and auction. *Begawai* after the agreement, returning borrowed tools, bathing the bride and groom, praying thanksgiving, watering the graves, and visiting. (Haryani et al., 2013)

The research that has been done before is very different from the research that the author has done. The research question in this study is, "Why does the *pecoah kohon* tradition persist today when the Islamic knowledge of the community is higher?" What is the debate between the scientific community and those who still want to strengthen the tradition even though the main reason to avoid inbreeding may no longer exist?

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## Literature Review

Rejang Lebong Regency is a district that consists of various ethnic groups in it. However, the Rejang people are the dominant people in this district. (Linggih & Sudarsana, 2020) The existence of the customary law of the Rejang people also applies to all ethnic groups here. (Devi, 2016) The customs of the Rejang people are a habit that is continuously carried out and continued by their children and grandchildren, so it is considered a customary rule (customary law). (Ellyani et al., 2020) The customs of the Rejang people are strongly guided and become a reference in their daily life, so the values of this culture are reflected in customary law guided by social life. (Hastati, 2019)

In the past, the Rejang people already had a traditional institution called *kutai latet* which was led by a village head (*potai*) consisting of *ketuai sukau*, a group of older men, *tukang lungus* (shamans), and scholars. In *Kutai Latet*, trials are held to resolve each case. In the past, customary law was also known to apply very harshly; anyone who violated customary law would be immediately killed. Not currently, again, it is enacted unless it applies customary law *membunuh membangun*, meaning that the perpetrator can pay a fine with an amount of gold or silver according to the decision of the *jenang kutai*. So, since the past, the Rejang people have been known as a customary law community called *kutei*. They are joined in a group of people who live together, have the same interests and goals in life, have order, and have laws that are lived by the rulers of the community itself, which the leader is called *tuwei kutei*.

The traditional institutions in Rejang Lebong Regency are the Adat Consultative Body (BMA) at the regency and sub-district level and the lowest at Village level. The legal basis for the



formation of the Customary Consultative Body at Village level is the Decree of the Rejang Lebong Regent No. 309 of 2007 concerning Appointments Management of the Village Traditional Consultative Body in Rejang Lebong Regency which stated that in order to preserve customs in Rejang Lebong Regency, it is necessary to form a Customary Consultative Body at the village level. The number of board members is 15 (fifteen people), each of whom has duties, namely as advisor 2 (two people), deputy chairman, secretary, deputy secretary, treasurer, the field of customs 2 (two people), the field of archaeological history 2 (two people), the field of literacy and arts and culture 2 (two people), the field of program development, and the field of public relations. Parties who have a role in resolving problems in the community, which are an extension of the BMA, are *jenang kutai* or village judges. The legal basis for this provision is derived from the Decree of the Rejang Lebong Regent Number 58 of 2005, which contains the implementation of Rejang customary law and Letter Decree of Rejang Lebong Regent Number 93 of 2005 dated March 17, 2005, which BMA Rejang Lebong Regency followed up by issuing Letter Number 26a/BMA/III/2005 dated March 23, 2005. The contents of the letter stated that any problems involving violations of customary law were resolved in the village and handled by the *jenang Kutai* using customary law.

One of the customary rules held from generation to generation is the customary rules in marriage. (Febrianty et al., 2020) Marriage is part of the ritual of the circle of life in the customs of the Rejang tribe in Bengkulu. The Rejang tribe only knows the form of *kawin jujur*. However, *kawin Semendo* emerged in later developments due to the influence of Minangkabau custom and Islam. In customs, The Rejang ethnic group is prohibited from inter-tribal marriage. Marriage restrictions according to the customary provisions of the Rejang tribe, namely that marriage is best done with other people (*mok tun luyen*). This restriction expressly prohibits marrying parents, close relatives, even with one tribe, one *poayang*. When it happens marriage with close relatives, it is called *perkawinanan sumbang*; in terms of the Rejang ethnic group, it is called *komok* (shameful). While marriages with cousins, one grandmother, and one *poayang* (brother grandfather), if forced to do so, will be subject to sanctions (customary institutions). In the term Rejang Tribe is called *Mecoak Tumbang*. Other types of marriage What is prohibited by custom is marriage between a man or a woman with an ex-wife or husband of his brother if the brother is still living. In addition, another type of marriage that is prohibited is the *Pecoah Kohon*. *Pecoah Kohon* is a marriage between a man and a woman who are still blood-related, namely one grandmother or one *poayang*.

