

Harmonization of Traditions in the Modern Era of Ummah: A Phenomenological Analysis of the Samin Kudus Marriage Contract

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Abstract: *Within a plural society, social and cultural discourses frequently become a scourge. One is the blending of traditions in the face of people's modernity, such as the link between Islam and the indigenous Samin's traditional beliefs. This study aims to conduct a phenomenological investigation into the Samin Kudus custom of marriage contracts. Data was gathered using descriptive techniques such as observation, documentation, and interviews and then analyzed using Edmund Husserl's phenomenological methodology. According to the findings, the marriage contract was held between the groom and the bride through the Samin custom of the marriage contract procession. This marriage contract can happen because the potential groom is a Samin custom practitioner who also embraces Islam belief, whereas the bride is a Muslimah. In addition, the marital contract procession is a harmonization across traditions in the phenomenology study, specifically in harmonizing customs and religion through the stages of nyumuk, mbalesi gunem, ngendek, and paseksen.*

Keywords: *harmonization of traditions; marriage contract; phenomenology; Samin custom.*

Introduction

Indonesia's plurality reflection in its customary wealth reaches 1,331 tribes, 719 customary languages, and 200 products of customary law is currently in force. One of them is the Samin custom which developed and spread in the northern part of the border provinces of Central Java and East Java. In general, Samin customs are known as a movement (Saminism) founded by a figure named Samin Surosentiko. According to historical records, the Samin character sacrificed his spirit of struggle to fight against the invaders by rejecting all the regulations made by the Dutch colonials.¹ However, this study focuses on the traditions handed down by Samin Surosentiko from generation to generation, especially in matters of marriage.

In essence, humans long for the emergence of a generation as heirs of kinship intertwined through marriage.² Marriage, in general, is a sacred bond between two people, namely a man and a woman, who crave inner and outer happiness and the creation of offspring as the next generation. In the Big Indonesian Dictionary, marriage comes from the root word "marriage," meaning a bond (contract) considered valid according to legal and religious provisions.³ Terminologically, this understanding is in line with the Indonesian Marriage Law; even at the end of the sentence in Article 1 contained in the Act, it is strengthened by the phrase "based on the One Godhead." Thus, marriage is considered sacred because it includes religious, moral, and legal values.

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Exclusively, marriage is not limited to mere theoretical knowledge but manifests in several kinds of customs and traditions. The interest of this research is the marriage contract procession based on public trust through the harmonization of Samin and traditional Islamic traditions in Karangrowo Village, Undaan District, Kudus Regency, Central Java Province. In an area also inhabited by the Samin indigenous people, researchers conducted a study on one of the wedding events where the groom is a child born to a family (family background) Samin traditional family, while the bride embraced Islam.

Muhammad Toufiqurohman⁴ and Listiawati⁵ Wrote that there are examples of strange habits in the Samin custom, namely the existence of particular conditions when carrying out the marriage contract. These conditions include the bride and groom must have sex and live in one place. Of course, this condition causes problems (conflicts) if studied using the eyes of Islamic law. However, these conditions are not necessarily applied to all Samin traditional marriages.

¹ Harry J Benda and Lance Castles, "The Samin Movement," *Bijdragen Tot de Taal-, Land-En Volkenkunde*, no. 2de Afl (1969): 207–40.

² Moh. Rosyid, "Nihilisasi Peran Negara: Potret Perkawinan Samin Nirkonflik," *Jurnal Pendidikan Dan Kebudayaan* 16, no. 5 (September 10, 2010): 573–88, <https://doi.org/10.24832/JPNK.V16I5.487>.

³ Departemen Pendidikan Nasional, *Kamus besar bahasa Indonesia Pusat Bahasa : Edisi Keempat* (Gramedia Pustaka Utama, 2016).

⁴ Muhammad Toufiqurohman, "Pandangan Hukum Islam Terhadap Pasuwitan Sebagai Legalitas Nikah (Studi Kasus Di Masyarakat Suku Samin Desa Baturejo Kecamatan Sukolilo Kabupaten Pati)" (UIN Walisongo, 2014).

⁵ Listiawati Listiawati, "Analisis Hukum Islam Terhadap Ijab Qabul Pada Masyarakat Suku Samin Di Desa Kutukan Kecamatan Randublatung Kabupaten Blora" (UIN Sunan Ampel Surabaya, 2013).

These conditions can be seen in other studies, such as Lailly Wahyuningrum Putri⁶ and Rizal Arif Fitria⁷ which state that the traditional Samin wedding procession has shifted because the community has an increasingly modern understanding. Rather than several previous studies, this study has a striking difference. This study focused only on the practice of a Muslim marriage contract harmonized with the Samin Kudus custom.

