

**A LEGAL ANALYSIS OF THE *CILOK KAYI* TRADITION IN MUKOMUKO**

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**Abstract:** This article discusses the ‘Urf Review of *Cilok Kayi* in *Mukomuko* Regency, Bengkulu. This type of research uses a descriptive method with a qualitative approach so that it can find out directly the implementation of the tradition. While research data collection is carried out by means of observation, interviews and documentation obtained directly from sources related to the research, in this case the informants consist of religious leaders, traditional leaders, and some of the *Mukomuko* community. The research suggests that *Cilok Kayi*, a community tradition related to food or local customs, may not be considered ‘Urf *fasid* in Islamic law. However, if customary sanctions are imposed for non-observance, the tradition may be considered ‘Urf *fasid*, potentially violating the principles of freedom and justice. The study emphasizes the importance of considering the social, cultural, and religious context when assessing the legal status of a tradition in Islam, particularly in the case of ‘Urf *fasid*.

**Keywords:** *Legal Analysis, ‘Urf Perspective, Cilok Kayi*

**Abstrak:** Artikel ini membahas tentang Tinjauan ‘Urf *Cilok Kayi* di Kabupaten Mukomuko, Bengkulu. Jenis penelitian ini menggunakan metode deskriptif dengan pendekatan kualitatif sehingga dapat mengetahui secara langsung pelaksanaan tradisi tersebut. Sedangkan pengumpulan data penelitian dilakukan dengan cara observasi, wawancara dan dokumentasi yang diperoleh secara langsung dari narasumber yang terkait dengan penelitian, dalam hal ini informan terdiri dari tokoh agama, tokoh adat, dan sebagian masyarakat Mukomuko. Penelitian ini menunjukkan bahwa *Cilok Kayi*, tradisi masyarakat yang berkaitan dengan makanan atau adat istiadat setempat, mungkin tidak dianggap sebagai ‘Urf *fasid* dalam hukum Islam. Namun, jika sanksi adat dijatuhkan karena tidak ditaati, tradisi tersebut dapat dianggap sebagai ‘Urf *fasid*, yang berpotensi melanggar prinsip-prinsip kebebasan dan keadilan. Penelitian ini menekankan pentingnya mempertimbangkan konteks sosial, budaya, dan agama ketika menilai status hukum suatu tradisi dalam Islam, khususnya dalam kasus ‘Urf *fasid*.

**Kata Kunci:** *Analisis Hukum, Perspektif ‘Urf, Cilok Kayi*

## A. Introduction

Mukomuko is one of the regencies in Bengkulu Province that was formed in 2003, located at the end of the border with West Sumatra Province. The people of Mukomuko are historically a diverse community of tribes from across the archipelago. The traditional homogeneity of Pagaruyung has resulted in the language and culture of the Mukomuko community being dominated by *Minangkabau*.<sup>1</sup> Like other regions in general, Mukomuko is also rich in local culture. In terms of arts and culture, the Mukomuko region has unique dance creations such as Gandai Dance, Gamat Dance, Debus, Pencak Silat, Sarapal Anam and so on. In addition, if you want to trace the philosophy of this community, Mukomuko holds many Tembo and Legends both written and oral such as Tembo Manjuta, the Legend of the White-Blooded Prince, the Puti Laut Tawar, the Legend of Malin Deman and others.<sup>2</sup>

Another unique cultural treasure of Mukomuko that is currently the main icon in every birthday celebration of Mukomuko District is the traditional wedding ritual and *Cilok Kai* (child marriage) event. These two rituals in the last two years have become special events held by the Mukomuko District Government. The purpose of determining these two rituals by the Mukomuko Regency Government is because they are considered the most frequently performed in the community. Another important reason is to introduce the original rituals in accordance with history in ancient times. Because at this time, in general, people in the Mukomuko region no longer apply the original rituals in the traditional wedding and *Cilok Kai* events. What exists is a wedding process and *Cilok Kai* event that has been combined with modern wedding styles. If this continues, it is feared that in the future, local cultures such as traditional wedding rituals and *Cilok Kai* will become extinct. Whereas traditional institutions in Mukomuko play a very important role.<sup>3</sup>