One *poayang* family relationship is between two people from the same grandparents. One *poayang* can also be said to be one ancestral descendant; it can also be explained that there is a blood relationship between generations. (Tahir, 2021) In Indonesia, the descent relationship is divided into two characteristics (Santoso et al., 2022): a. Straight in character, in a straight nature, it is a relationship where only one generation is directly at odds. For example, the relationship between father and son, mother and grandmother. b. Deviate if between two or more people there is a single ancestor. For example, one sibling or one grandparent. (H. D. Hasanah et al., 2023)

## Method

This study was field research. (Crump, 2020) The approach used by researchers is normative-sociological. (Zaini, 2011) This research was conducted on the Rejang Tribe, Bengkulu, who still maintain the "*pecoah kohon*" tradition in marriage. This study's primary data were obtained by direct interviews with traditional leaders, religious leaders, the Rejang tribe community, and husbands and wives who carry out the "*pecoah kohon*" tradition. At the same time, the secondary data in this study are documents or written materials or library materials in the form of books, articles, scientific journals, and newspapers that discuss issues relevant to this research.

The selection of informants in this study used a purposive sampling technique. (Crossman, 2020) This study's selected informants were people involved in the "*Pecoah Kohon*" tradition, especially the Rejang indigenous people. Data obtained from information through observation (H. Hasanah, 2017), interviews (Pujaastawa, 2016) dan and documentation (Hall, 2013) techniques were

then analyzed through data reduction (Fera Zasrianita et al., 2022), data presentation (Siti Afifah Nurullah, 2022), data analysis (Tasika & Giyarsi, 2022), and conclusion. (Ahmad & Muslimah, 2021)

## Results and Discussion

### The Definition Of *Pecoah Kohon's* Marriage

In the life of the Rejang people, a custom prohibits marriage between people who share the same ancestor, which can cause a split in the family. In the Rejang language, it is called *Pecoah Kohon* or interpreted as breaking a pot. The community still maintains this custom to this day. The rules prohibit someone who still has a kinship in the kinship line from getting married. The sanctions for the marriage are paying a fine or *mas kutei* and *pecoah kohon* or pot as a sign of the breakup of the family relationship between the two. The *Pecoah Kohon* tradition is a tradition that prohibits a person from marrying a relative who still has an ancestral kinship line, such as the same ancestry. One of the reasons for the prohibition of marriage between people who are related or similar is that it is feared that it will cause the destruction of family relations or the breaking of family ties; that is why it is called "*Pecoah kohon*". It is feared that this "*Pecoah Kohon*" marriage will cause a break in the relationship. Although this prohibition is not absolute, it is permissible to marry within the kinship line of one ancestor, such as one ancestor, but it is carried out in a traditional procession. This belief has been firmly held from the time of our ancestors. This tradition is still valid because it is a form of embodiment of public respect for the struggle of traditional ancestors. (Jaya, 2022)

Furthermore, it was stated that *Pecoah Kohon's* marriage could cause a family breakdown or the breaking of kinship between the two because there are joys and sorrows in marriage. This is where family divisions or kinship breaks will occur. That is why *Pecoah Kohon's* marriage should not be done. (Baharudin, 2022) It was also added that the *Pecoah Kohon* marriage was a marriage carried out by your relatives, namely relatives or cousins, which, if the marriage was carried out, could bring disaster; it was believed that bad events would occur, such as weak offspring, mental disabilities, and contracting hereditary diseases, it can even lead to commotion and divorce. (Yuli, 2022) If someone does a *Pecoah Kohon* marriage, they will be worried that there will be a marriage between suckling brothers. Because from ancient times, the majority of the people here worked as farmers, and who knows, the children who were still babies when they were entrusted to their aunts or other relatives had been breastfed by these aunts, so we are being careful to forbid the marriages that break up so that they do not know the occurrence of marriages between suckling brothers because if there has been such a marriage, it does not rule out the possibility due to their lack of morals and morals due to having a sibling marriage. (Yuli, 2022) Furthermore, the *Pecoah Kohon* marriage is a marriage that still has a family line and one ancestry, this prohibition is not absolute, meaning that it is permissible to marry in the kinship line of one ancestor such as one ancestry, but it is carried out in a traditional procession. (Qureshi, 2018) This belief has been firmly held since ancient times. This tradition is still valid because it is a form of embodiment of public respect for the struggle of traditional ancestors. (Sol, 2022)