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The marriage contract procession, according to Samin Kudus, is divided into the following stages; the first is *nyumuk*, which is the arrival of the parents of the groom to the bride's house to introduce and ensure that the woman who wants to marry does not yet have a life partner (*legan*). The second stage is the *ijab* or *mbalesi gunem* process, in which representatives of the parents or the so-called "guardians" of the bride give answers to *nyumuk* and show their willingness to marry off their children. The third stage is *kabul* or *ngendek*, a statement of agreement or approval from the groom's parents to marry a woman. The fourth stage is *paseksen* (witness), meaning that the groom must prove that he has married a woman as his life partner, and in the end, the woman becomes a wife.⁸

This study uses Edmund Husserl's phenomenological approach to analyze the above phenomenon, namely the marriage contract of a Muslim based on the Samin Kudus custom. Substantively, phenomena are objects of the sense of experience, namely something that is present in consciousness or natural objects and is an event that can be experienced.⁹ Based on the facts in the field, studies related to the Samin Kudus marriage contract show that the marriage contract that took place has undergone a shift, not just the marriage process in the form of *nyumuk*, *mbalesi gunem*, *ngendek*, and *paseksen*, but the background between the groom and the bride is very different. Of course, the practice of the marriage contract deserves to be studied more deeply; the harmonization of traditions is an alternative to avoid misunderstandings in understanding the phenomenon of the Samin traditional marriage contract amid the modernity of the people.

Based on the above phenomena, this research uses a qualitative method with a case study approach, which is empirical (field research). Research data was obtained from primary sources through observation, documentation, and interviews. The interview was taken from the information of the groom, the bride, the families of the bride and groom, traditional Samin leaders, village officials, and the local community in Karangrowo Village, Undaan District, Kudus Regency. Some informants' identities, upon request, will be written pseudonymously (not using their real names) to maintain confidentiality. In addition, secondary data sources are taken

⁶ Lailly Wahyuningrum Putri, "PERKAWINAN MASYARAKAT SAMIN DALAM PERSPEKTIF HUKUM ISLAM (Studi Kasus Di Dusun Bombong Desa Baturejo Kecamatan Sukolilo Kabupaten Pati Jawa Tengah)" (IAIN Ponorogo, 2019).

⁷ Rizal Arif Fitria, "Perkawinan Adat Suku Samin Analisa Sosiologi Hukum Di Bojonegoro" (UIN Sunan Ampel Surabaya, 2019).

⁸ Hartono (Samin figure of village Karangrowo), interview, 12 March 2021.

⁹ Yuni Masrifatin and Muh Barid Nizarudin Wajdi, "Islamic Studies Di Indonesia (Pendekatan Fenomenologi)," *Proceedings of Annual Conference for Muslim Scholars*, no. Series 1 (April 22, 2018): 531–38, <http://proceedings.kopertais4.or.id/index.php/ancoms/article/view/156>.

from several works of literature that are coherent with this research, namely studies around the world of Samin, the legal culture of the Samin people, and the codification of Samin teachings. In the last step, researchers conclude and analyze using descriptive techniques with Edmund Husserl's phenomenological theory.

Edmund Husserl's Phenomenological Concepts

Edmund Husserl was a philosopher born on April 8, 1859 AD, in Prosznitz, Moravia region of the Austro-Hungarian empire. His full name is Edmund Gustav Aibercht Husserl. Husserl's parents are from Israel; Adolf Abraham Husserl and Julie Husserl nee Selinger are from the middle class.¹⁰ Husserl's childhood enjoyed formal education at his birthplace, when he was nine years old, he moved in to Realgymnasium di Vienna, Austria. Husserl's childhood enjoyed a formal education in his homeland, and then when he was nine years old, he continued to the Realgymnasium in Vienna, Austria. As an adult (1876 AD), Husserl studied physics, mathematics, astronomy, and philosophy at the Universities of Leipzig, Berlin, and Vienna.¹¹ However, his interest in philosophy was tremendous from some of these studies. In addition, during his studies, Husserl was very close to a philosophy student named Thomas Masaryk, who admired Franz Brentano, a professor of philosophy and influential on Husserl's intellectuality in his time.¹²

Husserl specialized in the study of phenomenology during his career as a philosopher. Phenomenology is a branch of science that studies phenomena. The word "*phenomenology*" comes from the Greek word "*phainesthai*," which means to show or show oneself (to things themselves).¹³ Phenomenology is also known as "*phenomenon/phainomai*" in other literature, which means everything that appears or symptoms.¹⁴

The notion of phenomenology is not only entangled with the meaning of language, and broadly the term phenomenology has developed in its meaning. The term phenomenology was first introduced by J.H. Lambert (1764 AD) in the theory of sightings. This theory goes hand in hand with the theory of truth, logic, and semiotics.¹⁵ J.H. Lambert, at that time, was in line with Immanuel Kant, citing his writings Husain Insawan in his editorial Kant "nomena" is reality (das sein) beyond the reach of human consciousness so that humans can only see phenomena that already exist. Kant tried to classify between the sensory world and facts to prevent metaphysical errors.¹⁶ But since the existence of Edmund Husserl, phenomenology has moved into a

¹⁰ Donny Gahral Adian, *Pengantar Fenomenologi* (Penerbit Koekoesan, 2016).

