

Jurnal ahkam pak suwarjin

by Suwarjin Suwarjin

Submission date: 05-Jul-2023 12:07PM (UTC+0700)

Submission ID: 2126679208

File name: jurnal_ahkam_pak_suwarjin.pdf (528.61K)

Word count: 7588

Character count: 42042



VIRGINITY AND *CINCIN PENYEMBAH*:
SOCIOLOGICAL, PHILOSOPHICAL, AND *MAQĀSĪD*
AL-SHARĪ'AH STUDY ON SERAWAI TRIBE
TRADITIONAL MARRIAGE

*Suwarjin, Muhammad Irfan Helmy, Iim Fahimah,
Badrun Taman, and Wahyu Abdul Jafar*

Abstrak: Penelitian ini bertujuan untuk mengetahui secara komprehensif tradisi pemberian *Cincin Penyembah* pada pernikahan adat suku Serawai Bengkulu Tengah, sebagai tradisi menjaga keperawanan remaja di tengah degradasi moral dalam pergaulan pria dan wanita. Penelitian ini merupakan penelitian lapangan dengan pendekatan sosiologis. Teknik pengumpulan data yang digunakan adalah observasi, wawancara, dan dokumentasi. Hasil penelitian ini menunjukkan bahwa dinamika sosiologis yang melatarbelakangi tradisi pemberian *Cincin Penyembah* ini merupakan upaya para pendahulu suku Serawai untuk melindungi masyarakat Serawai dengan menjaga keharmonisan rumah tangga dalam bentuk menjaga keperawanan putri-putrinya. Tradisi pemberian *Cincin Penyembah* ini merupakan alat pengikat sosial suku Serawai, secara filosofis melambangkan rasa terima kasih menantu kepada ibu mertuanya karena istrinya masih perawan, dan alat untuk menjaga norma agama dan adat dalam budaya timur. Tradisi pemberian *Cincin Penyembah* ini sejalan dengan *Maqāsid al-Sharī'ah*, yaitu *hifdh al-dīn* (menjaga agama), *hifdh al-nasl* (menjaga keturunan), dan *hifdh al-māl* (menjaga harta).

Kata kunci: *Cincin Penyembah*; keperawanan; pernikahan adat

Abstract: This study aims to comprehensively investigate the tradition of giving *Cincin Penyembah* at a traditional marriage ceremony of the Central Bengkulu Serawai tribe. The tradition is intended to preserve the virginity of young people amidst moral degradation and promote social bonding within the tribe. As data collection techniques, a sociological approach is used with observation, interviews, and documentation. The results showed that sociological dynamics underlined the tradition of giving *Cincin Penyembah*. This tradition was created to safeguard the Serawai people by preserving their daughters' virginity and maintaining the harmony of the household. Symbolically, it represented a son-in-law's gratitude to the mother-in-law for the wife's virginity and could preserve religious and customary norms in Eastern culture. This tradition was consistent with *Maqāṣid al-Sharī'ah*, specifically *ḥifdh al-dīn* (safeguarding religion), *ḥifdh al-nasl* (safeguarding offspring), and *ḥifdh al-māl* (protecting wealth).

Keywords: *Cincin Penyembah*; virginity; Traditional Marriage

Introduction

This study aims to analyse the tradition of giving a “worship ring” at traditional marriages for the Serawai people of Central Bengkulu (Dihamri, 2017). It is a significant object of study, as normatively, in marriage law, there is no provision for giving a worship ring (Alfitri, 2020). However, the Serawai tribe requires the son-in-law to give *Cincin Penyembah* to the mother-in-law (Harnata & Andiko, 2021). Outwardly, this tradition applies new rules in marriage processions that are not stated in The Marriage Law (wahyu & Alam, n.d.). Apart from the provisions outlined in the marriage law, any practices that deviate from it can only be incorporated into a marriage procession as long as they do not conflict with the philosophical (Aji et al., 2021) and normative principles of Shari'a (Santoso et al., 2022). Giving a worship ring at a Serawai traditional marriage is unique and intriguing, as it is not commonly found in other traditional marriage ceremonies. The people of Serawai have a specific goal in incorporating this tradition into their marriage ceremony, specifically to protect the virginity of young women (Santoso, 2016).

The Serawai tribe places great emphasis on upholding customs and traditions in marriage, particularly on the significance of virginity. It is customary for a young man about to marry a young woman to express gratitude to his future in-laws by presenting a *Cincin Penyembah* to his mother-in-law. This tradition has been passed down from generation to generation (Surjan, 2022).

The Serawai people, also known as “Jemo Serawai”, adhere to their traditions and cultures. This community is defined by its customs, moral systems, and cultural aspects, collectively forming the “Serawai tribal community”. The Bengkulu province comprises five tribes (customs), including *Rejang*, *Bengkulu*, *Serawai*, *Lampung*, and *Pasemah* tribes. The Serawai tribe is primarily located in the central and south Bengkulu Regencies (Arios, 2020). People still actively use the Serawai language in their daily activities (Nofiardi, 2018). The community has maintained various traditions and cultural practices until today (Sun et al., 2021). These include the traditional marriage ceremony involving the presentation of *lenguai* (an object made of material copper or brass raw materials containing betel leaf, gambier, lime, areca nut, and tobacco) and *keris* (ceremonial knife), the *berasan* (deliberations to determine the dowry from the woman's side) and *nyalang guru* traditions (the

tradition to glorify pious people), and the giving of *Cincin Penyembah*, and *manjalang* (tradition of delivering food) to the in-laws and relatives (Octaviani & Sari, 2017). The marriage ceremony also features bridal dance and martial arts performances (Sirait, 2021).

The Serawai marriage ceremonies potentially cause conflict in the community, which is against the existence of traditional marriages. It is argued that a valid marriage does not require traditional ceremonies (Santoso, 2016). Additionally, a prospective son-in-law does not need to provide a gift such as a *Cincin Penyembah* to future in-laws for taking good care of their daughter (Atabik & Mudhiiah, 2014). An interview with a local figure strengthened this perception.

The Serawai tribe is unified. However, some youths refuse to marry according to the custom. They consider the *Cincin Penyembah* tradition old and out of date. Groups that reject traditional marriages usually migrate to other regions to study or work. This dispute occurs when they return home and are about to get married (Ahmad, 2022).

Several previous studies were conducted on the Serawai tribe. Dihamri examined the culture of the Serawak tribe in South Bengkulu Regency to understand the existing life cycle culture. The findings showed that the life cycle culture includes several customs or traditions, including childbirth, *batang* (female circumcision), male circumcision, youth association, marriage, and death. However, the culture started to change, and some customs were at risk of disappearing (Dihamri, 2017).