### The History Of *Pecoah Kohon's* Marriage

The tradition of *pecoah kohon's* marriage in the Rejang community has been going on for a long time, dating back to the time of their ancestors, and is still valid today. The tradition of *pecoah kohon* is a form of embodiment of public respect for the struggle of traditional ancestors. As for the customary prohibition before marriage, every parent always advises and gives directions from the start to children so that they do not carry out the customary prohibition of the *Pecoah Kohon's* marriage. The prohibition of *Pecoah Kohon* marriage refers to the hadith of the Prophet, which explains that those who break *silaturrahimi* (friendship) will not enter heaven. As for the customary sanctions if the ban on *Pecoah Kohon's* marriage occurs according to the agreement of the customary institution, namely a fine in cash of Rp. 400,000.00 and the customary sanction of *pecoah kohon* or broken pot symbolize the breakup of the family relationship between the two. (Rawi, 2022)

As parents, elders of the Rejang Community have taught from the past that brothers and sisters must respect each other, respect each other and have a sense of Shame. Because Shame is part of faith, if a

marriage "*Pecoah Kohon*" occurs, it is considered to have no shame towards fellow brothers. For this reason, from the start, we told our children not to marry within this kinship line. However, back to the children themselves, because they are the ones who carry out their ups and downs later. They, as parents, can only advise their children. (Yahya, 2022) *Pecoah Kohon's* marriage once happened to Rika and Nepan's wedding couple. According to this couple, at first, they felt ashamed because they married their relatives and were considered disobedient to customs that had been believed from the time of their ancestors. However, because they love each other, they are not worried about the obstacles in their household life because they believe that what has happened is destiny and that something comes from Allah SWT. According to the couple Nasrul and Desmi, who married *Pecoah Kohon*, they were initially apprehensive about what would happen. They had discouraged getting married, but because Nasrul always convinced his partner, they finally let go of those evil thoughts because something good or bad comes by the power of Allah SWT, whatever will happen, both joy and sorrow, both hard and happy. (Rika, 2022)

### The Breach Of *Pecoah Kohon's* Marriage

Couples who have broken marriages do not believe that bad things will happen to their family, but they think that something comes from Allah SWT. (Probert & Saleem, 2018) Furthermore, *Pecoah Kohon* means union, which is not recommended according to Rejang customary law because there is still a family or clan relationship, which still has kinship, namely one ancestry. However, this prohibition is not absolute, meaning it is permissible to marry within the kinship line of one ancestor, but is carried out in a traditional procession. This belief has been believed since the time of our ancestors. This tradition is still thought and is still valid because it is a form of respect for the struggle of traditional ancestors.

Based on the explanation above, it is understood that there are several factors or reasons for the prohibition of *Pecoah Kohon* marriage: faith, normative, biological, health, and sociological. The reasons for this prohibition can be seen briefly in the following table:

Table 1. Reasons behind *Pecoah Kohon* Marriage Prohibition

No.	Aspect	Reasons for Prohibition
1	Faith Aspect	Marriage in one line of kinship signifies having no shame, which means a lack of faith. It can lead to catastrophes, such as divorce
2	Normative aspect	They worried about marriage between brothers and sisters because there is a tradition of entrusting children to relatives, while this marriage is prohibited by Islamic law.
3	Biological and health aspects	It can cause bad events such as weak heredity, mental disabilities, and hereditary diseases It can cause bad events such as weak heredity, mental disabilities, and hereditary diseases.
4	Sociological aspect	A form of obedience to the ancestral traditions of the Rejang tribe