¹¹ Mohammad Muslih et al., "Pengembangan Ilmu Sosial Model Fenomenologi Dan Hermeneutika," *Hermeneutika : Jurnal Hermeneutika* 7, no. 1 (May 31, 2021), <https://doi.org/10.30870/HERMENEUTIKA.V7I1.10160>.

¹² Imalia Dewi Asih, "Fenomenologi Husserl: Sebuah Cara 'Kembali Ke Fenomena,'" *Jurnal Keperawatan Indonesia* 9, no. 2 (April 24, 2005): 75–80, <https://doi.org/10.7454/JKI.V9I2.164>.

¹³ Husain Insawan, "Pendekatan Fenomenologis Dalam Studi Islam," accessed December 13, 2021, https://www.researchgate.net/profile/Husain-Insawan/publication/341243939_PENDEKATAN_FENOMENOLOGIS_DALAM_STUDI_ISLAM/links/5eb5574f92851cd50da1aa9f/PENDEKATAN-FENOMENOLOGIS-DALAM-STUDI-ISLAM.pdf.

¹⁴ Wisri Wisri and Abd. Mughni, "Paradigma Dasar Fenomenologis, Hermeneutika Dan Teori Kritis," *LISAN AL-HAL: Jurnal Pengembangan Pemikiran Dan Kebudayaan* 10, no. 1 (June 29, 2016): 5–20, <https://doi.org/10.35316/LISANALHAL.V10I1.109>.

¹⁵ Syahrudi Ramli, "Epistemologi Fenomenologik," *TARBAWI* 7, no. 01 (June 24, 2020), <http://journal.stitdarulhijrahmtp.ac.id/index.php/Jurnal/article/view/12>.

¹⁶ Insawan, "Pendekatan Fenomenologis Dalam Studi Islam."

philosophical method. Husserl said, phenomena can appear in the act of human consciousness, not just the experience of thinking.¹⁷ Therefore, scientifically phenomenology has two mirror meanings, namely first, something that appears outside the human mind; second, natural awareness (consciousness) that is in humans.¹⁸

The term phenomenology has been referred to as a big circle in continental philosophical culture since the time of Descartes, Kant, to Hegel, in bearing the term "thinking subject", meaning that phenomenology is placed as a methodology for obtaining authentic knowledge and valid events.¹⁹ According to George Ritzer, phenomenological theory focuses on the relationship between individuals and groups, as stated in the book entitled *A multiple paradigma of science*, which is translated by Alimandan that phenomenology pays attention to processes, changes, and developments in an action while still paying attention to reality or natural attitudes.²⁰ Furthermore, Michael Jibrael Rorong divides phenomenology into two important meanings, namely:²¹

1. *The science of phenomena as distinct from being*, where phenomena are present in consciousness and humans recognize that consciousness is a part of themselves.
2. *Devision of any science which describes and classifies its phenomena*, that it is possible to study a phenomenon from several points of view.

Many experts have different views in describing phenomenology, such as Hegel (1765 AD), the philosopher before Husserl who explained critical consciousness in his work *Phanomenologie des Geistes* (1807).²² This realization by Karl Americs in his book *The Cambridge Companion to German Idealism* referred to as the formation of social consciousness in human history, morals, law and knowledge.

Husserl divides phenomenology into three concepts, namely: *First*, phenomenological reduction (*epoche or bracketing*), namely placing objects naturally (*natural attitude*) and should (*sachen selbst*), by "blocking" or "unconnecting".²³ Term "*epoche*" comes from the Greek, means to delay judgment (*suspension of judgment*), or emptied of certain beliefs (*regardless of perception*).²⁴ From here, Husserl expects the concept of phenomenology that was initiated to be *the first philosophy* or philosophy that can be a solid foundation.²⁵

Although this reduction process is limited due to views, prejudices, and assumptions from reality, the process of *epoche* can be done continuously (*continue*) throughout the study and directs a researcher to postpone his assumptions, or beliefs about the phenomena that occur, because this stage deals with the data collected and analyzes the data. In addition, researchers can

¹⁷ Mhd Halkis, "Fenomenologi : Alternatif Pengembangan Ilmu," *Al-Fikra : Jurnal Ilmiah Keislaman* 14, no. 1 (September 14, 2017): 35–55, <https://doi.org/10.24014/AF.V14I1.3901>.