Vethy Octaviani and Saptia Sari conducted a subsequent study on the Serawai tribe titled “*Communication Patterns of Indigenous Peoples of the Serawai Tribe in the Modern Era.*” It examined the communication patterns of the Serawai tribe's Berasan with the people of Bengkulu City and outsiders in the modernisation era, particularly regarding who would initiate communication with the woman's parents before marriage. Indigenous Berasan customs with the Bengkulu people involved a man visiting a woman's house to meet her parents. In contrast, outsiders are required to have an envoy, such as relatives living in Bengkulu City or those travelling from far, to initiate communication with the woman's parents. The study suggested that the communication pattern of the Berasan tradition between the Serawai tribe as well as the Bengkulu people and outsiders has changed in the modern era (Octaviani & Sari, 2017).

The novelty of this study lies in the integration of Serawai traditional marriage elements with Islamic values. The previous study only presented descriptive data on the Serawai tribe's traditional marriage customs without considering Islamic studies. A normative approach was used in analysing the data, specifically using the *Maqāṣid al-Sharī'ah* theory.

Method

A field study was conducted in Jumat Village, Talang Empat District, Central Bengkulu Regency, in September 2022. A field study approach involves collecting and processing data to produce descriptive information (Musda Asmara & Lilis Sahara, 2022), either in direct quotes from the respondents or as a study describing a specific incident (Miu & Morgan, 2020). Three data collection techniques were used: observation, interviews, and documentation (Robi Musthofa Al Ghazali, 2022). The primary data were collected through interviews and direct observation with various participants, including the husband's parents who gave the "*Cincin Penyembah*," the wife's parents who received it, traditional leaders, and community leaders in Jumat Village. The secondary data were obtained by documenting related themes in scientific books or journals.

This study used a normative-sociological approach (Kurtubi, 2022) to examine the relationship between the customary regulation of giving "*Cincin Penyembah*" and marriage in Islamic law. The sociological approach examined the role of giving "*Cincin Penyembah*" in Serawai society, its relationship to political and economic structures, and its role in historical change and social transformation within the community (Kampourakis, 2020). Four activity steps were used in the data analysis process, including theorising (Wahyu & Oktavia, 2022), inductive analysis (Suryaningsih, 2022), typological analysis (Muddin, n.d.), and enumeration. These steps were not discrete from one another or separated from the data collection process (Asnaini, 2022).

The Tradition of *Cincin Penyembah* in Preserving Young Women's Virginity

The tradition of giving *Cincin Penyembah* originated from the ancestors of the Serawai Semidang Bukit Kabu tribe, dating back to their time. It was carried out when the Serawai people married off their virgin daughters. Importantly, *Cincin Penyembah* is only intended

for girls who are still virgins and does not apply to the marriages of widowers and widows. It is only applicable to the marriages of bachelors and maidens. These findings are supported by the interview results, as shown below.

The tradition of *Cincin Penyembah* is intended solely for marriages of unmarried girls and not widowers or widows. The practice symbolises gratitude from the prospective husband to his future parents-in-law for nurturing and preserving his fiancée's purity until adulthood (Abu Hasan, 2022).

After they finished holding a marriage procession, the husband and wife agreed to give a ring. *Cincin Penyembah* should be a gold ring that cannot be replaced with money or other objects. Giving *Cincin Penyembah* has become a hereditary tradition in Serawai tribal marriages. The Lembak people have also implemented the tradition. The tradition of this *Cincin Penyembah* has been going on for a long time and has been agreed upon by community leaders of the Serawai and Lembak tribes from generation to generation.

If the groom is from Serawai and the bride is from Lembak, the groom gives *Cincin Penyembah* to his mother-in-law with prior notification or request. However, in cases where the woman from the Serawai tribe marries a man from the Javanese tribe, the woman's parents request *Cincin Penyembah* from the man's parents (Asmawati, 2022).

Cincin Penyembah is given after the marriage ceremony and consummation of the marriage. The weight of *Cincin Penyembah* is based on the request of the bride's parents, and the amount given depends on the groom's financial ability. There are two guidelines for determining the weight of the gold. The first is based on the groom's capacity, and the second is the bride's preferences. The man utters a specific phrase while presenting *Cincin Penyembah*: "I give this ring to my parents (in-laws) in this world and the hereafter." This statement indicates that the man considers his parents and parents-in-law as his. This statement is a commitment that the wife's biological parents become the husband's biological parents; there is no difference in attitude and way of respecting them. Husbands should not prioritise their parents over the wife's parents. According to a respondent, this ancestral teaching is excellent; if it is successfully implemented in society, family harmony will be easily realised (Indracaya, 2022).

Cincin Penyembah serves two main benefits. Firstly, it is a hopeful gift to symbolise the start of a happy married life filled with love and affection (Fitriani, 2019). Secondly, it fosters a close relationship between the bride and groom's families in their life (Lestari, 2018). By giving this ring, the couple will have a smooth marriage. Additionally, *Cincin Penyembah* acts as a bond between the two families, strengthening their friendship and maintaining harmonious relationships. Even after the couple moves out and starts their own lives, this gift helps keep the family ties strong and intact (Musyafah, 2020).

Several aspects of giving *Cincin Penyembah* are illustrated in the following table:

Table 1. Several aspects of the tradition of giving *Cincin Penyembah*

No.	Aspect	Information
1	Definition	A gold ring from the son in-law to his mother-in-law as a form of gratitude for keeping his wife's virginity.
2	Subject	a. Serawai Semidang Bukit Kabu tribe and some of the Lembak tribe b. The bride is a virgin and single c. Son-in-law to the wife's mother
3	Time	The giving of <i>Cincin Penyembah</i> is after the marriage contract and intercourse with husband and wife.
4	Amount	a. At the request of the wife's parents b. According to the ability of the husband
5	Objective	a. The giving of <i>Cincin Penyembah</i> symbolises hope for the husband and wife's household happiness. b. As a symbol of hope for the abundance of sustenance in the household c. As a binder of friendly relations between the husband's and wife's families. d. As a binder of friendly relations between the family of the husband and wife and the parents' family
6	Process	a. Agreement between the husband's and wife's family b. Determination of the weight of the nominal grams of <i>Cincin Penyembah</i> c. The giving of <i>Cincin Penyembah</i> is from a son-in-law to his mother-in-law. He says, " <i>I give this ring to my parents (in-law) in this world and the hereafter.</i> "

Source: Researchers' Interpretation

The Giving of *Cincin Penyembah* in Serawai Tribe Traditional Marriage: A Sociological Perspective

The tradition of giving *Cincin Penyembah* is practised in the traditional marriages of the Serawai Community in Jumat Village, Talang Empat District, Central Bengkulu Regency. The origin of this tradition dates back to the ancestors of Semidang Bukit Kabu, who practised it during the marriages of bachelors and maidens (Osamor & Grady, 2018). *Cincin Penyembah* is given when the marriage procession is completed, the couple consummate their marriage (Nofardi, 2018).

