

De Jure: Jurnal Hukum dan Syar'iah

Volume 15 Issue 2, 2023, p. 268-285

ISSN (Print): 2085-1618, ISSN (Online): 2528-1658

DOI: <http://dx.doi.org/10.18860/j-fsh.v15i2.21241>

Available online at <http://ejournal.uin-malang.ac.id/index.php/syariah>

Negotiation Between Customary Law and Islamic Law: The Practice of Palang Pintu in The Traditional Marriage in The Betawi Muslim Community

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Received: 22-05-2023	Revised: 23-11-2023	Published: 29-12-2023
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Abstract:

In traditional Betawi weddings, there is usually a procession of the *Palang pintu* tradition—a negotiation attitude in Islamic law. This research was conducted to clarify the legal status of the *Palang pintu* tradition in the review of Islamic law so that people do not hesitate to follow it. This research uses a qualitative approach with 'urf theory and *maslahah* theory. The primary data were garnered from interviews, while the secondary data were sourced from fiqh literature, books related to marriage, and relevant research. The research findings show that the *Palang pintu* tradition has also experienced modern developments, affecting how the legal status is different. Since the *Palang pintu* tradition is considered contrary to the principles of the Islamic law that taught convenience in the past, there is a difference between Palang pintu from an Islamic point of view, specifically 'urf *fasid* and 'urf *shahih*, and it can be practiced. The difference between the previous *palang pintu* tradition and the current *palang pintu* tradition is that it is no longer burdensome or difficult, but rather easy.

Keywords: marriage; palang pintu tradition; sustainable terms.

Introduction

Palang pintu is one of the customs in the marriage process in the Betawi tribe, where there are mutual greetings of *pantun* and *silat* (martial art) and the marriage is considered valid. However, there are customs in the marriage process, some of which are claimed in one of the customs according to Islamic law to be invalid because the marriage is legally flawed and the valid conditions of marriage are not fulfilled, namely without the consent of the guardian. In other words, the marriage that takes place in this marriage is considered void.¹ In the social community, customary law implemented in each community is certainly included in the form of harmonization, as reinforced by the results of research that suggests the harmonization of Customary Law, Islamic Law, and State Law is the latest trend in Indonesian marriages. In addition to marriage culture, this paper also looks at the juridical basis for the existence of the continuity of customary law, religious law, and state law in Indonesia.²

Marriage is a rite in a stage of life that has significant meaning and can even be expressed as a cultural identity.³ Indonesia, for example, has a diverse set of potentials and is built on knowledge of national insights and local cultural values as a means of constructing a nation's civilization. On the other hand, anti-traditional attitude shown by Islamic puritanism, can spoil the unity and integrity of the national diversity in Indonesia.⁴ One model of marriage as a form of negotiation between the two parties is obvious in the procession of *palang pintu*. In this case, there is a model of negotiating in the frame of fiqh and customary connections that give birth to a relationship of closeness and flexibility in responding to marriage customs or traditions, allowing it to be an alternative pattern of settlement. Furthermore, there is a model of negotiating in the frame of wisdom and diversity of customs/traditions.⁵

The Convention on the Rights of the Child defines a child as any human being under the age of 18 (eighteen) years so that marriage performed by someone who has not reached the age of 18 years is internationally categorized as child marriage, thereby deemed to be violence against children and a violation of human rights. The patterns and diversity of forms of marriage found in each region make Indonesia rich in culture. Child marriage can only be understood when examined in light of the dynamics between state law, religious law, and customary law. The legal culture of

¹ Muh. Saleh dkk, "Silariang dalam Perspektif Hukum Islam dan Hukum Adat", *Al-Azhar: Islamic Law Review* 3, no 2, (Juli 2021): 105, doi: <https://doi.org/10.37146/ailrev.v3i2.115>

² Murdan, "Harmonisasi Hukum Adat, Agama dan Negara dalam Budaya Perkawinan Masyarakat Islam Indonesia Belakangan", *Asy-Syir'ah: Jurnal Ilmu Syar'iah dan Hukum* 50, no 2, (Desember 2016): 505, doi: <https://doi.org/10.14421/ajish.v50i2.241>

³ Ita Suryani. Makna Tradisi Palang Pintu Sebagai Identitas Budaya Betawi (Studi Kasus Perkawinan Budaya Masyarakat Betawi di Wilayah Ulujami dan Tangerang). Jakarta: Magister (S2) Thesis Universitas Mercu Buana Jakarta-Menteng. (2012).

⁴ Dewi Anggraeni dan Ahmad Hakam dkk. Membangun Peradaban Bangsa Melalui Religiusitas Berbasis Budaya Lokal (Analisis Tradisi Palang Pintu Pada Budaya Betawi). *Jurnal Studi Al-Qur'an Membangun Tradisi Berfikir Qur'ani*. DOI: <https://doi.org/10.21009/JSQ.015.1.05>. P-ISSN: 0216-1648 dan E-ISSN: 2339-2614. (2019):96.

⁵ Miftahul Huda, "Membangun Model Bernegosiasi dalam Tradisi Larangan-Larangan Perkawinan Jawa", *Episteme: Jurnal Pengembangan Ilmu Keislaman* 12, no 2, (2017): 381, doi: <https://doi.org/10.21274/epis.2017.12.2.381-409>



the community and the role of religious leaders are important factors determining the acceptance or rejection of child marriage.⁶

Negotiation in marriage has its own dynamics. However, a marriage custom may require several efforts and alternatives in its implementation according to applicable customs, and such marriage custom is still firmly held by the community as a negotiation strategy in marriage.⁷ In Betawi culture, before the implementation of marriage, handover is performed in marriage, which represents a philosophical and ideological foundation that is deeply embedded in Betawi society. This handover event becomes mandatory for those wishing to marry Betawi people, while according to Islamic law, the customary law of handover is either *mubah* (permissible) or obligatory.⁸ The religious side also applies to marital issues, where Islam has also received a lot of attention. Islam instructs us to still receive blessings and to follow the Prophet Muhammad's path even if we attend a wedding celebration. In principle, Islamic Shari'ah does not prohibit the application of established practices (*adat*), provided they do not contradict Islam. Nevertheless, Islam rejects superstitious behaviors as well as those that are harmful or worthless. When it comes to marriage traditions, the practices of each region can be retained and even perpetuated as long as they do not violate the principles of Islamic teachings.⁹