To maintain regional culture, it is necessary to increase the appreciation of regional cultural values that animates human and community behavior in all aspects of life. Therefore, further elaboration is needed so that the identity, personality, the stronger the spirit of unity and integrity and the deeper the pride in the region. The shift in local cultural values, especially the ancient culture of marriage customs and child rearing events (*cilok kai*) in Mukomuko Regency is currently a concern for traditional administrators. Until now, the most appropriate media to instill indigenous local culture to the younger generation has not been found.<sup>4</sup>

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<sup>1</sup> Hanif Hoesin et al., "Penilaian Situs Pemerintah Daerah Di Provinsi DKI Jakarta, Bengkulu, Jambi, Dan Bangka Belitung," *Seminar Nasional Informatika (SEMNASIF)* 1, no. 5 (2008).

<sup>2</sup> Hilyati Milla Mawardi, "Kajian Sosial Budaya Dan Ekonomi Dalam Tradisi Masuk Kaum Di Muko Muko," *Puitika* 16, no. 2 (2022), <https://doi.org/10.25077/puitika.16.2.40--57.2020>.

<sup>3</sup> Deri Apriansyah, Khairil Khairil, and Venny Novita Sari, "MEDIA PROMOSI WARISAN BUDAYA TAK BENDA PROVINSI BENGKULU," *Djtechno: Jurnal Teknologi Informasi* 3, no. 2 (2022), <https://doi.org/10.46576/djtechno.v3i2.2732>.

<sup>4</sup> Mero Andika and M Sayuti, "Perancangan Media Promosi Pariwisata Kabupaten Mukomuko Dalam Bentuk Audio Visual," *Judikatif: Jurnal Desain Komunikasi Kreatif*, 2022, <https://doi.org/10.35134/judikatif.v4i2.57>.

Incidental activities during the anniversary celebrations of Mukomuko Regency each year have tried to showcase the original rituals of local culture. However, many parties consider this activity to be ineffective in an effort to preserve and introduce local culture to the younger generation. The shift in local culture that is occurring at this time is not only carried out by the younger generation but also by parents who have passed it down to the younger generation. When the younger generation in Mukomuko begins to forget their original culture and identity as a cultural successor, it will also erode the pride of that generation in the existing cultural wealth. This alarming condition is certainly a concern for the elders of Mukomuko today. So it is necessary to find a strategy or effort to pass on the original culture to the younger generation so that culture, especially the marriage custom and *Cilok Kai*, is preserved. The inheritance effort can be in the form of comics that are packaged in an attractive way for the younger generation, especially children, as a support for local government programmes in building awareness and love of the younger generation for indigenous culture.<sup>5</sup>

As a strategy/effort to inherit and preserve the ancient culture that is starting to be abandoned, its implementation must be introduced early to the community, in this case it can be done in elementary school children. This means that this effort can perhaps be synergised with the primary school curriculum, especially local content subjects. So far what has happened, local content subjects in almost all primary schools in Mukomuko Regency contain English language material. Etymologically, local content means that there are local (regional) aspects that need to be superior so that local products or regional non-physical wealth are something to be proud of. If cultural inheritance is not carried out from now on, it is feared that the local culture will simply become extinct. Psychologically, the development of students at primary school age in terms of affective prefer pictorial reading. Comics are an effective medium in introducing students early on to the cultural treasures of Mukomuko, which can enhance their identity as Indonesians. In addition, the younger generation should be encouraged to recognise and love their country. The Comic Book published later is expected to provoke the curiosity and pride of the younger generation, especially children, in Mukomuko's indigenous culture.<sup>6</sup>

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<sup>5</sup> Devi Ismawati, "Nilai- Nilai Pendidikan Islam Dalam Budaya Tari Gandai Adat Pekal Desa Pagardin Kecamatan Ulok Kupai Kabupaten Bengkulu Utara," *Journal of Islamic Education Studies* 2, no. 1 (2023), <https://doi.org/10.58569/jies.v2i1.662>.

<sup>6</sup> Agung Pradana Iskandar et al., "Pengembangan Media Promosi Warisan Budaya Bengkulu Menggunakan Aplikasi Smart Apps Creator (Sac)," *Jurnal Teknologi Informasi* 7, no. 1 (2023).

Book published later is expected to provoke the curiosity and pride of the younger generation, especially children, in Mukomuko's indigenous culture.<sup>7</sup>

Therefore, in this research, the existence of the wedding custom and Cilok Kai and see the shift in cultural values that occurs so that a strategy will be made to pass on culture through cultural comics to the younger generation so that it does not become extinct.

