

## Banjar Traditional Marriage in the Spotlight of Islamic Law: Between Tradition, Sharia, and Contemporary Problems

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### Abstract

The Banjar customary marriage represents a rich cultural tradition deeply rooted in local heritage, yet it raises questions regarding its compatibility with Islamic legal principles. This study aims to analyze the implementation of the Banjar customary marriage process in Haruyan District, and examine its conformity with Islamic law. Employing an empirical legal research method with a qualitative approach, primary data were collected through interviews with religious leaders, community elders, and local residents. The findings reveal that the Banjar customary marriage consists of several distinct stages, including *basalusuh*, *batatakunan*, *badatang*, *bapapayuan*, *maantar patalian*, *maantar jujuran*, *bapingit*, *bapacar*, *badudus*, the marriage contract (*akad nikah*), *betamat Al-Qur'an*, *ma'arak pengantin*, and *batatai*. From an Islamic legal perspective, these stages generally remain within the framework of sharia as long as they do not conflict with the Qur'an, hadith, *ijma'*, and *qiyas*. Therefore, the Banjar customary marriage can be regarded as a form of local wisdom that coexists with Islamic law, though it still faces contemporary challenges concerning modernization, cultural preservation, and potential deviations from religious values. This study recommends stronger collaboration between religious and traditional leaders to ensure that the continuity of Banjar marriage traditions aligns harmoniously with Islamic principles, thereby safeguarding both cultural heritage and religious adherence.

**Keywords:** Banjar customary marriage; Islamic law; tradition; sharia; local wisdom

### Abstrak

*Perkawinan adat Banjar merupakan salah satu tradisi lokal yang kaya simbol dan nilai budaya, namun sekaligus menimbulkan pertanyaan mengenai kesesuaiannya dengan prinsip-prinsip syariat Islam. Penelitian ini bertujuan untuk menganalisis pelaksanaan prosesi perkawinan adat masyarakat Banjar di Kecamatan Haruyan, dan mengkaji prosesi tersebut dari perspektif hukum Islam. Metode penelitian yang digunakan adalah penelitian hukum empiris dengan pendekatan kualitatif, di mana data utama diperoleh melalui wawancara dengan tokoh agama, tokoh adat, dan masyarakat setempat. Hasil penelitian menunjukkan bahwa perkawinan adat Banjar di Kecamatan Haruyan dilaksanakan melalui beberapa tahapan khas, antara lain *basalusuh*, *batatakunan*, *badatang*, *bapapayuan*, *maantar patalian*, *maantar jujuran*, *bapingit*,*

*bapacar, badudus, akad nikah, betamat Al-Qur'an, ma'arak pengantin, dan batatai. Dari perspektif hukum Islam, prosesi tersebut secara umum tidak bertentangan dengan syariat sepanjang tidak mengandung unsur yang dilarang Al-Qur'an, hadis, ijma', dan qiyas. Dengan demikian, perkawinan adat Banjar dapat dipandang sebagai bentuk kearifan lokal yang tetap berada dalam koridor syariat, meskipun dalam praktiknya masih menyisakan problematika kontemporer terkait relevansi, modernisasi, dan potensi terjadinya penyimpangan nilai. Penelitian ini merekomendasikan perlunya sinergi antara tokoh adat dan tokoh agama untuk memastikan bahwa tradisi perkawinan adat tetap lestari, namun sejalan dengan prinsip-prinsip Islam, sehingga warisan budaya dan nilai religius dapat berjalan harmonis.*

**Kata Kunci:** *perkawinan adat, masyarakat Banjar, hukum Islam, tradisi, syariat*

## **A. NTRODUCTION**

Marriage is a social and religious institution that holds a fundamental position in the life of society. In the perspective of Islamic law, marriage is regarded as an '*aqd mitsaq ghalizh* (a solemn and binding contract) that not only unites two individuals but also carries moral, spiritual, and social responsibilities in establishing a family characterized by *sakinah, mawaddah, and rahmah* (tranquility, affection, and compassion). In the context of Indonesia's pluralistic society, the practice of marriage cannot be separated from the influence of traditions and customs that have been deeply rooted and passed down through generations. One community that reflects this rich cultural heritage is the Banjar people of South Kalimantan. [1] The Banjar traditional marriage is known for its lengthy and symbolically rich series of rituals, beginning from *basalusuh, batatakunan, badatang, bapapayuan, maantar patalian, maantar jujuran, bapingit, bapacar, badudus, akad nikah* (marriage contract), *betamat Al-Qur'an* (completion of Qur'an recitation), *ma'arak pengantin* (wedding procession), to *batatai* (post-wedding ritual). Each stage reflects local wisdom that strengthens family bonds, social solidarity, and respect for ancestral traditions. However, along with modernization, globalization, and the increasing influence of formal legal regulations, new challenges have emerged: how to preserve traditional customs without deviating from the principles of Islamic law, and how to adapt these traditions to meet the legal and societal needs of the contemporary era.[2] Previous studies have generally examined Banjar traditional marriage from anthropological or sociological perspectives, focusing on ritual symbolism and cultural meanings. Some legal studies have also discussed traditional marriage in relation to national marriage law. However, research