Both parties witnessed the procession of giving *Cincin Penyembah*. The special remarks at the time of giving *Cincin Penyembah* must be said: "I give this ring to my parents (in-law) in this world and the hereafter" (Abu Hasan, 2022). Some Serawai people brought a *lenguai* containing *Cincin Penyembah* during the gifting procession. This tradition is carried out solemnly and does not contain elements of special mystical rituals. The *Cincin Penyembah* tradition is more of a ceremonial or symbolic form of giving a ring without any offerings, incense, or other things prohibited by religion.

Cincin Penyembah is a symbol of honor and appreciation to the mother-in-law. At first, there was no standard setting for the size of the gold ring given. It was based on the ability of the husband's parents. Most people in the Serawai tribe provide *Cincin Penyembah* with an average weight of two grams of gold. However, some may ask for a different weight, which can still be negotiated if the man cannot provide the requested amount (Nuroniyah, 2022).

The process of giving *Cincin Penyembah* is not listed in customary village regulations but rather as a hereditary custom carried out and implemented in the Serawai Semidang Bukit Kabu community in Jumat Village. This unwritten rule has been maintained from generation to generation. The Serawai people realize that the *Cincin Penyembah* tradition positively contributes to forming happy, peaceful, and peaceful marriages. The tradition of *Cincin Penyembah* teaches newly married young couples to understand the sociological condition of their partner's family. Through this tradition, the ancestors teach how to respect their parents-in-law and extended family (Dawasi, 2022).

Cincin Penyembah may not be exchanged for money or any other

object apart from gold (Randaini, 2022). There is no standard provision for the nominal grams of gold given, but the level of willingness and ability of the parents to the husband matters. Although all these provisions can change with recent developments, *Cincin Penyembah* should be a gold ring and not be replaced with other items or objects.

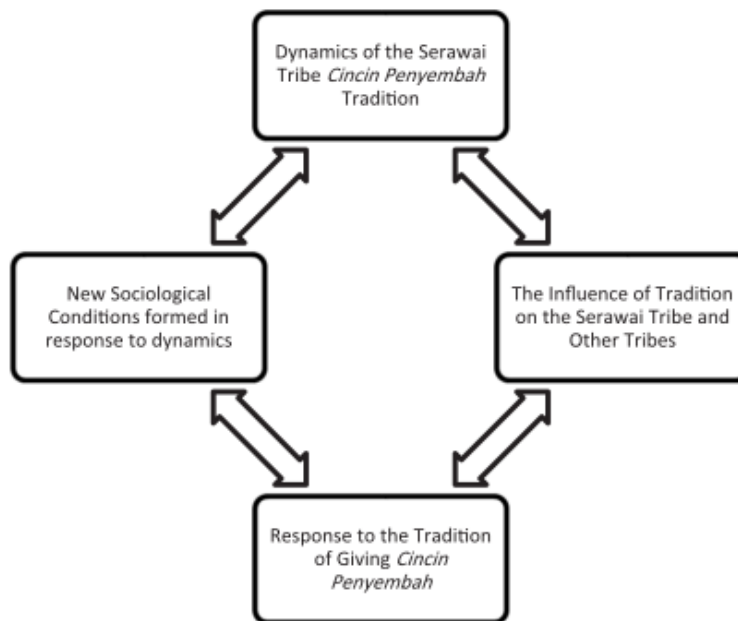
The tradition of giving *Cincin Penyembah* comes from the Serawai Semidang Bukit Kabu tribe, which has been mandatory for generations. This tradition is still carried out in the Serawai tribe and other regional communities because of the marriage relationship (Jappani, 2022). For a couple from the Serawai tribe, giving *Cincin Penyembah* is done immediately after the marriage ceremony without prior notification because they are already familiar with the tradition. For couples from different ethnic backgrounds, such as a marriage between a Serawai woman and a Javanese man, the woman's parents request *Cincin Penyembah* from the man. Conversely, if a Serawai man marries a Javanese woman, the tradition of giving *Cincin Penyembah* is disregarded because it is not recognized in Javanese culture (Syuraiya, 2022).

A son-in-law outside Serawai Semidang Bukit Kabus may not be familiar with the tradition of giving *Cincin Penyembah* in marriage. In such cases, the Serawai wife usually informs and requests her husband to follow it. Although both parties may agree to implement the tradition, disagreements may arise between the couple (Fitriani, 2019). Sometimes the husband thinks that it is not necessary to give the *Cincin Penyembah*. He assumes that giving a ring when a marriage proposal or marriage contract. This misunderstanding needs an explanation from the wife. This disagreement may make husbands misunderstand the purpose and significance of the tradition of giving *The Cincin Penyembah* because they are unfamiliar with it.

The tradition of giving *Cincin Penyembah* at marriages is a subject of interest in the field of "livelihood systems and rural marriages" from a sociological perspective. This discipline has emerged as a necessity to understand the socioeconomic, ecological, and political dynamics that affect the well-being of individuals, households, and groups in a given area (Qodir et al., 2022). According to this theory, the socio-political-ecological dynamics in society can influence the way individuals, households, or communities structure their marriages (Nofiard, 2018).

In rural livelihood systems, individuals respond to socioeconomic and political dynamics through patterns, strategies, and manoeuvres in marital activity (Dharmawan, 2007), while daily life strategy concern involvement in livelihood or productive work to maintain or improve living standards in response to these dynamics (Fahimah & Zaenal, 2022). The relationship between the tradition of *Cincin Penyembah*, the influence of socio-political-ecological dynamics, people's response to these dynamics, and the sociological conditions formed from their response can be explained through the following chart.

Chart 1. Sociological Dynamics and Responses of *Cincin Penyembah* Tradition



Source: Researcher's Interpretation

The sociological dynamics in society have different degrees of influence on individuals (Nofiardi, 2018), groups (households), or communities in building their marriage structures (Fauzan, 2020). The dynamics of giving *Cincin Penyembah* in the Serawai tribe aim to protect the virginity of the daughters of the tribe, which is considered a source of disharmony in a family if lost. The ancestors of the Serawai people saw adultery could be a potential problem in society. Therefore, they imposed the tradition of giving *Cincin Penyembah* as a preventive measure.