## **B. Research Method**

This research is a type of field research in which researchers collect data and information directly from respondents.<sup>8</sup> The research method used is a qualitative method,<sup>9</sup> which aims to understand the phenomena experienced by the research subject using descriptions in the form of words and language, in a certain natural context, by utilizing natural methods.<sup>10</sup> The method used specifically is a qualitative method, which produces data in non-numerical form. Qualitative research involves analyzing spoken or written words, observations, and observed objects to extract the implied meaning of the data. Data collection was done through interviews,<sup>11</sup> observation, and documentation.<sup>12</sup> The collected data is then analyzed using qualitative descriptive analysis, which aims to describe or analyze the results of data collection from various sources such as interviews, documents, pictures, or other official letters obtained during research conducted in the field by researchers on the people under study.<sup>13</sup>

## **C. Results and Discussion**

### **1. The *Cilok Kai* Event in Lamo Customs and its Shifts**

Mukomuko's pegang pakai tradition in Cilok Kai is a thanksgiving process carried out to release or release the baby from confinement. This tradition is done when the baby is 7-40 days old, usually the first child of a married couple. Cilok kai is the process of bathing the baby in a well or the traditional term is "stolen from the cage." Cilok kai originates from stealing water, a newborn child before the date of the umbilical cord is not allowed to be taken out of the house or not allowed to leave the room. This cilok kai event is carried out on babies who are still seven days old after being born, this cilok kai

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<sup>7</sup> Khairuddin Khairuddin and Yovenska L. Man, "TABOT TRADITION AND ACCULTURATIVE RELIGIOUS TRADITION OF THE BENGKULU COMMUNITY," *Journal of Contemporary Islam and Muslim Societies* 7, no. 1 (2023), <https://doi.org/10.30821/jcims.v7i1.14602>.

<sup>8</sup> Sugiyono, "Memahami Penelitian Kualitatif & Kuantitatif," *Bandung: Alfabeta*, 2018.

<sup>9</sup> Sugiyono.

<sup>10</sup> Mukti Fajar ND and Yulianto Achmad, *Dualisme Penelitian Hukum*, Yogyakarta. *Pensil Komunika*, vol. 1, 2007.

<sup>11</sup> Wahyudin Darmalaksana, "Metode Penelitian Kualitatif Studi Pustaka Dan Studi Lapangan," *Pre-Print Digital Library UIN Sunan Gunung Djati Bandung*, 2020.

<sup>12</sup> Ardiansyah, Risnita, and M. Syahrani Jailani, "Teknik Pengumpulan Data Dan Instrumen Penelitian Ilmiah Pendidikan Pada Pendekatan Kualitatif Dan Kuantitatif," *Jurnal IHSAN : Jurnal Pendidikan Islam* 1, no. 2 (2023), <https://doi.org/10.61104/ihsan.v1i2.57>.

<sup>13</sup> Ulber Silalahi, "Metode Penelitian Sosial Kuantitatif," *Journal of Visual Languages & Computing* 11, no. 3 (2015).

is a traditional ritual of Mukomuko which aims to provide congratulations on newborn babies and just out of confinement (in the room). A baby out of confinement means that the baby is first taken out of the house by its parents. This traditional *cilok kai* ritual has been passed down from ancestors to pray for the safety of newborn children at the age of seven days. The *cilok kai* event is often combined with wedding customs because at the time of the wedding reception there is one family from the party organiser who has just given birth so that the *cilok kai* event is also held at the time of the wedding to facilitate time and simplify costs. The marriage ceremony is often combined with the *cilok kai* event because it involves the same people in the process of carrying out the ritual, such as at the marriage ceremony there is a head of the community and *ninik mamak* who take care of it as well as at the *cilok kai* event, but the rituals are carried out separately.