Source: Author's Interpretation

If a *Pecoah Kohon* marriage occurs, sanctions and customary processions will be carried out, determined by the customary leader under the results of deliberations or traditional institutions. The sanction is Rp—400,000.00, which will be handed to the customary institution's treasury. The following sanction breaks two *kohon* (pots), a pot from the prospective groom and a pot from the prospective bride. The procession for breaking pots is as follows: the prospective groom hands over one pot, and the bride-to-be also hands over one pot to the customary leader, the procession for breaking pots is witnessed by members of traditional institutions, community leaders, village supervisor, and the families of both parties. When the male and female pots have been broken, the families of both parties hand over one pot to replace the pot that was broken earlier. Then this pot is filled with two "cantings" of rice and handed over to the prospective brides and groom; then, the bride takes water to sprinkle on in a pot filled with two canting rice and accompanied by applause from the people who see this procession. This means that breaking the pot symbolizes kinship relations. (Nasrul, 2022)

This *Pecoah Kohon* marriage can be carried out because there is no prohibition in the Qur'an and Sunnah. However, because humans live in a society, apart from having to comply with the rules contained in Islamic law, they must also comply with customary law. In the Rejang community, people who do not comply with adat will be labelled as uncivilized and unethical, so the ban on *Pecoah Kohon* marriages is not an absolute prohibition, but only permissible; anyone can do it but must accept the customary sanctions that have been in effect from ancient times to the present. (Rawi, 2022)

### **The Factors of Sustainable for *Pecah Kohon's* Marriage**

The *Pecoah Kohon* marriage tradition is still sustainable today. Rejang people still adhere to it from generation to generation. Several factors cause the *Pecoah Kohon's* Marriage tradition to be sustainable today, including:

First, the continuity of the *Pecah Kohon* tradition cannot be separated from the socialization carried out by traditional officials in a systematic, structured, and hierarchical way down to the Rejang community. The impact of this socialization causes the Rejang community to have an understanding and awareness that has been instilled since childhood about the importance of this tradition. Therefore, the inheritance of values and knowledge is carried out carefully to accept adat as part of the community unit and encourage each family to educate the next generation to accept traditional beliefs and carry out their traditions in life. (Efendi, 2022) Second, strengthening traditional institutions in monitoring and imposing sanctions on violations of the *Pecoah Kohon* customary marriage. Strengthening customary institutions in monitoring and imposing sanctions on customary violations is considered quite stringent. With the strengthening of the capacity and role of traditional apparatus in supervising the implementation of customary rules, it is difficult for the community to escape from the bondage of *adat*. On the other hand, the participation of the younger generation is high enough to preserve customs and culture. As a result, good communication and cooperation between traditional officials and the community can maintain customs, including the *pecoah kohon* marriage custom. (Wati, 2022)

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Factors are causing the *Pecoah Kohon* marriage prohibition, including:

#### 1. Worries about friendship relations

If there is a divorce, it is feared that it will damage the friendship relationship that has existed between the bride and groom's family. Which is the Rejang language is *pecoah kohon* (a split in a pot/family). Therefore, to avoid damaging friendly relations, the customary chiefs prevent it from the start, namely before the marriage takes place. This is based on the hadith of the Prophet, which explains that people who break friendships will not enter heaven. (Rahman, 2022)

#### 2. Sibling Marriage Concerns

The community is distraught if there is a marriage between siblings. This is aimed at none other than preventing incestuous marriages because if such a marriage has occurred, it is possible and challenging to separate because of their lack of morals and morals. (Mamat, 2022)

#### 3. Belief in Heredity

The community believes that the offspring of the perpetrator of the *Pecoah Kohon* marriage will experience mental disabilities and hereditary diseases that are difficult to cure. The perpetrator's household will not be happy and will always complain. (Sol, 2022)

#### 4. Educate Shame

In the Rejang custom, it has been taught from the past that fellow brothers must respect each other, respect each other and have a sense of Shame. Because Shame is a part of faith, if a *Pecoah Kohon* marriage occurs, it is considered that they have no shame towards fellow brothers. (Yahya, 2022)