that specifically analyzes the Banjar traditional marriage process from the perspective of Islamic law—by considering aspects of tradition, compliance with Sharia, and contemporary challenges—remains limited.[3] This constitutes the research gap as well as the novelty of this study—bridging the study of Islamic law with the dynamics of preserving local culture within the framework of family law. Based on this background, the research aims to analyze the implementation of Banjar traditional marriage in Haruyan District and to assess its conformity with the principles of Islamic law. By combining empirical approaches with normative analysis, this study seeks to offer an original contribution to the discourse on Islamic family law in Indonesia, namely through a model of harmonization between custom (*adat*) and Sharia that is adaptive to contemporary challenges. Thus, this research not only serves as an academic documentation of cultural heritage but also as a conceptual proposal for the development of a national legal system that is responsive to social and legal pluralism.

The Banjar traditional marriage represents a form of cultural heritage rich in historical, spiritual, and social values. The marriage ceremonies practiced by the Banjar community are not merely understood as the union of two individuals but also as a collective event that involves the extended family, relatives, and even the wider community. Thus, Banjar traditional marriage serves a dual function: as a legal-religious mechanism that legitimizes the marital relationship, and as a means of strengthening social bonds within the community.[4]

The uniqueness of the Banjar traditional marriage lies in its long, sequential, and highly symbolic stages. The ceremony begins with *basalusuh* as an act of initial purification, followed by *batatakunan* as a meeting and introduction between the two families, *badatang* which affirms the intention of proposing, *bapapayuan* and *maantar patalian* which strengthen the bond and commitment, and *maantar jujuran* symbolizing the groom's readiness to assume the responsibilities of married life. Afterward, the bride undergoes *bapingit*, a period of seclusion and self-restraint, followed by *bapacar* and *badudus*—rituals of physical and spiritual purification before the wedding ceremony takes place.[5] The climax of the ceremony is the *akad nikah*, which, both legally and religiously, marks the formal and lawful validation of the marriage. Following the *akad*, the Banjar community holds *betamat Al-Qur'an* as a collective prayer for marital blessings, followed by *ma'arak pengantin*—a wedding procession symbolizing joy—and concludes with

*batatai*, a communal feast representing gratitude and social togetherness.[6] Each of these stages is not merely ceremonial but carries deep moral and philosophical messages. For instance, the *badudus* ritual is understood as a process of self-purification, preparing the bride and groom spiritually and mentally for married life. Similarly, *maantar jujuran* symbolizes the groom's commitment and sincerity. If these rituals are neglected, it is not only the ceremonial aspect that is lost but also the moral and educational values embedded within them.[7] However, this rich tradition is now confronted with various challenges. Modernization has transformed the way society perceives marriage. Younger generations tend to prefer wedding ceremonies that are shorter, simpler, and more efficient. Some even choose to skip certain traditional stages, considering them impractical or too costly. As a result, there has been a shift in the meaning of traditional marriage—from a sacred and symbol-laden event to merely a formal occasion.[8]

In addition, the influence of positive law and Islamic law has also played a significant role. The state, through Law Number 1 of 1974 on Marriage and the Compilation of Islamic Law (KHI), clearly regulates the pillars and requirements of marriage — including the presence of a prospective husband and wife, a guardian (*wali*), two witnesses, a dowry (*mahar*), and the *ijab qabul* (marriage contract declaration). Thus, every customary practice that develops within society must be examined to ensure it does not conflict with the principles of Islamic law, which prohibit elements of *shirk* (idolatry), *bid'ah dhalalah* (deviant innovation), or traditions that harm either party. From an economic perspective, another common issue that arises is the high cost of traditional ceremonies, particularly concerning *jujuran* (bride price). In some cases, excessive *jujuran* demands have led to the postponement or even cancellation of marriages, as the prospective groom feels unable to meet the financial expectations.[9] In fact, Islam encourages the facilitation of marriage and discourages making it burdensome, in accordance with the principle of *al-taysir fi al-nikah* (ease in marriage). If a tradition causes harm, such as imposing financial hardship, it should be re-evaluated to ensure alignment with the objectives of Islamic law (*maqāsid al-sharī'ah*), namely the preservation of religion (*hifz al-dīn*), lineage (*hifz al-nasl*), and property (*hifz al-māl*). Therefore, this study holds significant academic and practical importance. Academically, it fills a gap in the existing literature by specifically analyzing the Banjar traditional marriage process through the lens of Islamic law—not only in terms of cultural symbolism but also regarding Sharia compliance and social relevance.[10] Practically, this study is expected to offer a model of harmonization between *adat* (customary tradition) and