Marriage brings up a variety of traditions, depending on the culture of the society. The wedding tradition is one of them in Betawi culture. Marriage will gain legitimacy in the community because there are traditions that include wedding customs in a region, which comprise laws on who may marry as well as procedures and stages that the bride and groom and other parties involved must pass through. All the wedding procedures and traditions included in a series of wedding ceremony events¹⁰ are often known as the *Palang pintu* tradition. *Palang pintu* becomes an obligatory custom at the Betawi community ceremony, and it is eventually utilized for weddings and to welcome guests. The Islamic ideals embedded within it provide this traditional feature of Islamic culture, which is still practiced by some Betawi people today.¹¹ The Betawi people respect the values of variety and similarity among ethnic groups, both domestic and foreign, regardless of ethnicity or culture.

The Betawi ethnic community still practices cultural preservation since wedding ceremonies are a component of their cultural heritage and there is a form of imparting religious values, moral values, and social values of the Betawi ethnicity in

⁶ Yunita Syofyan dan Didi Nazmi, "Studi Perbandingan Perkawinan Anak dalam Hukum Adat di Indonesia dan India Ditinjau dari Perspektif Hak Asasi Manusia", *Unes Journal of Swara Justisia* 6, no 2, (Januari 2023): 383, doi: <https://doi.org/10.31933/ujsj.v6i4.288>

⁷ Arifin Musthofa dan Arik Dwijayanto, "Strategi Negosiasi Masyarakat Muslim Pedesaan Atas Tradisi Perkawinan Lusan (Studi Kasus di Desa Duri Kecamatan Slahung Kabupaten Ponorogo)", *Journal of Community Development and Disaster Management* 2, no 2, (Oktober 2020): 1, doi: <https://doi.org/10.37680/jcd.v2i2.1028>

⁸ Syarifudin dkk, "Tinjauan Hukum Islam Terhadap Prosesi Seseheraan dalam Pernikahan Adat Betawi (Studi Kasus Masyarakat Betawi Kedoya Selatan Kecamatan Kebon Jeruk, Kota Adm. Jakarta Barat)", *Mozaic: Islam Nusantara* 5, no 2, (Oktober 2019): 103, doi: <https://doi.org/10.47776/mozaic.v5i2.141>

⁹ M Mufti Mubarak, *Ensiklopedi Walimah*, (Surabaya: PT. Java Pustaka Media Utama, 2008):6.

¹⁰ Ibid Ita Suryani

¹¹ Riyan Anugerah Wibowo dan Lutfiah Ayundasari. Tradisi Palang Pintu Masyarakat Betawi dalam Konteks Budaya Islam. *Jurnal Integrasi dan Harmoni Inovatif Ilmu-Ilmu Sosial (JIHIS)*. DOI: <https://doi.org/10.17977/um063v1i1p38-44>. (2021):38



this process as a basis that people adhere to.¹² As one of the criteria for carrying out a contract or marriage, it is necessary to explain whether these conditions are included as stand-alone conditions or are simply one of the pillars of marriage. Based on the description provided above, this paper will discuss marriage and the *palang pintu* tradition by examining how Islamic law views the requirements for maintaining a marital contract to better grasp the cultural and religious riches to avoid having an inappropriate understanding. So it can be concluded that marriage is actually a moment of happiness for the bride and groom, but that happiness can be lost if the prospective groom does not marry the prospective bride because the groom is too weak to fight for the prospective bride. This is what happens in the practice of marriage in the Betawi tribe. In Betawi tribal tradition, the practice of marriage cannot be separated from the existence of *palang pintu*.

Research Methods

This study used a particular type of sociolegal empirical research that discovers how individuals of a community behave in social interactions. This indicates that the research displays the community's behavior as a form of active law in society.¹³ This study, which focused on public perceptions, the evolution of Islamic law in society, and the development of institutions like marriage, inheritance, waqf, or professional or social organizations, among others, can also be referred to as empirical research on fiqh or Islamic law because it concerns Islamic law as its subject.¹⁴ This research method employed a qualitative approach using descriptions in the form of words and language to understand phenomena about what research subjects experience, such as behavior, perceptions, motivations, and actions in a specific natural context¹⁵. Furthermore, the findings are not based on statistical processes or other forms of calculation,¹⁶ but they have adopted numerous methods to make it easier for researchers to obtain authentic and objective data. Therefore, this research aims to investigate the tradition in the Betawi community.

The data collected represent the study subjects' expressions, language, ways of thinking, and points of view to reveal what is driving the activity.¹⁷ This study, on the other hand, takes a more emic approach to understanding and researching the *Palang pintu* tradition that has developed in the Betawi community, utilizing the concept of '*urf*' and the theory of *mashlahah*, as well as several informants and other descriptive data.

Primary data in this study is direct data from the main source. Technically, the researchers used the Betawi community as a direct source. Interviews with a variety of informants were used as the major data-gathering strategy. Informants included those who performed the roles of Sike song singers and *Palang pintu*

¹² Anggi Melinda dan Sinta Paramita. Makna Simbolik Palang Pintu Pada Pernikahan Etnis Betawi di Stu Babakan. *KONEKSI*. DOI: <https://doi.org/10.24912/kn.v2i2.3888>. E-ISSN: 2598-0785. (208):218.

¹³ Fakultas Syari'ah. Pedoman Penulisan Karya Ilmiah. (Malang:Fakultas Syariah):26.