Giving *Cincin Penyembah* is carried out to ensure the daughter's purity. In the Serawai tribe, this tradition serves as a means for parents to

protect their daughter's virginity. In inter-tribal marriages, the tradition is expected to be followed by the groom. The husband and his family should understand this noble purpose of the *Cicin Penyembah* tradition. The husband will also enjoy the benefits of this tradition. The husband will be happy and happy if the wife he marries is still kept pure. Vice versa, many marriages are destroyed when the husband finds out that the wife he is married to is no longer pure.

The enactment of this tradition and its influence have elicited three responses from the Serawai tribe and other communities. As explained earlier, the answer to the dynamics of social life is represented by the patterns, strategies, and manoeuvres of marital activity shown by each individual. Those three responses are: complete acceptance, rejection, and partial acceptance (Ahmad, 2022).

The cause of this differences is their different perspectives in understanding the tradition. The Serawai people, who fully accept the tradition of *Cicin Penyembah*, consider the tradition's noble purpose. They realise how important it is to maintain women's virginity for family harmony and strengthen the relationship between the two parties. Those who reject this tradition argue that it is not taught in religious texts, such as the Quran and hadith. The Serawai people, who accept some of this tradition, reject the determination of the ring's value that will be given. If a woman determines the size of the ring, and it turns out that the man cannot fulfil it, he will object to this request. Some men comply to do the tradition voluntarily without being forced to provide certain ring values—an interview with a local strengthened this assertion. He stated that some people object to the nominal amount the bride's family requested. We accept this tradition and only ask for relief in terms of numbers (Dawasi, 2022).

The cost relief the husband requested is still tolerable, and a solution is sought. The tradition of *Cicin Penyembah* can still run without burdening beyond the means of the husband and family. The tradition of *Cicin Penyembah* was initially applied by the Serawai people only. It was extended to people outside the Serawai tribe who married the tribe members. The man's ability did not determine the size of the ring given. Subsequently, there have been two patterns in determining the size of the ring. The first is no certain provision regarding the ring's size. The second one is that the woman determines the size.

The Giving of *Cincin Penyembah* in Serawai Tribe Traditional Marriage: A Philosophical Perspective

Philosophy is a science that aims to understand and address the rising problems within all aspects of the human experience, including education, society, and economics (Nasution & Nasution, 2020). The results of philosophical thought are comprehensive, fundamental, and systematic. Philosophy seeks answers in a scientific, objective manner, relying on human reason to provide accountability and solve human problems (Musyafah, 2020).

The philosophical foundation of giving *Cincin Penyembah* is a gift full of hope and purpose. The tradition symbolises the close relationship between couples and their parents after marriage. Also, the ring represents the hope that after marriage, the couple will be blessed with sustenance and a harmonious relationship with the family. Abu Hasan, a local figure, stated: “*The tradition of Cincin Penyembah is the same as alms and gifts in Islamic law. Shodaqoh can eliminate disaster, while gifts can strengthen affection. Therefore, the tradition of Cincin Penyembah should be preserved because it can ward off disaster and strengthen affection between families*” (Abu Hasan, 2022).

The philosophy of *Cincin Penyembah* is the same as the concept of gifts is an acculturation of Islamic culture with the local culture of the Serawai tribe. Islamic values merge into the local wisdom of the Serawai tribal community in the form of a *Cincin Penyembah* tradition. The ancestors of the Serawai tribe indirectly taught the next generation to get used to giving gifts to their wife's parents and their families. If the wife's parents feel happy, accepting and loving, the husband and his family will be easier. Fusing these two families into a large family will be easier and run smoothly with the help of the worship ring tradition. Besides a symbol of gratitude to the mother-in-law for safeguarding her daughter's virginity (Wijaya & Muzammil, 2021), *Cincin Penyembah* is a sign of honour and appreciation to the father for trusting his daughter to the husband's family. After marriage, all burdens and responsibilities will be borne by the husband. The wife's needs in food, drink, clothing, housing, and others will be met by her husband. Parents are no longer subject to obligations after their daughter gets married. The principle that must be obeyed is that husband and wife are equal partners closely related to each other without subordination in fulfilling rights or obligations.

Cincin Penyembah is also a bond between husband and wife so they can live their marriage life peacefully and in harmony. In addition to binding the husband and wife, *Cincin Penyembah* also binds the husband and wife's families. Giving gifts to others means that someone gives appreciation to that person. A gift will make the person receiving it feel valued and cared for. Gifts to other people will be a means to strengthen and bring closer the relationship between you and that person. This gift is also an effort to maintain friendly relations between the two parties after marriage and in the future (Khoiri & Nasution, 2022).

The benefits or value of giving *Cincin penyembah* can be summarised in the following table:

Table 2. The Philosophical Meaning of *Cincin Penyembah*

No.	Philosophical Meaning
1	Expression of gratitude to mother-in-law for keeping her daughter's virginity
2	A sign of honour for the wife's family for entrusting their daughter to the husband's family
3	Hope for a happy household
4	Hope for a blessing of sustenance
5	Bonding relationship between husband and wife to create a peaceful family
6	Bonding relationship between the two sides of the family

Source: Researchers' Interpretation

The tradition of giving *Cincin Penyembah* teaches a philosophy of gratitude to parents-in-law. The tradition of *Cincin Penyembah* is a symbol that the husband has married a girl who is still a virgin, as a sign of gratitude to the mother-in-law for having a girl who is still a virgin and for trusting her daughter to her husband. The *Cincin Penyembah* is given after the wedding procession and the husband and wife consummated the marriage. In Islamic teachings, thanking is one of the noble behaviours as a form of appreciating the help of others and as an expression of gratitude. In addition, the tradition of *Cincin*

Penyembah is a symbol of affection between families. The tradition of *Cincin Penyembah* is a medium for cultivating affection. One of the wisdom of giving gifts is giving rise to a sense of mutual affection. If affection has grown and developed in a family, any problems that befall the family will be appropriately handled. The ideals of a happy family will be more easily realized.

The Giving of *Cincin Penyembah* in Serawai Tribe Traditional Marriage: A *Maqāṣid al-Sharī'ah* Perspective

According to al-Shatibi, there are five main shari'a objectives (Kayadibi, 2019): *ḥifdh al-dīn* (safeguarding religion), *ḥifdh al-naḥs* (protecting the soul), *ḥifdh al-'aql* (protecting the mind), *ḥifdh al-nasl* (protecting offsprings) and *ḥifdh al-māl* (protecting wealth) (Kurniawan & Hudafi, 2021). Furthermore, al Shatibi's book *al-Muwāfaqāt fī Uṣūl al-Sharī'ah* explains two ways to protect religion (Kasdi, 2016). *First*, in terms of existence (من ناحية الوجود), religion is protected by the establishment of obligatory rituals, such as prayer and *zakāh*. *Secondly*, religion can be protected by maintaining the absence (من ناحية العدم) of particular aspects by preventing the things that cause them (Syaripuddin, 2020). In other words, religion is protected based on prohibitions and warnings made by Allah, such as the death penalty for apostasy. In contrast, there are three levels of maintaining religion: *darūriyyāt* (primary benefit), *ḥājjiyyāt* (secondary benefit), and *taḥsīniyyāt* (tertiary benefit) (Jafar, 2016).