¹⁸ Yusroh Wahab, "Fenomenologi Di Persimpangan : Perdebatan Dalam Studi Islam," *Al-Misbah (Jurnal Islamic Studies)* 5, no. 1 (October 17, 2017): 81–99, <https://doi.org/10.26555/ALMISBAH.V5I1.168>.

¹⁹ Muhammad Farid, *Fenomenologi: Dalam Penelitian Ilmu Sosial* (Prenada Media, 2018).

²⁰ Isa Anshori, "Melacak State Of The Art Fenomenologi Dalam Kajian Ilmu-Ilmu Sosial," *Halaqa: Islamic Education Journal* 2, no. 2 (December 5, 2018): 165–81, <https://doi.org/10.21070/HALAQA.V2I2.1814>.

²¹ Michael Jibrael Rorong, *Fenomenologi* (Deepublish, 2020).

²² Moh Nadhir Mu'ammam, "Analisis Fenomenologi Terhadap Makna Dan Realita," *Jurnal Studi Agama Dan Masyarakat* 13, no. 1 (June 20, 2017): 120, <https://doi.org/10.23971/JSAM.V13I1.573>.

²³ M Sanusi, "Telaah Epistemologi Positivisme Dan Fenomenologi (Sebuah Perbandingan)," *Asketik: Jurnal Agama Dan Perubahan Sosial* 2, no. 1 (2018); Asih, "Fenomenologi Husserl: Sebuah Cara 'Kembali Ke Fenomena.'"

²⁴ Insawan, "Pendekatan Fenomenologis Dalam Studi Islam."

²⁵ Asih, "Fenomenologi Husserl: Sebuah Cara 'Kembali Ke Fenomena.'"

also conduct interviews with participants in order to obtain appropriate information. In general, phenomenological reduction is a process of exploration, analysis, and description to obtain a complete picture of the phenomenon.

Second, eidetic reduction, namely seeing the nature of the object without making judgments. This is done as an effort to explore natural phenomena. And the *third, transcendental* reduction, namely reducing the entire tradition of knowledge, existence, subject and object relations to an abstract nature. The point is that the phenomenon does not only deal with the individual, but rather the universal or general.

Discussion

Samin's History

Samin is attributed to a character named Samin Surosentiko. Samin Surosentiko was born in 1859 AD in Ploso Kedhiren Randublatung, Blora Regency, Central Java. He grew up in a simple family; his father was a farmer, but his great-grandfather was Kyai Ketu from Rajegwesi Bojonegoro, a descendant of Prince Kusumaning Ayu, also known as Kanjeng Pangeran Arya Kusumo Winihayu. Another name for Raden Mas Adipati Brotodiningrat is Raden Mas Adipati Brotodiningrat, who ruled in Sumoroto Regency in 1826 AD. Nevertheless, Sumoroto has become a small village in Ponorogo Regency, East Java.²⁶ Raden Mas Adipati Brotodiningrat has two children: Raden Ronggowirjodiningrat and Raden Surowijaya. Most Javanese people think of Samin as a "*trahing kusuma, rembesing madu, tutuning atapa, lan tedhaking andana warih*," meaning warrior blood, charismatic, hermit descent, and noble descent.²⁷

In the trajectory of his story, Samin Surosentiko began to spread teachings in the village of Klopohduwur Blora in 1890 AD with the term *sedulur sikep*, or known Saminism (Samin custom).²⁸ The humanist Mangunsaskoro revealed that the philosophy of Saminism had been declared dead a year after Indonesia's independence because the philosophy of Saminism was a social movement to expel the Dutch colonialists from Indonesia. However, until now, Saminism has spread in several areas, such as Blora, Bojonegoro, Pati, and Kudus. The teachings brought by Saminism are divided into two ideologies, namely mysticism; and Samin politics.²⁹

The notion of *kebatinan* is more often applied to the Samin established principles, one of which is *rabi siji selawase* (married once in a lifetime). Marriage is seen as a sacred and sacred tradition because it contains a bond between two people in forming a family. This principle then underlies the traditional process of Samin Kudus in implementing the marriage contract. Marriage contract practice (*ijab dan kabul*) is held using the Javanese language, adhering to the traditions of previous ancestors. Like the following example: "*Wit jeng nabi, kulo lanang bakal rabi tata jeneng wedok pengaran..... kukuh demen janji*", meaning that since the time of the Prophet, I (as the groom) wanted to marry a woman on behalf of.... promise to remain faithful.³⁰

²⁶ Heru Harjo Utomo, *Kahanan (Melongok Dari Yang Tak Pokok)* (Yogyakarta: Bintang Pustaka Madani, 2021), https://play.google.com/books/reader?id=GSQnEAAAQBAJ&pg=GBS.PA5&hl=en_GB.