¹⁴ Syari'ah, Karya Ilmiah, 41

¹⁵ Lexy J. Moleong, Metodologi Penelitian Kualitatif, (Bandung: PT Remaja Rosdakarya, 2005), 6.

¹⁶ Anselm Strauss dan Juliet Corbin, Dasar-Dasar Penelitian Kualitatif, (Yogyakarta: Pustaka Pelajar, 2003), 5.

¹⁷ Hamidi, Metode Penelitian Kualitatif, (Malang: UMM Press, 2004), 70.



combatants, as well as other sources. The collection of data is then processed and presented by other parties including official documents, books, as well as the results of previous research relating to marriage, Islamic law, Betawi culture in general and the *Palang pintu* tradition in particular, as well as documents of a religious nature description regarding the object of this research such as the Governor's Decree concerning the Betawi Cultural Village and the profile of the Betawi Cultural Village which can support this research as secondary data.

Appropriate data-gathering methods and procedures were used to capture objective data. Interviews, documentation, and observation methods are only a few examples. Following the collection of diverse data, descriptive analysis techniques were used for analysis using data processing and analysis methods to solve problems and acquire reliable data. As well as enriching knowledge through comparative analysis, as long as the original data are not lost. Editing, classification, verification, analysis, and conclusions are the first steps in data analysis. This research used a qualitative approach through the concept of 'urf and mashlahah theory. In this research the *palang pintu* tradition was analyzed using the 'urf and *maslahah* approaches to reveal the relationship between the *palang pintu* tradition that exists in the Betawi community with the concept of urf in Islamic law, and also its relationship with the benefits gained from this tradition. The data consists of primary data sourced from interviews and secondary data from fiqh books, books related to marriage, and books that support research. This research also conducted Interviews with those involved in *palang pintu*-related activities in the Betawi community and also with the manager of the Betawi cultural village in South Jakarta. Ample literature related to marriage was also referred to, including *Fiqhul Islami wa adillatuhu* by Wahbah Al-Zuhaili, *ahwal syakhsyyah* by Muhammad Abu Zahrah, and others.

Result and Discussion

Constitutionally, Indonesia is neither a religious nor a secular state, but a state of Pancasila. The ideology of this nation also affects the development of law in it, which is not based on religion and does not embrace a secular legal system. Based on the philosophy of Pancasila, the Indonesian national legal system recognizes religious law, customary law, and Western law as sources of material law in the formation of national law.¹⁸ One of them is found in the customary law of marriage. One of the customs on marriage dowries in the Muslim tradition in one city is based on strong legal pluralism or diverse laws that are equally strong, and no legal system dominates and is subordinated to the other. Legal pluralism can even include dialogue between similar legal systems, for example between different customary

¹⁸ Ainun Najib, "Legislasi Hukum Islam dalam Sistem Hukum Nasional", *Jurnal Ekonomi dan Hukum Islam* 4, no 2, (Oktober 2020): 116, doi: <https://doi.org/10.35316/istidlal.v4i2.267>.



laws. This argument also debunks the view that the three legal systems: Islam, adat, and the state as opposing and subordinating each other.¹⁹

In customary law societies, the common interest is a philosophy of life that permeates the soul of a member of the customary community. This can also be seen in the marriage process, which carries the meaning of togetherness in terms of having a life partner through the *palang pintu* tradition.²⁰ Customary marriage law is guided by the view of life of the indigenous people which is reflected in the family system that applies in that community. Meanwhile, the implementation of Islamic marriage law is based on the sources of Islamic law. Marriage in customary law and Islamic law is intended to create a happy and lasting family. Every marital dispute is recommended to be resolved immediately so as not to disturb the harmony of the household which can result in the breakup of the marriage.²¹

As mentioned previously, *palang pintu* is defined as an entrance of Tuan Raja Muda's companies, who were barred from entering because they were halted by two heroes or champions who argued and recited poetry. Tuan Raja Muda's entourage did not want to be outdone, so they brought champions who were good at speaking and rhyming, followed by skills in *silat* and chanting verses from the Qur'an/*shalawat*, and included religious content requirements that instilled and taught certain values. Islamically, the *Palang pintu* tradition can be seen culturally in several stages in unique Betawi cultural marriages, ranging from the application stage to the wedding reception where all of the procession stages are meaningful, and the *Palang pintu* tradition is said to be an art because the Betawi people's cultural marriage procedures are displayed colorfully and festively and declared as the cultural identity of the Betawi people,²² as well as used in a series of traditional Betawi wedding processions.²³

The *palang pintu* tradition uses a rhyme that has been analyzed, containing Islamic teachings, namely (1) aqidah, which is related to monotheism; (2) Shari'a, relating to the legal basis for Muslims, and (3) morals in verses which contain, among others, invitations to read and understand the Koran, invitations to balance worldly and spiritually, invitations to love orphans, pray for others, courtesy towards parents, commitment to responsibilities given to others, respect for other ethnic groups, and the husband's obligation to look after his wife.²⁴ The context of the performance at *Palang pintu* shows the stages of the performance, namely (1) the opening part, (2) the content part, and (3) the closing part; as well as the elements of the performance,

¹⁹ Atun Wardatun, "Legitimasi Berlapis dan Negosiasi Dinamis pada Pembayaran Perkawinan Perspektif Pluralisme Hukum", *Al-Ahkam: Jurnal Pemikiran Hukum Islam* 28, no 2, (Oktober 2018): 147, doi: <https://doi.org/10.21580/ahkam.2018.18.2.2438>

²⁰ Mufid, "Mediasi dalam Hukum Adat", *Al-Manhaj: Journal of Indonesian Islamic Family Law* 2, no 2, (07 Juli 2020): 128, doi: <https://doi.org/10.19105/al-manhaj.v2i2.3490>

²¹ Muhammad Habibi Miftahul Marwa, "Model Penyelesaian Perselisihan Perkawinan Perspektif Hukum Adat dan Hukum Islam", *Jurnal USM Law Review* 4, no 2, (2021): 777, doi: <http://dx.doi.org/10.26623/julr.v4i2.4059>

²² Ibid Ita Suryani.