The purpose of *darūriyyāt* here is to maintain essential needs for human life. The essential need is to maintain religion, soul, mind, lineage, and property within the limits of not endangering the existence of the five points. *Maṣlahah ḥājjiyyāt*, namely *maṣlahah*, which is secondary in nature, is needed by humans to make life easier and eliminate difficulties. If he is not there, there will be difficulties and narrowness whose implications will not damage life. This need applies in the fields of worship, custom, and *mu'āmalah*. For example, it is prescribed to buy and sell in the field of muamalat in order to perfect the Shari'a, so it is also prescribed to look for witnesses. Another example is also prescribed for *qiraḍ* (indebtedness) and to perfect it, it is also prescribed to record whether it is from the debtor or given to the debtor. *Maslahat taḥsīniyyāt*, namely *maslahat* which is a *murū'ah* (moral) requirement, and it is meant for good and nobility. If he doesn't exist, then it doesn't

damage or complicate human life. Maslahat *taḥsīniyyāt* is needed as a tertiary need to improve the quality of human life.

Considering the concept of the *Maqāṣid al-Shari'ah*, the tradition of *Cincin Penyembah* is part of *ḥifdh al-dīn* to prevent adultery, as it is religiously prohibited. The prohibition of adultery is mentioned in QS. al-Isra': 32; and an-Nur: 2-3 (Santoso, Yusefri, et al., 2022). As the ring functions as a gratitude symbol for parents' ability to take care of their daughters (Hidayah, 2019), the parents will be ashamed if their daughters are found to be not virgins. It is this shame that makes parents worry so that they are enthusiastic about preserving the virginity of their daughters.

At the *maṣlahah* level (Nur et al., 2020), giving *Cincin Penyembah* to parents-in-law in the Serawai community in Bukit Kabu is considered *ḥājjīyyāt* because it is not the only means to maintain virginity for girls. The virginity maintained by a girl represents her ability to protect her religion (Santoso, Jafar, et al., 2022) with her mother's involvement. The absence of *Cincin Penyembah* tradition will not automatically make the girls in the community fail to protect their purity. The tradition of *Cincin Penyembah* contributes to maintaining the morale of the Serawai people. However, without the tradition of a worship ring, it does not mean that the morale of the people of the Serai tribe must be damaged and ugly.

The tradition can also be part of *ḥifdh al-nasl*, as marriage in Islam is to channel sexual desires lawfully to protect the honor and hereditary status of children born in a marriage (Busyro & Malindo, 2022). To preserve integrity, a man is recommended to find a partner with certain criteria as mentioned in the Quran sura An-Nisa: 1, Ar-Ra'd: 38, and At-Tahrim: 6.

Sura An-Nisa: 1 mention that all humans are descended from a father and mother, namely the Prophet Adam and Eve. All humans are from one father and mother (Adam and Eve) (Basid & Miskiyah, 2022). Each one should protect others' rights, as a brother should protect his siblings' rights. Even with a distant lineage through the Prophet of Adam, the obligation to protect each other is similar to those with close kin. As mentioned in Sura An-Nisa: 1, every human should do justice to others and prevent injustice. The strong ones protect the weak in good ways according to God's order (Nuraini, 2019).

Maqāṣid, in that verse, means an order to humans to be pious wherever they are. In another verse, Allah commands humans to protect themselves and their families from hellfire. Lust is one of the greatest human temptations to be controlled. For a man, his wife and children are gifts from God to be guarded.

The Quran sura Ar-Ra'd: 38 explains that Allah sent his messengers before the Prophet Muhammad. They were married and had children. This shows that having a family and procreation is natural, and it is *sunatullāh* (the immutable constants of Allah) for His creatures to live on his earth. This *sunatullāh* also applies to His Prophets and messengers.

Family life should not be seen as an obstacle. In Islamic teaching, marriage aims to create peace, tranquillity, and stability in life. Marriage also strengthens the family relationship and can be part of *da'wah*, as the Prophet Muhammad exemplified (al-Zuhaili, 2018).

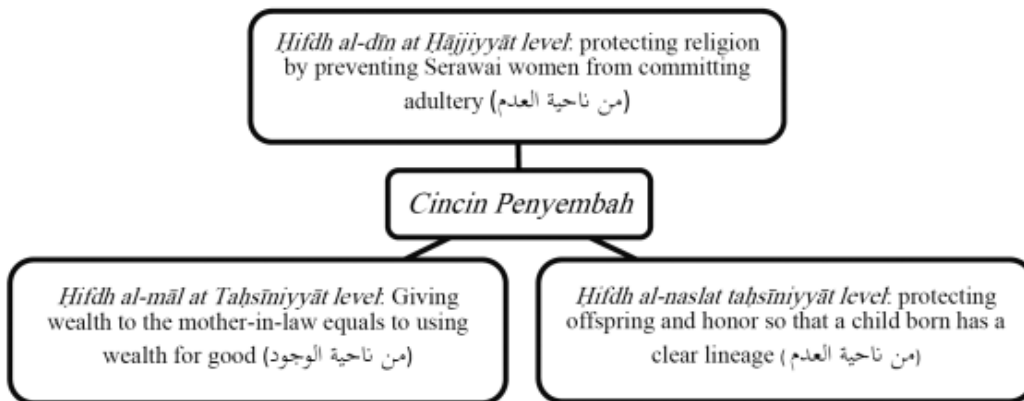
In the Quran, sura al-Taḥrīm: 6, Allah orders believers to protect themselves from hellfire fueled by humans and stones. This is maintained by dutifully obeying and carrying out Allah's commands, as well as teaching the families to follow the path of Allah. A family is a mandate that must be taken care of in its physical and spiritual welfare. It is narrated in a Prophet Muhammad's tradition that when this verse was revealed, Umar, the Prophet's companion, asked the Prophet Muhammad how to protect his family and himself from hellfire. The answer to that is by obeying His orders and preventing his prohibition. It is further narrated that hell is guarded by ferocious angels whose leaders are nineteen angels (Fakhrurrazi, 2018).