The banana child comes down from the *bako*'s mother's house at the time of the *cilok kaji anaknyo*, the carrying is the same as the carrying of the *khatam Al-Qur'an*, but there are additions: a flower tray to the baby tray, baby food tray and flag tray. If the banana child goes down *celok kaji anak* and carries out an *akikah* whose work is *tahlil* which promises and *syarakan* at the time of the *syarakan*, the babies are carried by the *bakonyo* father and accompanied by four *bakonyo* relatives who carry a tray of food, a tray of clothes, and a tray of flowers, and a tray of lamps / candles that are lit. The stages of the *cilok kai* (stealing water) ritual are: Preceded by making a small event at night, namely drumming to entertain relatives who come, at the ritual event the tools must be prepared, namely: *Batang setawa*, *Kasai* (fresh flour), leaves as cold as *Daun setawa*, three-coloured threads (white, black, yellow), plain white cup (cup) Money rod, flag, seven sheets of cloth, rice in a *talam*, complete betel nut, flower fitting, candle holder, *Kelap* that has been decorated, *potpourri*, baby drinking place.

After the tools are provided such as the *setawa* rod is made like a swing, then the cold leaves are tied with perfect threads, namely threads with three colours (white, black, yellow). While the plain white cup where the *kasai* (fresh flour) is broken in the plain cup. The implementation of *Cilok Kai* in Mukomuko can stand alone or be combined with a wedding event. The mother and baby must be at the home of *Induk Bako*, the father's sister. The baby's mother wears full traditional bridal clothes. And the baby is carried by one of the *bako* parents. Meanwhile, *Induk Bako* prepares the equipment needed for the *Cilok Kai* event or "*Pemberian Bako*". The gift that is prepared is not only given by one *Induk Bako*, but collectively all the baby's father's sisters together prepare the gift. If the mother *bako* has the material means, she usually prepares a goat to be slaughtered, chickens, coconuts and is accompanied by a "*batang mago*" as a sign of the mother *bako*'s affection for the banana child: "*white kapu bulih diliek*, white heart who knows", "*like aur with cliffs like nails with meat*" means the mother *bako*'s love.

In general, the *Cilok Kai* ritual has not experienced a significant shift in terms of the stages of implementation compared to the *lamo* custom. However, there is a shift in the meaning of the ritual itself. In the *Cilok Kai* ritual, the people who play a significant role are those outside the nuclear family, namely the head of the clan, Mr. *Bako* and

Mother Bako. The *Cilok Kai* opportunity is used to show the prestige of the family instead of highlighting the sacredness of the ritual. This situation is supported by the artifacts prepared for the ritual, one of which is the money tree or mago trunk given by the child's Induk Bako. The mago trunk becomes the benchmark for evaluating a ritual, even though it could be in the implementation to show the ability of Induk Bako to put as much money as possible so that the family gets public praise, but in fact the amount given is not what is displayed in public. This is where the shift lies, namely the shift in meaning in the *Cilok Kai* ritual.

## **2. The Existence of Mukomuko Traditional Wedding Procession.**

Currently the implementation of traditional marriage rituals and *cilok kai* (aqiqah) in Mukomuko has begun to experience a shift in values. The traditional ceremony has been displaced by the entry of modern cultural values that are more practical and simple. Although at the most extreme level there is an opportunity for the loss of a value and behavior, Steward (1978) in Koentjaraningrat (1985) argues that this does not mean that it will completely erase the cultural core, where each society has its own unique cultural core. The results of the study show that it is actually not only several stages in the marriage custom that are no longer carried out, but there are different rituals that are just not different in meaning by the community.

There are two main factors causing the shift in cultural values in Mukomuko, especially in traditional wedding rituals and *cilok kai*, namely economic reasons and advances in science and technology. The implementation of traditional wedding rituals requires a lot of money, especially if it must be added to the expenses for *Cilok Kai*. Even though it saves money on consumption, performing traditional wedding rituals together with *Cilok Kai* is currently difficult for most community members in Mukomuko. For families who are well-off (have enough money), the implementation of the traditional wedding ritual together with *Cilok Kai* is not so much of a problem. On the other hand, for families who are not economically capable, the traditional ceremony can become a burden. With the consideration of austerity and the excuse of economic inability, both the traditional wedding ritual and *Cilok Kai* have gradually shifted. Seeing this reality, local customary leaders cannot do much, including not being able to impose customary sanctions on community members who no longer "obey" their ancestral culture/customs. The customary leaders realize that the implementation of traditional wedding ceremonies in Mukomuko does require a lot of money, so if there are community members who cannot afford to carry it out then the customary leaders understand it.<sup>14</sup>