²³ Fitri Nur Rayati. Pemaknaan Jawara Tradisi Palang Pintu (Studi Fenomenologi Terhadap Jawara pada Tradisi Palang Pintu dalam Upacara Pernikahan Adat Betawi di Setu Babakan Jakarta Selatan). Malang : Sarjana (S1) Skripsi Universitas Brawijaya. (2014).

²⁴ Shelma Aisyah. Struktur Teks, Konteks Pertunjukan, dan Ajaran Islam Pada Palang Pintu Pada Pernikahan Adat Betawi. *Arkha: Jurnal Ilmu Bahasa dan Sastra Indonesia*. DOI: <https://doi.org/10.21009/ARKHAIS.071.04>. E-ISSN: 2580-961X. (2016):25.



namely chanters, rhymes, dialogues, and audience. It also has the meaning and philosophy or character of the Betawi people reflected in *Palang pintu*. *Palang pintu* is an educational part of the cultural values of the Betawi people. *Palang pintu* is not only held at traditional Betawi wedding ceremonies but also at various other events such as circumcisions or welcoming guests.²⁵

Based on some findings, *Palang pintu* in a transcendental dimension can be constructed and operationalized with a material dimension basis and guide for business implementation.²⁶ It also includes martial skills and unrequited poetry. It can be an excellent media, information, and educational venue to access information about *Palang pintu* tradition from Webtoon. Moreover, using storytelling about *Palang pintu* in webtoon packaging enables readers to more readily accept and absorb the knowledge and education included therein and to help preserve elements and values of traditional Indonesian culture, particularly *Palang pintu* culture.²⁷ *Palang pintu* culture prominently combines silat art and witty lyrics. Betawi community activities typically support Betawi activities or events like Betawi weddings, building inaugurations, Jakarta anniversaries, *Palang pintu* celebrations, and so on. *Palang pintu* performers are mostly members of the Betawi community. As a result, certain Betawi people are involved in presenting and promoting the *Palang pintu* heritage to the community, both through small-scale local events and large-scale national events.²⁸

The *Palang pintu* tradition has 1) the meaning of denotation in the *Palang pintu* procession starting with a prayer of dustur, greetings, *pantun* competition, martial arts, and recitation of holy prayers, Quranic verses, or sike chants. There is a literal meaning that describes the process. It also explains the stages of the groom's exam to marry his bride; 2) the connotative meaning in the *Palang pintu* procession describes the practice of Islamic teachings and law as well as love for the Prophet Muhammad and family ties; and 3) the *Palang pintu* procession's myth is that there are solid Betawi community principles, namely recitation, prayer, and martial arts. Furthermore, the presence of important lines from the Koran and hadith, as well as Betawi cultural contents, such as rhymes, demonstrates the strong domination of Islamic teachings. Rhymes are utilized to impart advice at traditional art ceremonies.²⁹

²⁵Jenny Sista Siregar dan Sri Irtawidjajanti. Development of Palang Pintu AS an Edutainment in Venetie van Java (Batavia). *Knowledge E: enriching, engaging & empowering*. DOI: <https://doi.org/10.18502/kss.v3i12.4120>. (2019):516.

²⁶Darti Djuhari dan Sonhaji dkk. Artikulasi Nilai Budaya “Palang Pintu” dan Sistem Informasi Akuntansi. *Jurnal Riset dan Aplikasi: Akuntansi dan Manajemen*. DOI: <http://dx.doi.org/10.33795/jraam.v4i3.010>. ISSN: 2443-3381 (cetak) dan 2443-1419 (Daring). (2020):342

²⁷Arief Triadi dan Yanuar Rahman. Perancangan Cerita *Webtoon* Mengenai Budaya Palang Pintu. *Demandia: Jurnal Desain Komunikasi Visual, Manajemen Desain dan Periklanan*. DOI: <https://doi.org/10.25124/demandia.v4i01.1968>. ISSN: 2477-6106 dan E-ISSN: 2502-2431. (2019):1.

²⁸Ita Suryani dan Asriyani Sagiyanto. Strategi Komunitas Betawi dalam Mempromosikan Tradisi Palang Pintu (Studi Kasus Pada Event Festival Palang Pintu XI). *KOMUNIKASI: Jurnal Komunikasi*. DOI: <https://doi.org/10.31294/jkom.v8i2.2497>. P-ISSN: 2086-6178 dan E-ISSN: 2579-3292. (2017):1.

²⁹Iskandarsyah Siregar. Islamic Values in Palang Pintu Procession in Semiotic Perspective. *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)*. DOI: <https://doi.org/10.33258/birci.v5i1.4239>. ISSN: 2615-8076 (Online) dan ISSN: 2615-1715. (2022):5326.



In Betawi culture, the *Palang pintu* tradition is related to religious principles derived from Islamic teachings including praising the prophet Muhammad SAW, companionship, defending or caring for oneself, and manners. Furthermore, local culture can develop civilization to the extent that humans, as cultural actors and civilization builders, can formulate a value system based on traditions. When local culture is formulated at the cultural ontological level, it has the potential to establish a nation's civilization.³⁰ For general audiences, it is rich in cultural knowledge and has symbolic qualities like leadership and religion that can be used as learning chances to appreciate children's reading.³¹