*sharia*, so that Banjar traditions can be preserved without contradicting religious principles or positive law. Through an empirical approach (field observation, interviews with traditional and religious leaders) combined with a normative approach (review of Islamic legal literature, *fiqh al-munakahat*, and statutory regulations), this research seeks to present a comprehensive picture of how the Banjar community conducts their marriage ceremonies today, the challenges they face, and the extent to which these practices align with the principles of Islamic law. The findings of this study are expected to serve as a reference for academics, policymakers, and the broader public in formulating strategies for cultural preservation that are consistent with Islamic law, while also encouraging the development of legal regulations that are responsive to Indonesia's rich local cultural diversity.

## **B. METODE**

This study employs a qualitative method with a descriptive-analytical approach. This approach was chosen to provide an in-depth description of the stages of the Banjar traditional marriage ceremony in Haruyan District and to analyze their conformity with the principles of Islamic law. The research data were collected through direct observation of the marriage process, in-depth interviews with traditional leaders, religious scholars, marriage officiants (*penghulu*), and community members, as well as documentation in the form of customary records and photographs of the ceremonies. The field data were then integrated with a literature review of Islamic legal sources, the Compilation of Islamic Law (KHI), and the Marriage Law. Data analysis was conducted through data reduction, presentation, and conclusion drawing.[11] The results of the observations were compared with the provisions of Islamic law and statutory regulations to assess the extent to which the traditional practices align with Sharia principles. The validity of the data was ensured through source and method triangulation, as well as result confirmation (*member check*) with the informants.

## **C. DISCUSSION**

### **1. The Implementation of the Banjar Traditional Marriage Ceremony in Haruyan District: From the Pre-Marriage to the Post-Marriage Stages**

The implementation of the Banjar traditional marriage ceremony in Haruyan District is a tangible representation of the acculturation between local customs and Islamic values. For generations, the Banjar people have regarded marriage not merely as a social contract but as a sacred event that carries moral, spiritual, and social consequences. Therefore, the series of rituals performed from the pre-marriage to the post-marriage stages serve not only as formal ceremonies but also convey moral education, symbolize purity, and function as a means of strengthening family and community solidarity.[12] In the pre-marriage stage, the ceremony begins with *basalusuh*, a ritual of self-purification for the prospective bride and groom. This process can be understood within the framework of *tahārah* (purification), which is one of the essential principles in Islam. The act of physical and spiritual cleansing before marriage conveys the message that a household should be built upon purity in order to attain divine blessings. This aligns with the *maqāṣid al-sharī‘ah* principle of preserving religion (*ḥifẓ al-dīn*), as cleanliness is considered part of faith. The next stages are *batatakunan* and *badatang*, which serve as meetings and negotiations between the two families. These stages have parallels in Islamic law with the concept of *khitbah* (proposal), which was encouraged by the Prophet Muhammad (peace be upon him) to ensure compatibility between prospective spouses and to prevent deceit or coercion. In *fiqh al-munākahāt* (Islamic jurisprudence on marriage), a proposal is regarded as a preliminary step that is morally binding, though not yet legally binding.

The *bapapayuan* and *maantar patalian* ceremonies serve as moments for strengthening family bonds, during which both families reaffirm the agreements that have been made. This fosters mutual trust and establishes an emotional foundation for the upcoming marriage. The culmination of the pre-marriage stage is *maantar jujuran*, the presentation of gifts or wealth from the groom’s family to the bride’s family. From the perspective of Islamic law, *jujuran* bears similarity to *mahar* (dowry), although they differ in substance. *Mahar* is the exclusive right of the bride and constitutes one of the essential pillars (*rukṅ*) of marriage, whereas *jujuran* is a customary agreement with social significance. To remain in accordance with Sharia, the amount of *jujuran* should not impose a financial burden on the groom, ensuring that marriage remains accessible—consistent with the Prophet’s teaching that a simpler *mahar* brings greater blessings to the marriage.