Another significant factor that has caused a shift in cultural values in Mukomuko is the advancement of science and technology. Local customary leaders more than half a century ago inherited local cultural values directly from previous generations through a process of socialization (learning) in their social environment. This socialization process has begun to diminish its role. The younger generation now receives more general

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<sup>14</sup> Pitradi, "Pengaruh Akulturasi Keanekaragaman Budaya Di Indonesia Terhadap Ajaran Agama Islam \_ STKIP Muhammadiyah Kuningan," *Umpk News*, 2021.

knowledge taught in formal schools rather than the inheritance of cultural values from traditional leaders. Although formal schools have a local content curriculum, it is still not effective as a medium for socializing the preservation of local culture. As a result, many of the younger generation in Mukomuko no longer understand local culture and do not feel "lost" if they do not preserve it.

Furthermore, technological developments can also hinder the preservation of local culture. An understanding of marriage customs, can refer to any kind of customary rules that are practiced in a society to regulate issues related to before or after marriage. Issues that arise before marriage are called pre-marriage customs, which contain rules such as: the purpose of marriage according to custom, the ideal marriage, restrictions on mates, forms of marriage, conditions for marriage, and how to choose a mate. While problems after marriage, for example, are related to customary settling after marriage. In the Mukomuko community, marriage can be categorized as exogamous, that is, marriage outside the client. This customary marriage is usually related to the arrangements at the time before the wedding and at the time of the wedding ceremony. Before the wedding is known as the *batanyo* (*berasan*) event, which is a form of exploratory event for the arrival of the male party who intends to propose to the female party. After that, the pre-marriage event is continued with the deliberation of the *ninik mamak* of both parties, then other relatives are notified to move to the next stage of *mufakat ninik mamak* (close relatives), which is gathering close relatives to discuss marriage issues.

Up to this point, it can be said that the various stages of the traditional wedding procession of the Mukomuko community before the wedding took place have begun to fade. Compliance with the customary tradition to carry out the *batanyo* event and the involvement of *ninik mamak* has gradually not become a mandatory event. In general, the customary marriage ceremony carried out by the Mukomuko community does go through various stages of the procession along with various completeness of the ceremony. Along with the times the procession and various completeness of these customs are eroded and some are still maintained. These eroded and shifting customs are a form of compromise made by the Mukomuko community against the changing conditions of their social environment. This change is caused by various factors, one of which is most dominant due to economic conditions. Economic reasons are indeed an important factor in the discontinuation of some traditional wedding processions that require considerable costs. It should also be recognized that the changes that occurred in the marriage procession in the Mukomuko community did not occur in a short time. These changes and shifts occur slowly but are something certain. This is because the cultural values regarding the marriage procession that lives in the Mukomuko community have been embedded and impregnated by each individual since childhood, Thus, the conception of traditional marriage has been rooted in the soul of each. In the sociological view, changes in the social order of society make interaction between one culture and another possible for cultural diaspora and acculturation. By itself, the cultural values embraced by a society will eventually slowly shift. Theoretically, the shift in traditions

and customs is closely related to changes in the pattern of needs of the people supporting the culture, namely sociological needs, and psychological needs. In simple terms, it can be said that culture will always change following changes that occur at the level of people's life needs, whether it is caused by the penetration of outside culture or because there is a new orientation among the internal community supporting the culture. Some stages of the traditional wedding procession of the Mukomuko community that have shifted, for example, can be said to be because they are no longer needed by the community. While the traditional marriage procession that still survives is a form of community need that is felt to be still needed until now. The dynamics that occur in the Mukomuko traditional wedding procession are actually common symptoms experienced by various cultural traditions in Indonesia. If drawn further, the wedding procession in Indonesia has actually begun to lead to a procession that is not too complicated.

The next derivative impact is ultimately the shift and fading of the values of togetherness built within the framework of adat istiadat. This condition will inevitably continue so that it will automatically exclude the existence of customary institutions and values and norms that are not willing to adapt. For this reason, as a customary institution, the Mukomuko community in turn must also compromise and adapt to various changes in the cultural realm. This is at least seen in various forms of forgiveness for not applying various forms of customary sanctions against violations committed by the community in carrying out the marriage procession. Another form of adaptation, for example, is by tolerating the marriage procession that mixes customs with current conditions. In addition, knowledge of the depth of religion as a form of value system adopted by the community can also be used as one of the reasons why the existence of a traditional marriage procession has begun to gradually shift. In other words, many of the values in traditional marriage customs are actually contrary to religious teachings. Therefore, traditional marriage often has no place for those who have a relatively deep religious understanding. For those for whom religion is the basis for marriage, it is sufficient that the contract and witnesses are the main obligations.