Palang pintu can be used in literacy learning because it helps children understand culture and citizenship, produces religious people, and serves as a model for establishing literacy learning based on ethnic wisdom for children.³² The strategies that can be carried out to restore the Betawi culture on the brink of extinction include³³ (1) internal factors constituting (a) internal studios and (b) a sense of cultural love and (2) external factors constituting (a) parents, (b) the community environment, and (c) social media. Restoration of Betawi culture can also be carried out through events outside of marriage such as birthdays, circumcisions, inauguration events, parties, and even motorbike club events, supported by routine activities in the studio, such as (1) *palang pintu* exercises (2) Gathering between *palang pintu* studios. In addition, the creation of the studio can also be performed by playing *palang pintu* which is not only intended for weddings.³⁴

Starting from the meaning of a Jawara's experience, the *Palang pintu* tradition, namely paying respect to local culture, aims to entertain and enliven Betawi traditional weddings. The meaning of experience in carrying out the *silat* stage is to bring down the opponent, open the barriers prepared by the bride, and show that the groom has the toughness to protect his future wife. Meanwhile, during the rhyme clash stage, this tradition also advises the Betawi people to keep preserving and maintaining Betawi culture, presenting jokes and mocking the opponent to make them emotional. Finally, the meaning of experience at the *sike* reading stage is to show that the groom can recite the Koran and to show that the groom can carry out Islamic law.³⁵

³⁰Dewi Anggraeni dan Ahmad Hakam dkk. Membangun Peradaban Bangsa Melalui Religiusitas Berbasis Budaya Lokal (Analisis Tradisi Palang Pintu Pada Budaya Betawi). *Jurnal Studi Al-Qur'an Membangun Tradisi Berfikir Qur'ani*. DOI: <https://doi.org/10.21009/JSQ.015.1.05>. P-ISSN: 0216-1648 dan E-ISSN: 2339-2614. (2019):96.

³¹Rahman dan Zakaria dkk. An Analysis of Symbolic Meanings in *Palang Pintu* Tradition of the Betawi Wedding Ceremony. *Proceedings of the 4th International Conference on Language, Literature, Culture, and Education (ICOLLITE 2020)*. DOI: <https://doi.org/10.2991/assehr.k.201215.093>. (2020):599.

³²Zakaria. Etnopedagogi Tradisi Palang Pintu Pada Etnis Betawi Sebagai Bentuk Pembelajaran Literasi Dini. *Dirasah: Jurnal Pemikiran dan Pendidikan Dasar Islam*. DOI: <https://doi.org/10.51476/dirasah.v3i3.147>. E-ISSN: 2686-989X dan P-ISSN: 2598-7488. (2020):20.

³³Sari Tri Anjani dan Iskandarsyah Siregar. The Existence of Palang Pintu Culture in the Opening Procession of Betawi Traditional Weddings (Case Study: George Herbert Mead's Symbolic Interactionism). *Formosa Journal of Sustainable Research (FJSR)*. DOI: <https://doi.org/10.55927/fjsr.v2i3.3517>. E-ISSN: 2830-6228. (2023):642.

³⁴Hasan Sadzali. Rekaipita Tradisi Palang Pintu dalam Menjaga Pelestarian Budaya Betawi (Studi Kasus Sanggar Palang Pintu Al-Ma'ruf, Jakarta Barat). *Jurnal Soshum Insentif*. DOI: <https://doi.org/10.36787/jsi.v5i2.828>. ISSN: 2655-268X (cetak) dan ISSN: 2655-2698 (daring). (2020):121.

³⁵Ibid, Fitri Nur Rayati.



In Betawi marriage, there is a locution of a limerick—text and a succession of words that display jokes and sarcasm to all spectators. Then, aside from being a requirement for marrying a woman, illocution is also a form of amusement. The perlocution in this study shows community benefits, implying that this type of old culture must be increasingly developed to have other positive effects, such as encouraging every adult and the future generation to follow this Betawi Culture. The *Palang pintu* Tradition concludes with an exciting limerick performance. Limerick rhymes have piqued the interest of Betawi adults, particularly those concerned with the preservation of their culture.³⁶ Some Betawi people do not follow this practice because the costs are very high. The *Buka Palang pintu* tradition, which is rapidly gaining popularity, is exclusively utilized as an artistic sign in traditional Betawi weddings.³⁷ Furthermore, the presence of important lines from the Koran and hadith, as well as Betawi cultural components, such as rhymes, demonstrates the strong domination of Islamic teachings. Rhymes are utilized to impart advice at traditional art ceremonies.³⁸

Sanggar *Palang pintu* is an externalization phase that began with the goal of preserving and empowering Betawi culture. The next phase is objectification where martial arts and recitation become habits of the Betawi people, in addition to the use of equipment that is always used as a symbol of identity as a *palang pintu*. The internalization phase, which involves putting politeness principles and a love of their culture into practice, is the last stage before a sense of pride in being a Betawi community emerges. The significance of the Betawi *palang pintu* before social construction was thought to be a requirement to propose to the bride and groom. Over time, people's interest in *palang pintu* started to decline, but after their existence, people's perceptions of doorstops changed to include both entertainment and visiting etiquette. The preservation of Betawi culture is governed locally and is closely related to building. The impact of globalization has been felt by Betawi art advocates and champions in several ways, including the creation of Betawi books and websites, participation in Betawi events, and Betawi Festivals.³⁹

Palang pintu contains the following local wisdom values: a) religious values, b) moral values, c) responsibility values, d) unity values, e) tolerance values, f) artistic values, and g) economic values. The objective is to actualize or incorporate it into daily life in society, educate children, particularly the younger generation, introduce Betawi culture to outsiders or immigrants, and create writing that is related to the *Palang pintu* tradition to pique readers' interest in learning more about Betawi

³⁶Fajar Pratiwi. Tindak Tutur Komunikasi Pada Upacar Pernikahan Adat Betawi (Studi Fenomenologi Linguistik Dengan Pendekatan Analisis Percakapan Tentang Tindak Tutur Komunikasi Pada Tradisi Berbalas Pantun Dalam Upacara Pernikahan Adat Betawi). Bandung : Sarjana (S1) Skripsi Universitas Komputer Indonesia. (2014).