²⁷ Mukodi and Burhanuddin, "Pendidikan Samin Surosentiko."

²⁸ Stefanus Laksanto Utomo, "Budaya Hukum Masyarakat Samin," 2013.

²⁹ Purwanti, *Tradisi Lisan Suku Samin Di Daerah Pedalaman Kabupaten Bojonegoro : Laporan Penelitian* (Universitas Airlangga, 2000).

³⁰ Hartono (Samin figure of village Karangrowo), interview, 13 March 2021.

The procession of the contract has been passed down from generation to generation. The idea of principle *kukuh janji* has the meaning of being faithful. The consequences for the groom who violates the oath are believed to be misfortune in the household.

The Samin Tradition in the Midst of the Modernity of the Ummah

Modernization is a term used to describe various aspects of modernity. Modernization is also defined as transforming a simple system of social life (traditional) into contemporary (complex). Modernization is possible due to the continuous progress of science and technology.³¹ Likewise, the reality of Samin customs through teachings passed down to their generations, in Javanese, is called "*rasa lan raga*," which means social interaction. An aspect of *rasa* is 'internal' teaching intended for Samin circles only, while the aspect of *raga* is a principle of life embodied in the attitude of (social life). This component of the body is described in an expression or teaching, as Hartono said³² (*pseudonym*) that is: "*saben tiyang kedah mbudidaya makarya, nyambut damel, sesrawungan kaliyan tiyang sanes, lan njagi moral*" meaning that everyone must try to work, work together, interact with others and maintain morale.

The character education taught by Samin consists of five components, all of which teach kindness, as described by Nyai Ayu³³ (*pseudonym*) as follows:

1. *Kudu Weruh*, meaning that one must understand what he has and not take advantage of the property of others unless it is known together.
2. *Lugu*, the meaning must be clear and unambiguous when entering into agreements, transactions, or agreements with other people.
3. *Mligi*, meaning that Samin's guidelines must be followed as evidence of adherence to the teachings.
4. *Rukun*, it means doing something nice for everyone.
5. *Rabi siji*, one must have one life partner.

The tradition of Samin Kudus in modern times has undergone a shift. One aspect is the reduced number of Samin adherents, as well as the emergence of discoveries in the form of perception, action, and creation of something that already exists (invention). The new findings include types of marriage, such as harmonization of traditions in the practice of marriage contracts based on the Samin Kudus custom.

Marriage Contract: Implementation and Procession

The contract is a series of wedding processions and must be carried out. In this study, the marriage contract based on the Samin Kudus custom is practiced by a Muslim man of Samin descent and a Muslim woman. The implementation of the marriage contract here includes several stages, as follows:

³¹ Ermyla Nita, "Pengaruh Modernisasi Terhadap Tradisi Beragama Masyarakat Islam Desa Karang Anyar Lampung Selatan" (UIN Raden Intan Lampung, 2020).

³² Hartono (Samin figure of village Karangrowo), interview, 16 March 2021.

³³ Nyai Ayu (Samin figure of village Karangrowo), interview, 16 March 2021.

The first stage, the process of *nyumuk*, is the presence of the groom's family at the bride's house with the intention of introduction, where this process is used to ensure that the bride does not have a partner (*legan*). According to Abdul³⁴ (*pseudonym*), The *nyumuk* process cannot be separated from the traditions of our ancestors and is always maintained to remain sustainable. Things discussed in the *nyumuk* process include, among others, family representatives from the groom's side asking questions such as whether the woman has been in a relationship with someone else or whether the woman's guardian is willing to arrange an arranged marriage and give up her child for marriage.