The next stage is the *akad nikah*, which serves as the culmination of the entire series of ceremonies. Among the Banjar community, the *akad nikah* is conducted in accordance with the pillars and conditions of marriage as prescribed in *fiqh*—namely, the presence of the bride and groom, a marriage guardian (*wali*), two witnesses, the *ijab qabul* (marriage contract declaration), and the *mahar* (dowry). The *akad* ceremony is typically held before a marriage registrar (*penghulu*) from the Office of Religious Affairs (*Kantor Urusan Agama* or KUA), who also records the marriage to ensure compliance with formal legal requirements. In its implementation, the *ijab qabul* is clearly pronounced in Arabic or in the Banjar language understood by the witnesses, thereby fulfilling the legal requirements of the contract. The collective prayer that follows the *akad* further emphasizes the spiritual dimension of the marriage. Thus, the *akad nikah* stage can be regarded as consistent with both Islamic law and state law. This illustrates the point where *adat* (custom) and *sharia* converge: *adat* provides a sacred and familial nuance, while *sharia* offers legal and religious legitimacy.

After the *akad*, the Banjar community conducts the *betamat Al-Qur'an* ceremony. This ritual is not merely symbolic but serves as a collective prayer for blessings upon the newly established household. It aligns with the *maqāṣid al-sharī'ah*, which envisions marriage as a means to preserve faith and morality. The *ma'arak pengantin* or wedding procession holds profound social significance. It serves as a public announcement to the community that the couple is now officially husband and wife, in accordance with the Prophet's recommendation to proclaim marriages openly to prevent suspicion or slander. This practice also upholds the preservation of honor (*ḥifẓ al-'ird*) for the couple.[13]

The final stage is *batatai*, or the communal feast. This ceremony strengthens *silaturahmi* (social and familial bonds) among extended family members, relatives, and neighbors. The values of togetherness and gratitude expressed in this stage support the *maqāṣid al-sharī'ah* principle of preserving social harmony (*ḥifẓ al-'urf*). Thus, the entire post-marriage sequence not only serves to reinforce social relationships but also strengthens the couple's social legitimacy.

Although the Banjar traditional marriage rituals are rich in meaning and generally align with Islamic teachings, several issues deserve attention. The first concerns the economic aspect, which often becomes an obstacle due to the high costs involved in carrying out

the full sequence of ceremonies. The amount of *jujuran* (bride price) or the expenses required for traditional customs can delay marriage or even discourage less affluent couples from proceeding. If left unaddressed, this could contradict the objectives of Sharia, which emphasize the facilitation of marriage and the prevention of immoral behavior (*zina*).[14]

Second, there has been a shift in values among the younger generation. Some choose to simplify the ceremony or even omit certain stages, considering them irrelevant or too burdensome. This creates a dilemma: if too many stages are removed, the philosophical and cultural values of the tradition may be lost; yet if all stages are preserved without adaptation, it can lead to economic and social strain. Third, the symbolic elements with mystical overtones need to be re-evaluated. From the perspective of Islamic law, any ritual that tends toward *shirk* (polytheism) or *khurafat* (superstition) must be eliminated to preserve the purity of *tawhid* (monotheism). In addressing these issues, a model of harmonization between *adat* (custom) and *sharia* is necessary. This harmonization does not mean eliminating tradition but rather adapting it to remain relevant, efficient, and consistent with religious teachings.

Core values such as cleanliness, commitment, respect for parents, and togetherness should be preserved, as they align with Islamic principles. Meanwhile, elements that impose economic burdens or contain potential aspects of *shirk* (polytheism) can be simplified or modified to comply with Islamic legal provisions.

Through this harmonization approach, the Banjar traditional marriage ceremony can continue to be preserved as a cultural identity while remaining compatible with contemporary developments and aligned with the *maqāṣid al-sharī'ah*. Thus, tradition does not become an obstacle to marriage but rather serves as a means to enrich the spiritual meaning and experience of the married couple.

## **2. The Compatibility of the Banjar Traditional Marriage Ceremony with the Principles of Islamic Law and the Challenges Faced in Preserving It in the Modern Era.**

The harmonization between customary tradition (*adat*) and Islamic law (*sharī'ah*) is an urgent necessity for the Banjar community in the modern era. The traditional marriage

ceremony, rich in symbolism and noble values, should not merely be preserved as a cultural heritage but should also be aligned with the objectives of Islamic law (*maqāṣid al-sharī'ah*). This harmonization is crucial to ensure that tradition does not become an obstacle to marriage, does not create socio-economic burdens, and continues to uphold the purity of *'aqīdah* and *tawhīd*.