### **3. A Legal Analysis of the *Cilok Kayi* Tradition in Mukomuko**

'*Urf* in the linguistic sense refers to a custom commonly practiced by a group or community. In terms, '*Urf* refers to traditions that become part of people's lives and are commonly practiced in the form of deeds and speech among them. This includes '*Urf amaly* (traditions in deeds) and '*Qauly* (traditions in speech). In other words, '*Urf* is anything that is recognized by people and practiced among them, including in the form of words, deeds, or the act of leaving something.<sup>15</sup> In another context, custom or '*Urf* is something that has become a habit practiced by humans and applied in various aspects of life. Most scholars accept '*Urf* as a basis for law, but there are differences of opinion in establishing it as an independent basis for law.<sup>16</sup>

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<sup>15</sup> Andriyaldi Andriyaldi, "Al-'Urf Theory and Its Relevance to Contemporary Jurisprudence Issues," *Al Hurriyah : Jurnal Hukum Islam* 6, no. 2 (2022), <https://doi.org/10.30983/alhurriyah.v6i2.4784>.

<sup>16</sup> Edi Kurniawan, "KONSEP DAN METODE IJTIHAD IMAM AL-SYAUKANI," *Jurist-Diction* 6, no. 2 (2011).



Although the culture or tradition of a society is different, such as in Indonesia which consists of various ethnic groups, each culture has similar characteristics or traits. These traits are not specific, but universal. This means that these cultural traits will have the same characteristics for all human cultures regardless of race, natural environment, or education. This means that there are traits that are common to all cultures everywhere.<sup>17</sup> In Islamic law, there are four conditions that must be met in order for a custom to be used as a legal basis: first, the custom must not conflict with one of the *nash shari'ah* (provisions of Islamic law); second, the custom must apply and be applied generally and consistently; third, the tradition must have existed since the beginning of its implementation; fourth, there must be no words or actions that contradict the substantial values contained in the tradition.<sup>18</sup> Breaking community traditions is considered bad unless the traditions are forbidden by religion.<sup>19</sup>

The akikah (*Cilok kayi*) tradition is a religious practice in Islam that involves the slaughter of animals as a form of gratitude for the birth of a child.<sup>20</sup> Below is an analysis of the akikah tradition in the context of Urf (community custom or tradition) in Islam: Religious Aspects: Akikah has a strong religious basis in Islam, drawn from the traditions of the Prophet Muhammad (peace be upon him) which mention the importance of akikah as a form of gratitude for the birth of a child. It reflects appreciation of God's bounty and the responsibility of parents to provide the best for the child. Social and Cultural: The tradition of akikah not only has a religious dimension, but also a strong social and cultural dimension.<sup>21</sup> The practice is often an important moment for families to celebrate the birth of a child by inviting family and close friends. This strengthens social ties and solidarity in Muslim societies. Education of Religious Values: Through akikah, values such as caring for others, sharing sustenance and the importance of being committed to religious teachings are taught to the younger generation. This helps maintain religious identity in the community.

Akikah is a religious ritual in Islam that involves the slaughter of an animal to welcome the birth of a child. This ritual has its foundations in the Koran and Sunnah of the Prophet Muhammad SAW,<sup>22</sup> although the term "akikah" itself is not explicitly

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<sup>17</sup> Ratna Nyoman Kutha, "Metode Penelitian Kajian Budaya Dan Ilmu Sosial Humora Pada Umumnya," *Metodologi Penelitian*, 2010.

<sup>18</sup> Noor Achmad, "Istishlah Sebagai Metode Formulasi Hukum Dan Relevansinya Dengan Pembaharuan Hukum Islam Di Indonesia," *Disertasi* (2006).

<sup>19</sup> Zainal Azwar, Firdaus Firdaus, and Muhammad Nafis, "The Role of the Malay Customary Institution in Off-Court Divorce Mediation: A Case Study in Rantau Pandan, Jambi," *Al-Risalah* 20, no. 1 (May 28, 2020): 59, <https://doi.org/10.30631/al-risalah.v20i1.561>.