Another aspect of *maqāṣid* is guarding religion (*ḥifdh al-dīn*) against prohibited deeds. One of them is adultery. An intimate relationship among youth potentially leads to unwanted out-of-wedlock pregnancy, which brings shame to the family. Therefore, *Cincin Penyembah's* tradition should be appreciated to limit social interactions among youths. In this case, maintaining offspring is at the *darūriyyāt* level, while maintaining the tradition is considered *taḥsīniyyāt*.

According to Duski Ibrahim, *Cincin Penyembah* tradition is a part of *ḥifdh al-māl* (protecting wealth) (Darlin et al., 2022). In a rural setting, there is generally a greater sense of community and

care for others compared to urban areas. However, a greater sense of community often comes with a greater curiosity about others' businesses and competition among people. In a marriage ceremony, bringing more gifts for a bride can elevate a man's status and prestige in society. This leads to the tendency to show off one's capability. According to a Hadith, there is a normative recommendation for a man to do things (Nurani, 2021). The Prophet Muhammad said the best of you is he who is best to his family, and I am the best among you to my family." The hadith implies that a man has full responsibility to his family, including treating his family well (Nurhadi, 2018). If giving *Cincin Penyembah* is associated with this hadith, it can be classified as the act of *ḥifdh al-māl*. The value of *Maqāṣid al-Sharī'ah* in *Cincin Penyembah* tradition is illustrated in the following chart:

Chart 2. The value of *Maqāṣid al-Sharī'ah* in *Cincin Penyembah* tradition



Source: Researchers' Interpretation

Ḥifdh al-dīn at Ḥājjīyyāt level in the *Cincin Penyembah* tradition is manifested in the function of this tradition which can protect the religion of women of the Serawai tribe by keeping them from committing adultery. The *Cincin Penyembah* symbolises pride and achievement for Serawai women, who can maintain their chastity until they get married. *Ḥifdh al-māl al-taḥsīniyyāt level* in the *Cincin Penyembah* tradition is manifested in the form of giving wealth to the mother-in-law. This wealth is given as a gift, while gifts in religion include commendable and recommended actions, so the assets used in the worship ring tradition are classified as using assets for good things.

At the same time, the *ḥifdh al-nasl al-tahsīniyyāt* level in the *Cincin Penyembah* tradition is manifested in the function of this tradition which can protect offspring and honour so that a child conceived by a woman has a clear lineage. The *Cincin Penyembah* tradition implies that the community highly value virginity. With the loss of virginity, a bride and her family cannot demand *Cincin Penyembah*.

Conclusion

This study shows that the tradition of giving *Cincin Penyembah* among the Serawai tribe rose out of sociological dynamics. The tribe's predecessors established the *Cincin Penyembah* tradition of protecting their household's harmony and integrity by safeguarding their daughters' virginity. In their view, a daughter who was not a virgin was a source of disgrace and disharmony in the family.

Philosophically, *Cincin Penyembah* symbolises gratitude from a son-in-law towards his parents-in-law, who have taken care of and educated his future wife, preserving her virginity until the marriage ceremony. This tradition becomes an important instrument² to uphold both religious and customary norms. Considering the value of *Maqāṣid al-Sharī'ah*, the tradition of *Cincin Penyembah* reflects the notion of *ḥifdh al-dīn* (protecting religion), *ḥifdh al-nasl* (protecting offspring)¹ and *ḥifdh al-māl* (protecting wealth). Within the categorisation of *Maqāṣid al-Sharī'ah*, preserving virginity is at the level of *darūriyyāt* to maintain the honor of children or protecting offspring, while the practice of giving *Cincin Penyembah* is at the level of *tahsīniyyāt*, as it results in goodness.

References

- Abu Hasan, D. (2022). *personal communication, Semidang Bukit Kabu, 15 September.*
- Ahmad, D. (2022). *personal communication, Semidang Bukit Kabu, 15 September.*
- Aji, A. M., Rambe, M. S., Yunus, N. R., & Feriera, R. (2021). Weakening Tradition: The Shifting in Same-Clan Marriage Prohibition in Mandailing Batak. *Abkam: Jurnal Ilmu Syariah, 21*(2). <https://doi.org/10.15408/ajis.v21i2.23729>.
- Alfitri. (2020). Protecting Women from Domestic Violence: Islam, Family Law, and the State in Indonesia. In *Studia Islamika* (Vol. A27, Issue 2). <https://doi.org/10.36712/sdi.v27i2.9408>.

- Arios, R. L. (2020). Tradisi Bimbang Bebalai Pada Etnis Serawai: Sebuah Analisis Fungsional Struktural. *Handep: Jurnal Sejarah Dan Budaya*, 4(1), 87–110. <https://doi.org/10.33652/handep.v4i1.131>.
- Asmawati. (2022). *personal communication, Semidang Bukit Kabu, 12 September*.
- Asnaini, A. (2022). Haruskah Negara Ikut Serta dalam Pelaksanaan Ibadah Zakat? *Jurnal Ilmiah Ekonomi Islam*, 8(02), 1982–1990.
- Atabik, A., & Mudhiyah, K. (2014). Pernikahan dan Hikmahnya Perspektif Hukum Islam. *Yudisia*, 5(2), 293–294.
- Az-Zuhaili, P. D. W. (2018). Tafsir Al-Munir. *Gema Insani*.
- Busyro, & Malindo, Z. (2022). The Prohibition Sustainability On Marrying A Woman Of The Same Ethnic Group As An Ex-Wife In Minangkabau's Tradition. *Innovation: Journal for Religious Innovation Studies*, 22(2). <https://doi.org/10.30631/innovatio.v22i2.157>.
- Darlin, R., Frina, O., & Sodikin, A. (2022). Maqasid Sharia Perspective in Changes the Marriage Age Limits for Women According to Law Number 16 of 2019. *Al-Istinbath: Jurnal Hukum Islam*, 7(2 November), 487–508. <https://doi.org/10.29240/JHI.V7I2.4016>.
- Dawasi. (2022). *personal communication, Semidang Bukit Kabu, 13 September*.
- Dharmawan, A. H. (2007). Sistem Penghidupan dan Nafkah Pedesaan: Pandangan Sosiologi Nafkah (Livelihood Strategy) Mazhab Bogor. *Jurnal Transdisiplin Sosiologi, Komunikasi, Dan Ekologi Manusia*, 1(2), 169–192.
- Dihamri. (2017). Budaya Daur Hidup (Siklus Kehidupan) Suku Serawai di Kabupaten Bengkulu Selatan. *Jurnal Georaflesia: Artikel Ilmiah Pendidikan Geografi*, 2(2).
- Fahimah, I., & Zaenal. (2022). Maslahah and Sakinah Family's Review of Marriage Through Marriage Dispensation in Central Lampung Regency. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi, Dan Keagamaan*, 9(1), 65–79. <https://doi.org/10.29300/MZN.V9I1.7516>.
- Fakhrurrazi, F. (2018). Potret Pendidikan Keluarga dalam Al-Qur'an (Telaah QS. AT-Tahrim Ayat 6). *Jurnal At-Tibyan: Jurnal Ilmu Alquran Dan Tafsir*, 3(2). <https://doi.org/10.32505/tibyan.v3i2.691>.
- Fauzan, F. (2020). Progressive Law Paradigm in Islamic Family Law Renewal in Indonesia. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi, Dan Keagamaan*, 7(2), 187–202. <https://doi.org/10.29300/MZN.V7I2.3617>.
- Fitriani, D. S. (2019). Makna Tari Napa Pada Bimbang Adat Suku Serawai Di Kota Manna Kabupaten Bengkulu Selatan. *Jurnal Sosiologi Nusantara*, 5(1), 1–21. <https://doi.org/10.33369/jsn.5.1.1-21>.
- Harnata, T., & Andiko, T. (2021). Selaghian Traditional Sanctions Upon a Perspective of Islamic Law (Study on Serawai Community in Air Nipis District, South Bengkulu Regency). *JURNAL ILMIAH MIZANI: Wacana Hukum, Ekonomi, Dan Keagamaan*, 8(2). <https://doi.org/10.29300/mzn.v8i2.5430>.