The proposed model of harmonization is based on two fundamental principles of *fiqh*: *al-'ādah muḥakkamah* (custom may serve as a source of law as long as it does not contradict the divine texts) and *al-mashaqqah tajlib al-taysīr* (hardship brings about ease). This means that traditions practiced within society may be preserved as long as their substance does not conflict with Islamic law, and if they cause difficulty, the *sharī'ah* provides room for simplification or modification in the interest of public welfare (*maṣlahah*).

The first form of harmonization is carried out through the filtration of ritual elements. Each stage of the ceremony is critically examined to ensure that it contains no elements of *shirk* (polytheism), *bid'ah* (unwarranted innovation), or superstition that contradict *tawhīd* (the oneness of God). For instance, if a ritual involves belief in supernatural powers other than Allah or offerings to ancestral spirits, it should be removed or reinterpreted as prayers and *dhikr* in accordance with Islamic teachings. In this way, the ceremony not only continues to be practiced but also serves as a means of *da'wah* (religious propagation) and spiritual strengthening.

The next step is the adjustment of financial and social burdens. Ceremonies such as *maantar jujuran* should be determined through mutual consultation and aligned with the groom's financial capacity. The harmonization model suggests that the value of *jujuran* should not be fixed rigidly but made flexible and reasonable so that it does not become an obstacle to marriage. Public education should be promoted to instill the understanding that a man's sincerity is not measured by the amount of *jujuran* he gives, but by his readiness and commitment to build a righteous household.

In addition, harmonization also involves simplifying the stages of the ceremony. Several traditional stages that are excessively lengthy can be combined without losing their philosophical meaning. For instance, the *bapapayuan* and *maantar patalian* processes can be conducted simultaneously to improve efficiency while preserving the spirit of

kinship. This simplification is important to ensure that the younger generation does not feel burdened in terms of time or finances, yet can still appreciate the educational and moral values embedded in the tradition.

The next harmonization model emphasizes strengthening the educational and spiritual aspects. Traditional leaders, religious figures, and marriage officiants can work together to provide premarital counseling for couples, instilling values of responsibility, communication, and the vision of a *sakinah* (harmonious) family. In this way, the traditional wedding ceremony becomes not merely a cultural event but also a means of family development and moral guidance.

Equally important, the process of harmonization must involve local government and religious institutions. The government can facilitate the formulation of written guidelines for the Banjar traditional wedding ceremonies that have been aligned with Islamic law. These guidelines can serve as an official reference, providing the community with clear standards for conducting the ceremonies without confusion. Religious institutions, such as the regional Indonesian Ulema Council (MUI), can issue fatwas or recommendations regarding traditional elements that comply with Sharia, thereby providing the community with religious assurance and guidance.

Harmonization also requires the use of modern media for public dissemination. Social media, documentary videos, or illustrated guidebooks can be utilized to teach the meaning of each ceremony to the younger generation. Educational content presented in an engaging way will foster a sense of pride in local traditions while simultaneously internalizing the Islamic values embedded within them.

With this harmonization model, it is hoped that the Banjar traditional marriage procession will remain preserved, socially relevant, and beneficial. The tradition can continue to serve as a cultural identity that strengthens community solidarity, but in a form that is adaptive, simple, and free from elements contrary to the principle of monotheism (*tawhid*). Moreover, the simplification of costs will help prevent obstacles to marriage, in accordance with the objectives of Sharia, which promote ease and protect people from prohibited acts.[15]

Conceptually, the proposed adat–Sharia harmonization can serve as a model for other regions with similar traditions. By positioning local customs as a medium for moral and spiritual education in alignment with Islamic law, marriage becomes not only legally and religiously valid but also a means of strengthening cultural identity and fostering greater family resilience amid the tide of modernization.

#### **D. CONCLUSION**

The implementation of the Banjar traditional marriage procession in Haruyan District—from the pre-marital, ceremonial, to post-marital stages—is a tradition rich in meaning that serves to strengthen family bonds, affirm commitment, and reinforce social relationships. Rituals such as *basalusuh*, *batatakunan*, *maantar jujuran*, *betamat Al-Qur'an*, and *ma'arak pengantin* are fundamentally in harmony with the principles of Islamic law, as they fulfill the essential requirements of marriage and support the objectives of Sharia in preserving religion, lineage, and honor. However, the preservation of these traditions faces challenges in the modern era, including the financial burden of *jujuran* (bridewealth), the younger generation's tendency to simplify or omit certain stages, and the influence of globalization that promotes more practical wedding practices. Therefore, harmonization between local custom (*adat*) and Sharia is necessary—by simplifying burdensome stages, adjusting costs to the couple's financial capacity, and eliminating elements that contradict the principle of *tawhid*—so that the tradition remains preserved, socially relevant, and aligned with the true purpose of marriage.

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