<sup>20</sup> Nurul Azizah, "NILAI-NILAI PENDIDIKAN ISLAM DALAM HADIS-HADIS AKIKAH," *Jurnal PROGRESS: Wahana Kreativitas Dan Intelektualitas* 7, no. 1 (2019), <https://doi.org/10.31942/pgrs.v7i1.2725>.

<sup>21</sup> Abd Basid, Luthviah Romziana, and Iklimatus Sholeha, "KONSTRUKSI BUDAYA AKIKAH DAN SĒLAPAN: STUDI LIVING QUR'AN DI KABUPATEN PROBOLINGGO," *JURNAL ISLAM NUSANTARA* 5, no. 2 (2021), <https://doi.org/10.33852/jurnalnu.v5i2.309>.

<sup>22</sup> Sulaiha Sulaiman, "THE MESSAGE OF DAKWAH IN THE CULTURE OF IMPLEMENTATION OF AKIKAH IN LEPPANGANG, PINRANG REGENCY (SEMIOTICS ANALYSIS)," *Al-Iftah: Journal of Islamic Studies and Society* 2, no. 2 (2021), <https://doi.org/10.35905/aliftah.v2i2.2509>.

mentioned. Basics of Akikah in the Koran: Animal Slaughter: In the Koran, the concept of slaughtering animals as a sign of gratitude to Allah has been mentioned in several contexts. For example, in Surah Al-Hajj verses 34-37,<sup>23</sup> Allah commands Muslims to slaughter animals for the purpose of slaughter (udhiyah) and celebrations. Command to be grateful for the blessings: Allah SWT repeatedly in the Koran commands his people to be grateful for the blessings he has given. The birth of a child is a great blessing that should be grateful for. Basics of Akikah in the Sunnah: Practice of the Prophet Muhammad SAW: Although the word "akikah" is not found directly in the hadith, the practice of akikah as the slaughter of animals for newborn children is based on the sunnah of the Prophet Muhammad SAW. He himself reportedly slaughtered goats for his grandsons Hasan and Husain. Recommendations and Sunnah of the Prophet: Hadith narrated by Abu Dawud and Tirmidhi indicates that the Prophet Muhammad SAW encouraged his people to practice aqiqah. In several narrations, he stated that the child was pawned by his aqiqah so he was released from his aqiqah. The Purpose and Meaning of Akikah:<sup>24</sup> Conveying Gratitude: Akikah is a form of gratitude from parents for the birth of a child by giving some of the good fortune that Allah has given them. Giving a Name and Prayer: When the aqiqah is carried out, usually a name is given to the child and prayers are given for blessings, safety and protection for the child. Strengthening Relationships: Through akikah, family and relatives will gather to celebrate the birth of a child, thus strengthening social and familial bonds. Implementation of Akikah: Implementation Time: Usually carried out on the 7th day after the birth of the child, following the example of the Prophet Muhammad SAW. Animals: The Sunnah is to slaughter a goat or sheep, then give some of the meat to those in need. Meat Distribution: The meat of slaughtered animals is divided into three parts: one for the family, one to give to the poor, and one to donate. Thus, aqiqah is a religious practice in Islam which has its foundation in the Al-Quran and Sunnah of the Prophet Muhammad SAW. This is not just a tradition, but also a way to express gratitude for the gifts of Allah SWT, as well as to strengthen family and social ties in Muslim society.

Economy and Welfare: Akikah also has an economic aspect, as the slaughtering of animals is usually followed by the distribution of meat to families and communities in need.<sup>25</sup> This reflects the value of social care and justice in Islam. Evolution in the Modern Context: Although the tradition of akikah has been practiced for centuries, the practice has continued to evolve in the modern context. For example, some families now choose to replace animal slaughter with charitable donations or fundraising for children in need. Criticisms and Adjustments: While many people believe in the importance of the akikah tradition, there are also criticisms of its more ceremonial or traditional aspects. Some may

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<sup>23</sup> Kementerian Agama, "Qur'an Kemenag," *Lajnah Pentashihan Mushaf Al-Qur'an*, 2020.

<sup>24</sup> Norzi Nasir, Nasiruddin Moh Asri, and Muhammaf Ikram, "Pengalaman Masyarakat Terhadap Akikah Menurut Hadis-Hadis Dalam Kitab Shahih Bukhari," *Jurnal Irsyad* 21, no. 1 (2018).