³⁷Lita Jamalia. Tradisi Buka Palang Pintu Pada Pernikahan Masyarakat Betawi (Studi Kasus di Tanjung Barat Jakarta Selatan). Jakarta : Sarjana (S1) Skripsi Universitas Islam Negeri Syarif Hidayatullah Jakarta. (2014).

³⁸Iskandarsyah Siregar. Semiotics Analysis in The Betawi Traditional Wedding "Palang Pintu": The Study of Semiotics Roland Barthes. *International Journal of Linguistics Studies*. DOI: <https://doi.org/10.32996/ijls.2022.2.1.1>. ISSN: 2754-2599. (2022): 1.

³⁹Nisrina Alifah. Konstruksi Sosial Tradisi Buka Palang Pintu Pada Upacara Pernikahan Masyarakat Betawi Setu Bakakan dalam Arus Globalisasi. Jakarta: Sarjana (S1) Skripsi Universitas Islam Negeri Syarif Hidayatullah Jakarta. (2021).



culture.⁴⁰ Anything that is implemented has a legal component when something is dynamic as a result of different elements, events, and conditions that take place in a location and during the current period considered in the creation of law. Islamic law is no exception; it has evolved since its inception, not only in the post-perfection era of Islam, but even up until the end of the era, becoming a Shari'a that governs a wide range of aspects of life and serving as the main entry point for globalization, which offers an objective rational cultural pattern, democracy, cutting-edge technology, and high information. These four cultural patterns adapt to the times in which they are used. People who cannot change their culture to meet modern needs will fall behind other countries.⁴¹

Internalization, enculturation, dissemination, acculturation, assimilation, invention, discovery, or brand-new discoveries made near the conclusion of this age are all examples of how culture can evolve. This is because cultural change occurs gradually and because information and communication influence how a society views its strengths and flaws.⁴² There are occasionally varied social judgments brought on by religious and cultural difficulties. Through the sterilization of religion from the possibility of local cultural acculturation, the term dialectical process of religion and culture happens in society. The other side is busy and focuses on creating a dialectical pattern between the two, renowned for the mutual influence pattern in his socioanthropological debate. Empirically, it appears to flourish in the local Muslim communities' religious traditions, particularly in the interaction between the sociocultural norms of local marriage and the cultural norms of Islamic marriage, which is evident in the phenomenon of religious and cultural dialectics. The general traits of these local socio-cultural values have a lot of distinctiveness and specific appeal. This has the potential to bless people who intend to seek the primacy of this mystical ceremony or belief as one of the uniqueness in the sense of the complexity and plurality of religious expressions with mystical nuances, especially in the cultural practice of traditional marriages which are considered sacred.⁴³

Furthermore, there are two phases in this paper; the first phase refers to the period before the year 70 when *Palang pintu* did not change, and the second phase refers to the period after the year 70 when the *Palang pintu* tradition began to touch with the times and Islamic law so that there have been changes at several points that do not change the meaning and message conveyed. The following is a method of categorizing the relationship of *Palang pintu* with the continuation of the marital contract in an examination of Islamic law: **First phase.** In this phase, in the *Palang pintu* tradition, it is the groom who fights the female fighter and who sings the sike rhythm, there is no engineering in performing *silat* performed by both parties. There are consequences from the daughter's side, if the man cannot beat a champion or fighter, then the result is that the man cannot marry a woman (the future bride).

⁴⁰A.F. Jamilah dan M. Saputra dkk. The efforts of maintaining the Palang Pintu tradition as the value of local wisdom of Betawi culture. *Proceedings of The International Conference on Social Studies and Educational Issues (ICOSSEI 2021)*. DOI: <https://doi.org/10.1201/9781003290865-25>. Hal. 132. (2022).

⁴¹Nashir dan hendrika, *Pergeseran Nilai-nilai Budaya*, 36.

⁴²Nashir dan hendrika, *Pergeseran Nilai-nilai Budaya Generasi Muda Orang Betawi di Metropolitan Jakarta*, 27.

⁴³Roibin, "Agama dan Budaya: Relasi konfrontatif atau Konfromistik," *Jurisdictie (Jurnal Hukum dan Syariah)*, 1, (Juni, 2010), 1-2.



If the community pays attention to this tradition, this tradition is essentially one of the prerequisites for a condition that coincides with the marriage contract in this early phase. As an example, consider a condition that stands alone in the sense that it is not a pillar element criterion. The second need is a legal condition, in the sense that it applies to every element that becomes a pillar. Thus, scholars have decided the validity and invalidity of these requirements, where the *Palang pintu* tradition is a separate demand put out by the prospective bride and groom as the goal of the contract or marriage. In the cancellation of conditions that remove the meaning and purpose of marriage or violate Shari'a law, Fiqh experts agree on the validity of this tradition's conditions. Even though fiqh scholars disagree on circumstances that have nothing to do with the objective of the contract or marriage, these stipulations provide benefits to one of the bride and groom.⁴⁴

The stand-alone requirements put forward by the bride and groom are in this first phase of *Palang pintu*. The future husband can take care of his wife, considered as a condition to be able to beat the hero from the future bride's side which serves as a condition for chanting sike so that the future husband with his religious establishment can guide his wife to Allah's pleasure. Thus, failing to perform these two conditions will not grant a permit to marry the prospective bride and groom. The existence of *Palang pintu* as a condition for marriage is still related to the purpose of the marriage contract, and these two conditions indicate this tendency. These conditions are also in conflict with Islamic law principles which are intended to make things easily implemented, and transparent, and ensure that none violates the law of marriage, so that its presence is perceived to be burdensome and violating Islamic law principles.⁴⁵