- Indracaya. (2022). *personal communication, Semidang Bukit Kabu, 13 September.*
- Jafar, W. A. (2016). Kerangka Istinbath Masalah Mursalah Sebagai Alternatif Problem Solving Dalam Hukum Islam. *Istinbath: Jurnal Hukum, 13(1)*, 89–108.
- Jappani, D. (2022). *personal communication, Semidang Bukit Kabu, 15 September.*
- Kampourakis, I. (2020). Empiricism, Constructivism, and Grand Theory in Sociological Approaches to Law: The Case of Transnational Private Regulation. *German Law Journal, 21(7)*. <https://doi.org/10.1017/glj.2020.82>.
- Kasdi, A. (2016). Maqasyid Syari'ah Perspektif Pemikiran Imam Syatibi Dalam Kitab Al-Muwafaqat. *YUDISIA : Jurnal Pemikiran Hukum Dan Hukum Islam, 5(1)*. <https://doi.org/10.21043/YUDISIA.V5I1.693>.
- Kayadibi, S. (2019). The State as an Essential Value Darūriyyāt of The Maqāsid al-Shari'ah. *Ahkam: Jurnal Ilmu Syariah, 19(1)*. <https://doi.org/10.15408/ajis.v19i1.6256>.
- Khoiri, N., & Nasution, A. (2022). *H } ad } ānah conflict resolution through litigation : analysis of sharia court decisions in Aceh. 22(2)*, 177–197. <https://doi.org/10.18326/ijtihad.v22i2.177-197>.
- Kurniawan, A., & Hudafi, H. (2021). Konsep Maqashid Syariah Imam Asy-Syatibi Dalam Kitab Al-Muwafaqat. *Al-Mabsut : Jurnal Studi Islam Dan Sosial, 15(1)*, 29–38. <https://doi.org/10.56997/ALMABSUT.V15I1.502>.
- Kurtubi, M. (2022). *Nusantara: Journal of Law Studies. xx(xx)*.
- Lestari, N. (2018). Problematika Hukum Perkawinan Di Indonesia. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan, 4(1)*. <https://doi.org/10.29300/mzn.v4i1.1009>.
- Miu, E., & Morgan, T. J. H. (2020). Cultural adaptation is maximised when intelligent individuals rarely think for themselves. *Evolutionary Human Sciences, 2*, 1–18. <https://doi.org/10.1017/ehs.2020.42>.
- Muddin, M. I. (n.d.). Inheritance System Mayorat on the Komerling Tribe in Urf Perspective. *NUSANTARA: Journal Of Law Studies, 1(1)*, 21–32. <https://juna.nusantarajournal.com/index.php/juna/article/view/14>.
- Musyafah, A. A. (2020). Perkawinan Dalam Perspektif Filosofis Hukum Islam. *Crepido, 2(2)*, 111–122. <https://doi.org/10.14710/crepido.2.2.111-122>.
- Nasution, M. S. A., & Nasution, R. H. (2020). *Filsafat Hukum & Maqashid Syariah. 300*.
- Nofardi. (2018). Perkawinan dan Baganyi: Analisis Sosiologis Kultural dalam Penyelesaian Perselisihan di Kecamatan Banuhampu Kabupaten Agam. *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial, 13(1)*, 49–72. <https://doi.org/10.19105/al-lhkam.v13i1.1613>.
- Nuraini, S. (2019). Al-Quran dan Penciptaan Perempuan dalam Tafsir Feminis. *HERMENEUTIK, 12(1)*. <https://doi.org/10.21043/hermeneutik.v12i1.6023>