<sup>25</sup> Sahril Sahril, "TRADISI AKIKAH MASYARAKAT MELAYU PENTAS SASTRA LOKAL 'SYAIR NYANYIAN ANAK' DALAM KAJIAN ETNOPIUITIKA," *JENTERA: Jurnal Kajian Sastra* 3, no. 1 (2017), <https://doi.org/10.26499/jentera.v3i1.433>.

feel that the focus should be more on the moral values and education of the child rather than the ceremonial aspect. In conclusion, the akikah tradition is an important part of Urf in Islamic societies that incorporates religious, social and economic values. Although it continues to adapt to changing times, the practice still plays an important role in maintaining the religious and social identity of Muslim societies.

In practice, the tradition of *Cilok Kayi* (a community tradition that may be related to food or local custom) may not be considered as '*Urf fasid* or bad custom in Islamic law. However, if a person is subjected to customary sanctions for not abiding by this tradition, it may change the status of the tradition to '*Urf fasid*. '*Urf* in the context of Islamic law refers to a practice or custom that is generally accepted by the Muslim community in a particular place or time. Fasid '*Urf* is a custom or practice that contradicts the basic principles of religion or Islamic law. In the case of the *Cilok Kayi* tradition, although it is not inherently contrary to Islam, the imposition of customary sanctions for not adhering to it may raise questions about the tradition's compatibility with Islamic values. Thus, if a tradition is not initially considered '*Urf fasid* but is later subjected to customary sanctions for non-observance, this may lead to a change in the legal assessment of the tradition. The tradition may potentially become a fasid '*Urf* due to the use of force or social pressure to enforce compliance with it, which may violate the principles of freedom and justice upheld in Islam. Thus, it is important to consider the social, cultural and religious context when assessing the legal status of a tradition in Islam, especially in the case of '*Urf fasid* and its implications for society.

#### **D. Conclusion**

The original custom or Adat lamo of marriage can be divided into three parts. The first part before the pre-nup consists of a series of batanyo events, ninik mamak consensus, reporting to Kelapa Kaum, engagement (tunang kelam and tunang by custom). Second, on the day of the wedding there are a series of pingit activities, bedabung, berinai, tamat kaji or khatam Quran, implementation of bimbang, taking anak pulai to get married, waiting for anak pulai, implementation of the marriage contract, eating gedang, bride and groom, giving titles, opening the veil, eating icek-icek and bathing bungo water. Third, the post-marriage part consists of a series of activities such as menjalang in-law's house, bride's return, tanggal subang, eating beradat, handing over clothes and menjalang mamak. Meanwhile, the Cilok Kai ritual is a form of local wisdom of the Mukomuko community to celebrate the birth of a child and is very different from akikah. The aim is that the family can already take the baby out of the house. This ritual is believed to be the beginning of the baby's adaptation to its environment. In the Cilok Kai ritual series, Induk Bako (younger sister or older sister of the baby's father) has a big role in the celebration compared to the baby's parents. In addition, the head of the clan and the sanak mamak are the responsible parties when implementing the Cilok Kai ritual.

In practice, the tradition of *Cilok Kayi* (a community tradition that may be related to food or local custom) may not be considered as '*Urf fasid* or bad custom in Islamic

law. However, if a person is subjected to customary sanctions for not abiding by this tradition, it may change the status of the tradition to *'Urf fasid*. *'Urf* in the context of Islamic law refers to a practice or custom that is generally accepted by the Muslim community in a particular place or time. *Fasid 'Urf* is a custom or practice that contradicts the basic principles of religion or Islamic law. In the case of the *Cilok Kayi* tradition, although it is not inherently contrary to Islam, the imposition of customary sanctions for not adhering to it may raise questions about the tradition's compatibility with Islamic values. Thus, if a tradition is not initially considered *'Urf fasid* but is later subjected to customary sanctions for non-observance, this may lead to a change in the legal assessment of the tradition. The tradition may potentially become a *fasid 'Urf* due to the use of force or social pressure to enforce compliance with it, which may violate the principles of freedom and justice upheld in Islam. Thus, it is important to consider the social, cultural and religious context when assessing the legal status of a tradition in Islam, especially in the case of *'Urf fasid* and its implications for society.

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