### **The Survival of *Pecoah Kohon* in the Midst of Conflict with the Textual *Nash***

Marriage has been regulated in al-Qur'an, including the legal basis of marriage, terms and partners of marriage, the purpose of marriage, Wisdom of marriage and marriage prohibited in Islam. (Baydar, 2023) Women who are unlawful to marry are divided into 2: First: the ban on marriage, which is illegal forever (*muabbad*) in the sense that at any time under any circumstances, the man and woman are not allowed to marry. (Maimun et al., 2020) Second: the ban on marriage applies temporarily in the sense that the prohibition applies under certain circumstances and at a particular time (*mu'atqat*), (Siregar, 2021) one day when the conditions and at a certain time have changed, it is no longer *haram*.

Based on the letter An-Nisa verse 23, which discusses women who are forbidden to marry, they include:

Prohibition of marriage forever:

- a. Because of lineage
- b. Because cement
- c. Because of breastfeeding. (Baugh, 2017)

Temporary ban: (Subeitan, 2022)

- a. Three divorced wives
- b. Because it is still in *iddah*
- c. Gathered two *mahram* women
- d. Marry an enslaved person,
- e. Marriage of more than four wives
- f. Marry someone else's wife
- g. Marry a polytheist woman and a person from the book. (Kharlie et al., 2021)

If seen from the information above, there is no prohibition on carrying out marriages of the same ancestral lineage as even cousins or cousins. (Reyyan, 2022) When it is associated with the theory of local Wisdom or '*urf*', this *Pecoah Kohon* marriage has been going on for a long time and has been passed down from generation to generation until now. The customs that grow in society in the context of *ushul fiqh* are known as '*urf*' or local Wisdom (Kasim & Nurdin, 2020).

According to Abdul Wahhab Khallaf: '*Urf*' is something that has been known to humans and has been around for a long time, be it words, deeds or prohibitions, '*urf*' is also called *adat* (Roslaili, 2019). Whereas the meaning of tradition, when associated with '*urf*', is considered good and proper by humans in general, which is done repeatedly to become a habit (Supena, 2021). Regarding the object, '*urf*' is divided into '*urf lafzi*' and '*urf amali*'. '*Urf lafzi*' is the habit of using certain pronunciations or expressions. At the same time, '*urf amali*' is a community habit that applies in actions. Based on the object, according to the author, *pecoah kohon* marriage is included in *urf amali*, namely the customs of the community related to deeds. Regarding the scope of its use, *urf* is divided into two, namely '*urf am*' and *urf typical*. '*Urf am*' is a custom generally accepted throughout the region, while '*urf*' is typical, a custom that applies to a particular community (Zakariyah, 2012). If viewed in terms of its coverage, *Pecoah Kohon*'s marriage with the Rejang tribe is included in the particular '*urf*' category because it does not apply universally.

Regarding sound and bad judgments, '*urf*' is divided into '*urf sahih*' and '*urf fasid*'. '*Urf sahih*' is known to humans and does not conflict with Syara's propositions, while '*urf fasid*' is a habit that contradicts Syara's propositions (Abdullah et al., 2010). '*Urf*' can be used as a legal basis. We need to know that there is a *fiqhiiyyah* rule related to '*urf*': "Customs can be determined as law." In understanding and instituting the law, it sets out several requirements for receiving the Local Wisdom or '*urf*', (Djawas & Samad, 2020), namely:

1. *Adat* or '*urf*' is worth benefiting and can be accepted by common sense (Mehregan, 2016). This requirement is usually for *valid adat* or '*urf*', as a requirement for general acceptance. The *pecoah kohon* marriage tradition in the Tebat Karai sub-district has a beneficial side, namely preserving the customs and culture of the ancestors in that place which have been going on for so long. This tradition recommends not marrying by kinship, namely *senenek* or *sepoyang*, so that family breakdown does not occur in the future if the husband and wife quarrel or divorce because marriage is not only a matter of the prospective bride and groom but establishing a relationship between two families. In Islam, "no one will enter heaven who breaks the ties of silaturahmi."
2. The *adat* or '*urf*' applies in general and evenly among the people within the customary environment or the majority of its citizens (Duderija, 2016). In essence, implementing the *pecoah kohon* marriage tradition that occurred in the Tebat Karai sub-district is generally accepted because most of its residents do not marry their children to relatives or *sepoyang*.
3. The '*urf*' was used as a basis for determining the law already existed (applied) at that time, not the '*urf*' that appeared later (Zahid, 2022). This means that the '*urf*' must have existed before determining the law. If the *urf* comes later, then it is not counted. The *pecoah kohon* marriage tradition in the Tebat Karai sub-district existed before the enactment of the law. This means the community has carried out the tradition, which comes with legal provisions to rely upon.
4. Custom does not contradict and ignore existing *syara'* propositions or conflict with Islamic law principles (Bin Harun et al., 2021). This condition strengthens the realization of an authentic '*urf*' because if it contradicts the text or conflicts with clear and definite *syara'* principles, it is classified as a *fasid 'urf* and cannot be accepted as an argument for establishing law.

Table 2. *Pecoah Kohon's* Marriage in Perspective of '*Urf*'

No.	Criteria for Acceptance of Local Wisdom	Local Wisdom of Forbidding <i>Pecoah Kohon's</i> Marriage	' <i>Urf Sahih</i>	' <i>Urf Fasid</i>
1	Local Wisdom is worth benefiting from and can be accepted by common sense.	- Preserving the local Wisdom of the ancestors - Avoid family breakdown - establishing a relationship between two families	<i>Sahih</i>	-
2	Local Wisdom applies in general and evenly among the people within the customary environment or the majority of its citizens	- Forbidding <i>Pecoah Kohon's</i> Marriage is generally accepted - most of its residents do not marry their children to relatives in one grandma	<i>Sahih</i>	-
3	The <i>urf</i> used as a basis in determining the law already existed (applied) at that time, not the <i>urf</i> that appeared later	- the community has carried out the tradition, with legal provisions to be relied upon.	<i>Sahih</i>	-
4	Custom does not contradict and ignore existing <i>syara'</i> propositions or conflict with Islamic law principles	- it can avoid inbreeding, and if there is a dispute or divorce later, it will not damage the extended family relationship. - people's belief in negative influences on household life	<i>Sahih</i>	- <i>fasid</i>

Source: Author's Interpretation

So, based on the '*urf shohih*' conditions above, the *Pecoah Kohon* wedding tradition has fulfilled the first to third requirements. While on the fourth point, there can be two possibilities. It can be classified as '*urf shohih*', and it can also be classified as '*urf fasid*'. Classified as '*urf shohih*' because it can avoid inbreeding, and if there is a dispute or divorce at a later date, it will not damage the extended family relationship. While this prohibition is classified as '*urf fasid*' if people's belief in negative influences on household life is believed to arise due to the evil influence of the *Pecoah Kohon* marriage, this is feared to fall into the fold and can grow polytheism.

### The Meeting Point of Differing Opinions About *Pecoah Kohon's* Marriage

Not all Rejang people accept the *Pecoah Kohon* marriage tradition; they often argue about it. Debates arose between the scientific community and the Islamic religious expert community with traditional

officials and indigenous people who still want to strengthen this tradition. This debate has actually been around for a long time. Scientifically, the notion of avoiding incestuous marriages may no longer be used as an excuse because it can be traced to the condition of families who will do *pecah kohon* starting from childhood (from birth) to adulthood and the tradition of breastfeeding siblings or breastfeeding children to other families is no longer common. Likewise, with the help of technology (modern knowledge), it is possible to detect the physical or biological condition of those carrying out the *pecoah kohon*. (Mamat, 2022) Therefore, the tradition of *pecoah kohon* is actually not necessary because there is no need for it. This statement turned out to be answered by those who support this tradition; they assume that the needs of the *pecoah kohon* tradition are still relevant and needed to minimize negative impacts. This group thinks it is better to prevent than cure; it is better to make strict rules so that the family's life that will be fostered is better maintained and avoids negative impacts. (Rawi, 2022)