The Prophet's hadith, states: "*O young people, whoever among you can carry out marriage then get married because it can protect your eyesight and fortify (manjaga) the genitals, and if you are not able to do it, then fast because it can hold back lust (shield)*"⁴⁶ appears to be at odds with the *palang pintu* tradition. When the condition where delay in marriage for a couple in a long-established relationship becomes a concern due to the likelihood of adultery, the *Palang pintu* tradition comes to mind as a solution, as it forces them to get married, limits their freedom to find a partner, and creates a sense of competition between them or other potential outcomes like eloping for example. Such a tradition of *palang pintu* is not permitted by *fiqhiiyah*, which means: *Rejecting mafsada (damage) is prioritized over bringing in mashlahat (good)*.⁴⁷

The Palang Pintu tradition, which was originally part of the Betawi traditional wedding ceremony and is laden with Islamic values, can now be presented as a part of the Betawi traditional wedding ceremony. With Islamic values, this tradition can now be presented for building inauguration events or groundbreaking ceremonies. There has been a transformation of the function and practice of the Palang Pintu tradition in modern times in Jakarta. The elements of Lenong and Pantun are very important supporting aspects in the preservation of the Palang Pintu tradition, so this

⁴⁴ Al Zuhaili, *Fiqh Al Islamy*, 6540-6547

⁴⁵ Fathurrahman Djamil, *Filasafat Hukum Islam*, (Jakarta: Logos Wacana Ilmu, 1997), 66.

⁴⁶ Al Bukhori, *Al Jami' Al Shahih*, 238.

⁴⁷ Karim Zaidan, *Al Wajiz*, 131



tradition has always been in demand and is increasingly popular among modern society.⁴⁸

Palang pintu has requirements that its implementation does not contravene marriage law, but many parties—especially prospective grooms in this early phase—feel that its existence is challenging. Even though one of the bride and groom receives a benefit value content in exchange, this condition goes against Islamic law's convenience-focused tenets. As previously stated, the requirement agrees with the scholars that the conditions should be revoked." This is one of the Betawi traditions that can maintain its continuity to thrive amidst the growing population of Betawi people and Jakarta residents. The results of this study show that Buke Palang Pintu has undergone several changes⁴⁹ due to some grounds for maintaining the continuity of the tradition. The changes that occur are also related to the conditions of the Betawi society where the tradition exists. The *Palang pintu* tradition includes elements of *mashlahah* that are directed toward the future wife, specifically physical strength that is oriented toward the ability to protect the future wife in the world, and the ability to recite the Koran that is oriented toward the ability to guide the future wife and family to the afterlife in this first phase while it is not an easy task.

Ownership of various viewpoints and the occurrence of conflicts between traditions and religious teachings are the problems. To put it another way, it is claimed that despite having *mashlahah* ideals, young people who wish to be married nevertheless find this practice to be burdensome and challenging. Several verses and hadiths cited above are examples of this tradition's conflicts. Therefore, it is clear that a tradition (*,urf*) that conflicts with *syara* has not complied with the *,urf* standards and cannot be approved. The consequences of this duel are that if the prospective groom loses the fight, then he cannot marry the prospective bride because he is considered weak, growing concern that he may be incapable of properly taking care of his wife in future life. However, if the prospective groom wins the duel, then he can marry the prospective bride in the hope that her future husband will be able to take care of his wife with all his body and soul. In other words, the *palang pintu* tradition is a condition given to the prospective bride to the prospective groom, allowing marriage to take place.

Second phase. The second phase refers to the meaning and message that is not altered when it travels through a ritual shift process. According to Indra Sutrisna, the religious and developmental aspects have had an impact on Betawi tradition and culture, both of which are continually changing. Traditions and cultures that are still seen as archaic are no longer relevant to the current development. In the meantime, the result and significance of establishing religion is that there are deviations from Islamic teachings due to signs of ancient traditions and culture, or teachings from traditions that do not comply with Islamic teachings, so reforms and renewals

⁴⁸ Diaz Ramadhansya, Nuning Yanti Damayanti. 2021. Recreation And Commodification Of The Palang Pintu Tradition In The Betawi Cultural Heritage Of Rawa Belong Analysis Of Sanggar Gaya Bang Bens. *Advances in Social Science, Education and Humanities Research*, volume 625 ICON ARCCADE 2021: The 2nd International Conference on Art, Craft, Culture and Design (ICON-ARCCADE 2021)

⁴⁹ A A Ningrum and M Yoesoef. 2018. Sustainability of Buke Palang Pintu Tradition in Betawi Modern Society in Jakarta. *Wol2SED 2018*, December 21-22, Solo, Indonesia Copyright © 2019 EAI DOI 10.4108/eai.21-12-2018.2282674.



following the Islamic viewpoint are necessary. In other words, considering that culture is also undergoing development, it will no longer be viewed as difficult by the community. Therefore, without any renewal, the meaning must be changed. Since there is no conceptual underpinning or message to the heritage or culture being represented, it is merely presented as entertainment. Once Indra Sutrisna said: "*Culture must also have elements of benefits as well as messages and philosophical meanings because culture without those elements will only be a show.*"⁵⁰

According to Amir Syarifudin, Islam was created to establish a set of *syara'* rules to govern *muamalah* life, which Muslims are required to follow as a result of their belief in Allah and His Messenger. Some of the older habits gradually crept back in; some of them were compliant with sharia law, while others were not. Muslims cannot practice two customs at the same time that conflict with one another. The meeting of adat and shari'ah caused a confrontation, absorption, and renewal between the two. What is prioritized in this situation and yet needs to be done through the typical selection process is taken into account.⁵¹

It consists of two elements in renewal or change; if in the first phase of the *Palang pintu* tradition that has been prepared by the family of the prospective bride and groom, the one who takes part in a silat or champion is the future husband himself, then after the evolving time and religion, in the second phase, the husband-to-be groom may ask for help from a group of people who offer services to become *Palang pintu* actors, not her future husband who does this. In the second phase, one may ask for help from a group of people who offer services to become *sike* singers, even if in the first phase, those who sing *sike* rhythms are future husbands so that people do not feel complicated by their traditions or culture, this change can occur. In this case, Indra Sutrisna also said: "*Don't let culture be considered difficult by the people themselves.*"⁵²