- Nurani, S. M. (2021). Relasi Hak Dan Kewajiban Suami Istri Dalam Perspektif Hukum Islam (Studi Analitis Relevansi Hak Dan Kewajiban Suami Istri Berdasarkan Tafsir Ahkam Dan Hadits Ahkam). *Al-Syakhsiyyah: Journal of Law & Family Studies*, 3(1). <https://doi.org/10.21154/syakhsiyyah.v3i1.2719>
- Nurhadi, N. (2018). Konsep Tanggung Jawab Suami dalam Mendidik Istri Perspektif Hadis Nabi Muhammad SAW Pada Kitab Kutub al-Tis'ah. *Jurnal Pendidikan Agama Islam Al-Thariqah*, 3(2). [https://doi.org/10.25299/althariqah.2018.vol3\(2\).2341](https://doi.org/10.25299/althariqah.2018.vol3(2).2341).
- Nuroniyah, W. (2022). *Muslim women adhering to Minangkabau's bajapuik tradition in Cirebon, West Java: compromising a gendered culture in Islamic law*. 22(2), 135–153. <https://doi.org/10.18326/ijtihad.v22i2.135-153>.
- Octaviani, V., & Sari, S. (2017). Pola Komunikasi Adat Berasan Suku Serawai di Era Modern. *Jurnal ASPIKOM*, 3(2), 173–185.
- Osamor, P. E., & Grady, C. (2018). Autonomy and couples' joint decision-making in healthcare. *BMC Medical Ethics*, 19(1), 1–8. <https://doi.org/10.1186/s12910-017-0241-6>.
- Qodir, Z., Jubba, H., Hidayati, M., & Mutiarin, D. (2022). The Formalization of Sharia in Aceh to Discipline the Female Body. *Al-Jami'ah: Journal of Islamic Studies*, 60(1), 63–90. <https://doi.org/10.14421/AJIS.2022.601.63-90>
- Randaini. (2022). *personal communication, Semidang Bukit Kabu, 14 September*.
- Robi Musthofa Al Ghazali. (2022). Boarding House Rent Refunds During Covid 19 Based On Sharia Economic Law. *Journal of Nusantara Economy*, 1(1 SE-Articles), 38–47. <https://juna.nusantarajournal.com/index.php/numy/article/view/25>.
- Santoso. (2016). Hakekat Perkawinan Menurut Undang-Undang Perkawinan, Hukum Islam dan Hukum Adat. *Jurnal YUDISIA*, 7(2), 412–434.
- Santoso, D., Jafar, W. A., Nasrudin, M., Asmara, M., & Fauzan, F. (2022). Harmony of religion and culture: fiqh munākahat perspective on the Gayo marriage custom. *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 22(2), 199–218. <https://doi.org/10.18326/IJTIHAD.V22I2.199-218>.
- Sirait, R. D. E. (2021). Legalitas Perkawinan Adat Menurut Undang-Undang No. 16 Tahun 2019 Tentang Perubahan Atas Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan. *Fiat Iustitia : Jurnal Hukum*, 2(1), 31–41. <https://doi.org/10.54367/fiat.v2i1.1426>.
- Sun, C., Chen, H., & Liao, R. (2021). Research on incentive mechanism and strategy choice for passing on intangible cultural heritage from masters to apprentices. *Sustainability (Switzerland)*, 13(9). <https://doi.org/10.3390/su13095245>.
- Surjan, D. (2022). *personal communication, Semidang Bukit Kabu, 13 September*.
- suryaningsih. (2022). Impact of Gadget Addicts on Family Harmony Perspective of Islamic Law. *NUSANTARA: Journal of Law Studies*, 1(1), 50–64. <https://juna.nusantarajournal.com/index.php/juna/article/view/18>.

- Syaripuddin, S. (2020). Maslahat as Considerations of Islamic Law in View Imam Malik. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 4(1), 85–106. <https://doi.org/10.22373/SJHK.V4I1.6754>.
- Syuraiya. (2022). *personal communication, Semidang Bukit Kabu, 15 September*.
- Wahyu, Wahyuzaulaq, & Alam, A. A. P. (n.d.). Interfaith Marriage Perspective of Fiqh Law and Positive Law. *NUSANTARA: Journal of Law Studies*, 1(1), 33–39. <https://juna.nusantarajournal.com/index.php/juna/article/view/3>
- Wahyu, D. A. N., & Oktavia, N. T. (2022). Relevance of Al Mawardi's Reflection in The Development of Islamic Economic Activities. *Nusantara Economy*, 1(1), 48–58.
- Wijaya, A., & Muzammil, S. (2021). Maqāsidi Tafsir Uncovering and Presenting Maqāsidi Ilāhī-Qur'anī into Contemporary Context. *Al-Jami'ah*, 59(2), 449–478. <https://doi.org/10.14421/ajis.2021.592.449-478>.

Suwarjin¹, Muhammad Irfan Helmy², Iim Fahimah³, Badrun Taman⁴, and Wahyu Abdul Jafar⁵

^{1,3,4,5}State Islamic University of Fatmawati Sukarno, Bengkulu

²State Islamic University of Salatiga

E-mail: ¹suwarjin@iainbengkulu.ac.id, ²mihelmy@uisalatiga.ac.id, ³iimfahimah28@gmail.com, ⁴badruntaman.ofc@gmail.com, ⁵wahyujafar@iainbengkulu.ac.id

Jurnal ahkam pak suwarjin

ORIGINALITY REPORT

6%

SIMILARITY INDEX

5%

INTERNET SOURCES

3%

PUBLICATIONS

1%

STUDENT PAPERS

PRIMARY SOURCES

1	journal.walisongo.ac.id Internet Source	<1 %
2	www.researchgate.net Internet Source	<1 %
3	Submitted to Universiti Teknologi Malaysia Student Paper	<1 %
4	en.alukah.net Internet Source	<1 %
5	etheses.uin-malang.ac.id Internet Source	<1 %
6	repository.iainbengkulu.ac.id Internet Source	<1 %
7	garuda.kemdikbud.go.id Internet Source	<1 %
8	journal.uinsgd.ac.id Internet Source	<1 %
9	Tutik Nurul Janah, Umdah El Baroroh. "Pluralism in the Fiqh Sosial's Perspective", Santri: Journal of Pesantren and Fiqh Sosial, 2021 Publication	<1 %
10	www.cambridge.org Internet Source	<1 %
11	www.nu.or.id Internet Source	<1 %

12 Muhammad al ikhwan Bintarto, Yudi Setiawan, Muhammad Uwais Alqarni, Faishal Hilmi. "Zakah and Waqf for Cryptocurrency in Islamic Law", Al-Istinbath : Jurnal Hukum Islam, 2022
Publication

13 Deddy Gunawan. "THE URGENCY OF THE PRENUPTIAL AGREEMENT FOR HUSBAND AND WIFE IN INDONESIAN MARRIAGE LAW", Journal Philosophy of Law, 2021
Publication

14 journals.unihaz.ac.id
Internet Source

15 repository.iaincurup.ac.id
Internet Source

16 "Indigenous Knowledge and Disaster Risk Reduction", Springer Science and Business Media LLC, 2023
Publication

17 B Winarno, D Rohadi, T Herawati, M Rahmat, E Suwarno. "Out of fire disaster: dynamics of livelihood strategies of rural community on peatland use and management", IOP Conference Series: Earth and Environmental Science, 2020
Publication

18 Omar Hasan Kasule. "Adolescent physical and psychological health: Ethico-legal considerations", Journal of Taibah University Medical Sciences, 2014
Publication

19 digitalcommons.unl.edu
Internet Source

20 etd.uwc.ac.za
Internet Source

21 innovatio.pasca.uinjambi.ac.id <1 %
Internet Source

22 journal.binus.ac.id <1 %
Internet Source

23 Fransiskus Emanuel, Dismas Kwirinus, Petrus Yuniarto. "THE CONCEPT OF INTERFAITH MARRIAGE: ISLAM-CATHOLICISM AND ITS IMPLICATIONS FOR THE MORAL EDUCATIONS OF CHILDREN", Jurnal Pendidikan Sosiologi dan Humaniora, 2023 <1 %
Publication

Exclude quotes On

Exclude matches Off

Exclude bibliography On