Likewise from religion, Islamic religious experts understand very well the prohibition and cancellation of religious marriages. (Al-Sharmani, 2018) They assume that the *Pecoah kohon* tradition is not included in the prohibition and cancellation of marriage. Basically, this *pecoah kohon* marriage can be carried out because there is no prohibition in the Qur'an and Sunnah, but because humans live in a society apart from having to comply with the rules contained in Islamic law, they must also comply with customary law. In the Rejang community, people who are not subject to custom will be labelled as uncivilized and unethical, so the ban on *pecoah kohon* marriage is not an absolute prohibition, but only *mubah*, anyone can do it but must accept the customary sanctions that have been in force from ancient times to the present. (Rahman, 2022)

The dialectics of the Rejang community towards the *pecoah kohon* tradition actually has a meeting point. This meeting point is often called the acculturation of religion and culture. Supporters of the *pecoah kohon* tradition believe in the provisions of the Islamic religion that what is done does not include prohibitions and cancellations of marriage, but they still carry it out as a tribute and cultural preservation, which, if violated, will be subject to sanctions. On the other hand, Islamic religious experts also understand what is conveyed by customary officials or indigenous peoples solely as custom, not beliefs that exceed or equal religion, so customary sanctions are applied as customary matters that do not need to be contested. (Nasrul, 2022)

## Conclusion

Based on the research that has been carried out, two important conclusions have been obtained, namely: First, the *pecoah kohon* tradition has survived to this day and cannot be separated from the people who carry it out with understanding and awareness that has been instilled since childhood. The process of socializing the *Pecoah Kohon* tradition is carried out consciously and unconsciously by traditional officials in a systematic, structured and hierarchical way down to each individual. Therefore, the inheritance of values and knowledge is carried out carefully to accept adat as part of the community unit and to encourage every family to educate the next generation to accept traditional beliefs and carry out their traditions in life. In addition, strengthening traditional institutions in monitoring and imposing sanctions on customary violations is considered quite strict. With the strengthening of the capacity and role of traditional apparatus in supervising the implementation of customary rules, it is difficult for the community to escape from the bondage of *adat*.

On the other hand, the participation of the younger generation is high enough to preserve customs and culture. As a result, good communication and cooperation between traditional officials and the community can maintain customs, including the *pecoah kohon* marriage custom. Based on the above, the *pecoah kohon* tradition still survives today, even though the community's Islamic religious outlook is higher. At the level of religious scholarship, society is aware of and recognizes Islamic law as the basis for acting in religious matters. They do not consider the tradition of breaking kohon as an obstacle or prohibition of marriage in Islam. Marriage can still take place and remains legal according to religion, but from the customer's point of view, the perpetrators of *pecoah kohon* are subject to customary sanctions in the form of money and social sanctions from indigenous peoples.

Second, there is a debate between the scientific community and the religious expert community with traditional officials and indigenous people who still want to strengthen the tradition of *Pecoah Kohon*. However, each of them struggled with their arguments. Scientifically, the notion of avoiding inbreeding may no longer be used as an excuse because it can be traced to the condition of families who will carry out the *pecoah kohon* tradition from childhood (from birth) to adulthood and the tradition of breastfeeding siblings or breastfeeding children to other families is no longer common. Likewise, with the advancement of knowledge, the physical/biological conditions of those carrying out the *pecoah kohon* tradition can be detected. Likewise, from religion, the religious expert understands the prohibition and cancellation of religious marriages very well. The *Pecoah kohon* tradition is not included in the prohibition and cancellation of marriage. Perhaps this is what is called acculturation between custom and religion. Traditional proponents believe in religious provisions that what is done does not include prohibitions and cancellations of marriages, but they still carry it out as a tribute and preservation of customs/culture, which, if violated, will be subject to sanctions. On the other hand, the 'alim also understand what is conveyed by traditional officials/people solely as custom, not beliefs that exceed or equal religion, so customary sanctions are applied as customary matters that do not need to be contested.

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