During the dialogue process between the groom and the bride's family, the bride is not allowed to participate. The bride is only allowed to hear the dialogue from inside the house. If the dialogue has obtained an agreement or agreement, then the results of the agreement are notified to the bride within a certain period. The provision of a time is intended so that the bride is not surprised to hear about the matchmaking, and the woman is given time to consider whether she accepts or rejects the matchmaking.³⁵

The second stage, *mbalesi gunem*, means answering the bride's family to the groom's family. *Mbalesi gunem* aims to provide answers to *nyumuk* stages. For example, if the question is whether they are still happy (do not have a life partner yet), then the woman can answer "not yet or already." Each response from the bride signifies its meaning. If the woman says "not yet," it means that she does not have a partner or is still single; on the other hand, if the woman says "already," it means rejection, so the groom cannot continue the matchmaking. Adi³⁶ (*pseudonym*) once said, "*mbalesi gunem iku lumrahe, kayadene wong Islam umume kang nindakake ijab, mung beda jenenge. Mbalesi gunem ateges pasrah, ing agama Islam ana istilah ijab, dene ing adat ijab diarani mbalesi gunem kang ateges menehi wangsulan minangka tandha pasrah (penganten putri marang kulawarga penganten kakung)*", This means that the answer process like this is generally done when someone wants to propose (engagement), as, in Islam, there is the term *ijab*, while in custom, *ijab* is termed *mbalesi gunem*, which means answering a sign of submission (the bride to the groom's family).

The bride's guardian carries out the *mbalesi gunem* stage by visiting the groom's house. However, the bride is allowed to be present at the groom's house. *Mbalesi gunem* is also called the *ijab* contract because the process occurs when the bride's guardian submits her child for marriage. Then after the *mbalesi gunem* process is complete, the bride's guardian is invited to return home and wait for a predetermined time, usually within one day to seven days, until it is time for the *ngendek* stage.³⁷

The third stage, *ngendek*, is binding a promise, in which the groom declares his intention to marry a woman who has gone through the *nyumuk* and *mbalesi gunem* process. *Ngendek* is not much different from *mbalesi gunem*, and it is just that the difference between the two can be seen from the contract. If *mbalesi gunem* is called an *ijab* contract, *ngendek* is called a *kabul* contract because the groom declares his marriage bond directly and gives a symbol in the form of a ring

³⁴ Abdul (the parent/guardian of the groom of village Karangrowo), interview, 17 March 2021.

³⁵ Abdul, interview.

³⁶ Adi (Head of village Karangrowo), interview, 19 March 2021.

³⁷ Adi, interview.

dowry to the woman. According to Hartono³⁸ (*pseudonym*), the groom must provide proof of the statement to the bride before the dowry is given. Like the following example: “*Anggonku mriki gadhah pengarep janji, rabi sepisan kanggo selawase kaleh anak pengaran...*” it means that my arrival here wants to convey a promise, marry once and for all with a child named ...”

The word "promise" in the dialogue means that someone has made an oath as a condition of the contract or bound himself for marriage. After the bride gives a statement, it is followed by handing over the ring dowry to the bride.³⁹ Then followed by a *seserahan* event⁴⁰ as thanks and gratitude.

The final stage, *paseksen*, means the testimony spoken by the groom in public, including the bride's family, traditional leaders, and the local community. This testimony is intended as proof that the groom has a marriage contract and proof of acceptance of the bride as a wife. There are no specific criteria set to be a witness in *paseksen*. However, according to Hartono⁴¹ (*pseudonym*), to be a witness one must be mature and reasonable (not crazy).

Based on the stages above, the groom puts tradition as an important series in marriage because it follows the customs of the previous ancestors. However, some people realize that the implementation of the marriage contract is felt to be lame, even though the groom has the status of a Muslim. This is because the marriage initiative based on the Samin custom is the first time it has been carried out so that there are public perceptions that think the marriage is strange. According to the groom's family, the wedding procession based on the Samin Kudus custom does not deviate from the rules because the tradition has been there for generations.⁴² Likewise the response of the bride's family, that the contract process is harmonized between the Samin and Islamic traditions so that in Islam it is said to be a *siri* marriage.⁴³ The time for the implementation of the marriage contract according to Samin custom is done at night. Abdul (*pseudonym*) said, “*miturut sipatane wong Samin, bengi iku luwih apik, merga yen bengi iku kanggo tatane wong, lan biso gawe tindak atur, yen rina kanggo tatane sandhang pangan*”, it means that according to Samin's habit, the night time is right to be used for resting and chatting with the family, while during the day it is more suitable for activities to earn a living”.⁴⁴ From this statement, the night is a relatively quiet time, so it can be used to carry out a dialogue such as a marriage contract.

Phenomenological Study of the Samin Kudus Marriage Contract

Phenomenology based on the explanation above can be constructed in the form of interpretation and seeks to describe phenomena as human life experiences. The phenomenon of the Samin Kudus marriage contract cannot be interpreted as merely a tradition, even though in reality there is a procession that is considered strange according to the community. Therefore, it takes

³⁸ Hartono (Samin figure of village Karangrowo), interview, 18 March 2021

³⁹ Yanto (an officer of village Karangrowo), interview, 14 March 2021.