In terms of cultural growth, there is an additional element, namely dialogue or playing rhymes, which indicates that the Betawi people have a literary culture and are good at dialogue, as well as being good at getting along and speaking the side of the changes that occur. This occurs as a result of existing changes being balanced with other positive things that have meaning in the context of evolving traditions. As a result, culture contains philosophical ideas and messages that can be given to the public, particularly the bride and groom through tradition or culture, so that it is not only a show or entertainment based exclusively on culture or custom in the end. If the principles of Islamic law conflict with the *Palang pintu* tradition in the first phase, then changes in the *Palang pintu* tradition do not conflict with the principles of Islamic law in the second phase, both from the standpoint of *fiqh* and *ushul fiqh*. *Palang pintu* is deemed advantageous or *maslahah* in this second phase, and its implementation is not regarded to violate the rule of marriage, nor is its existence thought to be adverse to the principles of Islamic law.

The above explanation indicates that the validity of the conditions connected to the purpose of the contract or marriage and agreeing to the cancellation of the provisions eliminates the intent and purpose of marriage or violates Sharia law on

⁵⁰ Indra Sutrisna, *an interview*, 30-07-2012.

⁵¹ Amir Syarifuddin, *Ushul Fiqh jilid 2*, 369.

⁵² Indra Sutrisna, *an interview*, 30-07-2012



the clergy's agreement. Whereas *Palang pintu* in this second phase of marriage law and the basic principles of Islamic law still has a connection with the purpose of the marriage contract and does not eliminate the purpose of marriage or violate Sharia law, its presence is still highly anticipated by the community because it is considered beneficial or *maslahah*.⁵³ Sayyid Sabiq explained⁵⁴ that returning to the future wife, if there are beneficial conditions, in this case, some scholars think that even without having to make a condition, the future husband indeed should provide benefits and welfare to his future wife. This first opinion implies that it is not obligatory to fulfill or carry out these requirements.

The second opinion comes from Imam Syafi'i and Imam Abu Hanifah who argue that if these conditions are not met, then the marriage is void, then it is obligatory to fulfill or carry out the conditions whose benefits return to the future wife.⁵⁵ If the *Palang pintu* tradition is reviewed through „urf in the second phase, then *Palang pintu* can be accepted in society as „urf. This is due to the requirements that apply to *urf* which have been fulfilled in the *Palang pintu* tradition. According to Amir Syarifuddin, these conditions are as follows:⁵⁶ 1) *urf* has logic and benefit (acceptable by common sense); 2) "*urf* is generally applicable to people related to the environment" *urf* or at least among the majority of people; 3) *urf* which is used as the basis for the determination of law has been in effect at that time, not „urf which appeared later; 4) *urf* is contrary to certain principles and does not conflict with existing *syara'* propositions. In this second phase, the *Palang pintu* Tradition has fulfilled the criteria above in its development. In this phase, the *Palang pintu* tradition follows the *syara'* or other texts because in this phase the *Palang pintu* tradition is not as light as in the first phase. This tradition also applies to the Betawi community in general regardless of lineage, social status, and others. The *Palang pintu* tradition in this phase also contains *maslahah* for the bride and groom and the Betawi people and is classified as logical and acceptable to common sense. Tradition or "*urf*" with *mashlahah* has two forms: delivering advantages and opposing harm, yet it is unacceptable if it lacks *mashlahah*. This has been summed up in this tradition, which provides numerous benefits and is resistant to damage. It has also fulfilled the *mashlahah* criterion in its growth, as stated by scholars, particularly the *Palang pintu* tradition:⁵⁷ a) *Maslahah* must be measured following *maqasid al syari'ah*; b) *Maslahah* must be able to convince; and c) *Maslahah* must be able to benefit not only a small portion but the majority of society; d) *Maslahah* does not bring difficulties, it provides convenience.

The purpose of *syara'* in establishing law is summarized in five matters, namely: Maintaining the benefit of religion, maintaining the soul, maintaining the mind, maintaining offspring, maintaining property and honor, as *Maqasid Al Shari'ah*⁵⁸ The *Palang pintu* tradition is carried out to enhance religion rather than to destroy religion. This tradition likewise has one objective, which is to maintain property and honor, and there is no sign that it will hurt the soul, mind, or offspring. Looked

⁵³ Al Zuhaili, *Fiqh Al Islamiy*, 6546-6547.

⁵⁴ Sabiq, *Fiqh Al Sunnah*, 131

⁵⁵ Sabiq, *Fiqh Al Sunnah*, 131.

⁵⁶ Amir Syarifuddin, *Ushul Fiqh 2*, 401.

⁵⁷ Sabiq, *Fiqh Al Sunnah*, 131

⁵⁸ Fathurrahman, *Filasafat Hukum*, 73.



closely, the *Palang pintu* tradition can be regarded as „*urf* and can be named *mashlahah* because it has met the *mashlahah* criteria, so the *Palang pintu* heritage must be kept in this way. Based on the explanation above, the researcher concludes that *Palang pintu* itself is a tradition where the prospective groom must show his seriousness and struggle to get and keep his future wife with all his body and soul. In this tradition, the bride-to-be prepares a champion for the prospective groom to face. At the same time, the prospective groom must defeat the hero prepared for him earlier through a duel.

Conclusion

Based on the preceding discussion, the authors conclude that the *Palang pintu* tradition was perceived to be contradictory to Islamic law principles that teach ease even though it does not contravene marriage law. Palang Pintu tradition in the second phase is related to the marriage agreement, does not eliminate the marriage purpose, and does not violate both marriage shariah and Islamic law principles. It is also considered not compliant with Palang Pintu tradition, thereby fulfilling ‘urf and *mashlahah* criteria in this second phase of Palang Pintu.

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