⁴⁰ *Seserahan* or *hantaran* meant as an offering from the groom's family for the bride's family. See Agung Tri Nugroho, “Seserahan Dalam Perkawinan Masyarakat Adat Lampung,” *Sabda: Jurnal Kajian Kebudayaan* 14, no. 1 (November 26, 2019): 31–41, <https://doi.org/10.14710/SABDA.14.1.31-41>.

⁴¹ Hartono, interview, 18 March 2021

⁴² Abdul, interview.

⁴³ Agus (the parent/guardian of the bride of village Karangrowo), interview, 15 March 2021

⁴⁴ Abdul, interview.

reflection and explanation in every aspect so that there is no fatal inequality in understanding the traditions surrounding the Samin traditional marriage contract. During the research, the process of collecting data, facts or events that occurred certainly took into account the cultural values applied to the Samin Kudus community. Therefore, this study seeks to reveal the true truth with a phenomenological approach as a different perspective in responding to the reality of society regarding the practice of marriage contracts based on Samin customs.

The existence of the contract occupies an important position in marriage, a lot of literature states that the contract is classified as a condition and pillar of marriage, so that if the contract is not appropriate then the consequences return to the status of the marriage itself. However, with regard to this Samin custom, the marriage contract held is different from the general practice because the Samin Kudus marriage contract applies the traditional processions of *nyumuk*, *mbalesi gunem*, *ngendek* and *paseksen* as a form of harmonization of traditions in the reality of society. This shows that the practice of marriage contracts cannot be generalized from one area to another.

In reviewing the practice of the Samin traditional marriage contract, the researchers applied eidetic reduction to see the *nyumuk* (introduction) procession as the first step in establishing the emotional closeness of parents to the bride and groom, both men and women because in this procession parents are involved as conductors to introduce their children to each other. other. Emotional closeness is the key to the "trust" of others, creates a sense of mutual liking, sincerity to respect each other and fosters a sense of empathy. In practice, the *nyumuk* procession is not just an introduction, but an important dialogue between the groom's family and the bride's family to question status or ensure that the bride does not yet have a partner (*legan*). The *nyumuk* procession is present as "the science of phenomena as distinct from being" which is a phenomenon that is built on awareness (*verstehen*), and commonly grows in the Samin Kudus indigenous community. In addition to the *nyumuk* procession, there are other processions such as *mbalesi gunem* and *ngendek*. Where the two processions become the main symbol during the marriage contract. According to researchers, there are cross traditions by harmonizing customs and religion. If in general the marriage contract is carried out directly in one assembly, it is different from the Samin Kudus traditional marriage contract. Where the traditional procession shifts with the form of alignment, as well as acculturation of tradition. *Mbalesi gunem* is defined as an *ijab* contract and *ngendek* as a *kabul* contract. *Mbalesi gunem* is the process of responding from the bride's guardian to the groom's family. The purpose is to provide explanations and answers to *nyumuk* to the groom. *Mbalesi gunem* is said to be an *ijab* because the bride's guardian leaves her child to be married and serve as a wife for the groom. Uniquely, in this *mbalesi gunem* process the bride is not allowed to attend the dialogue directly, so the guardian must go home first to notify her child (the bride) that the consent has been carried out. After the *ijab* process is complete, the bride's family must wait for a period of one to seven days. Furthermore, the *ngendek* procession is also known as *kabul*, which is an expression of agreement or *ridho*.⁴⁵ In the Samin tradition, the bridegroom conveys the *kabul* by saying the "pledge of allegiance" as a symbol that the marriage has taken place.

⁴⁵ Departemen Pendidikan Nasional, *Kamus besar bahasa Indonesia Pusat Bahasa : Edisi Keempat*.

The procession above is basically a polemic, because the practice of the contract has a time period. Where in general, the marriage contract is held at one time (one assembly).⁴⁶ Starting from these problems, the researchers actually saw the *mbalesi gunem* and *ngendek* processions as an element of intentionality, which are faced as customary rules, where the practice of marriage contracts should be accepted, and harmonized with the customs of the local community. Objectively, the two processions have consequences for the community's point of view, because in understanding a (real) object, various perceptions can be generated depending on when one sees it, from what point of view, what is the background of events, and the synthesis of meaning made.⁴⁷

Furthermore, the last procession is *paseksen* (testimonial) as a means of proving before the family, traditional leaders and the local community of Karangrowo Village, Kudus Regency, that the groom has married a woman by giving a dowry ring and swearing a "pledge of allegiance", making the woman the only one, only spouse or a wife. Social construction and interaction between individuals and groups cannot be separated from a series of processes, especially in relation to Muslim marriage contracts based on the Samin Kudus custom. According to *transcendental* reduction, a phenomenon has a relationship with the public, this *paseksen* process actually leads to universality as a basis in building harmonization of traditions in the practice of marriage contracts, eliminating the possibility of negative perceptions, keeping away from slander and as a form of uncertainty.

In general, the harmonization of traditions between a Muslim who gets married based on the Samin Kudus custom is a new thing. Referring to the opinion of the people of Karangrowo Village, Kudus Regency⁴⁸, Usually the Samin Kudus custom is only applied to the Samin group itself, but it is different from the current phenomenon. The marriage contract was actually carried out by a man from the Samin group who had Muslim status, and married a woman who was a Muslim. It is very clear that the identity and background of the two are very different. In the opinion of the researcher, citing the opinion of the phenomenologist Martin Heidegger, "*das wesen des sein braucht das menschenwesen*", An event needs a living space and humans are reality itself.⁴⁹ The sustainability of the marriage contract has gone beyond tradition by including Samin customs in the wedding process. Phenomenologically, the marriage contract has the meaning of preserving culture without destroying the social order of society even though it is in a different background.

⁴⁶ Mukhlis Mukhlis, "Pembaharuan Hukum Perkawinan Di Indonesia," *ADLIYA: Jurnal Hukum Dan Kemanusiaan* 11, no. 1 (June 13, 2017): 59–78, <https://doi.org/10.15575/ADLIYA.V11I1.4852>.

⁴⁷ Amir Hamzah, "Metode Penelitian Fenomenologi," *Literasi Nusantara*, 2020.

⁴⁸ Based on an observation on the people of village Karangrowo, Kudus, 10 February 2021.

⁴⁹ Insawan, "Pendekatan Fenomenologis Dalam Studi Islam."

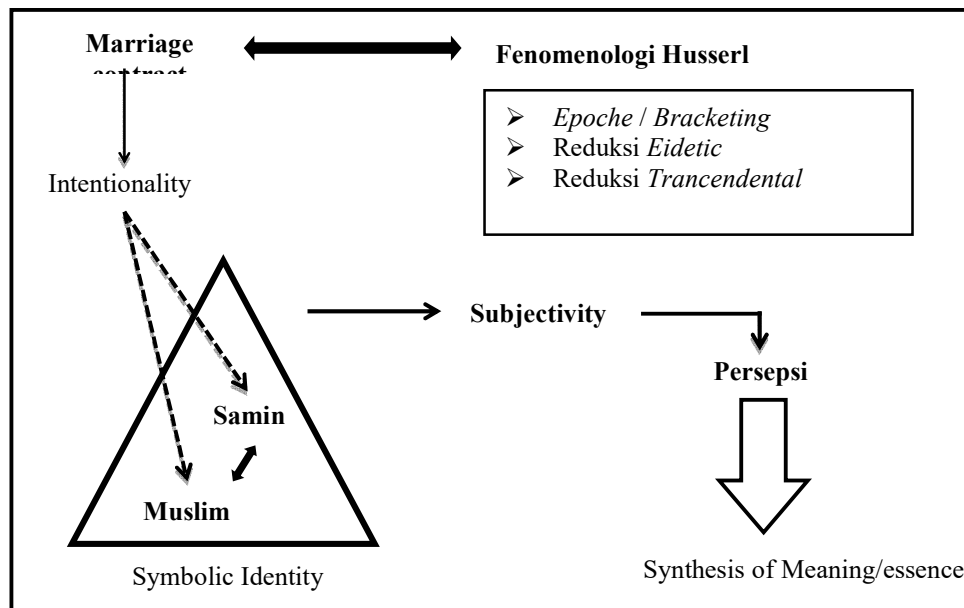


Chart 1. Phenomenological Construction of the Marriage Contract Based on the Samin Kudus Custom

The results of the research above (Chart 1) show that the marriage contract, which was carried out based on the Samin custom, is part of the acculturation of the tradition, where the procession of the marriage contract has been harmonized with the customs of the Samin community. The practice of the contract does not use the process as in Islam but uses the Samin traditional procession in the form of nyumuk, mbalesi gunem, ngendek, and paseksen. The empirical phenomenon in the practice of marriage contracts has undergone a shift. The existence of a marriage contract based on Samin customs can be evidence that a tradition can encourage someone to recognize diversity and difference.

Harmonization of traditions on the marriage contract between the groom as a child born to the Samin family (family's background) and the bride as a follower of Islam shows an actual existence. Where the practice of the marriage contract can be a mirror for other people as knowledge without having to claim that "tradition is bad." Thus, someone who wants to know tradition at least understands the concept of phenomenology by placing objects naturally (natural attitude) and should (*sachen selbst*). From this view, research related to the Samin Kudus marriage contract is very different from previous studies because this research does not only reveal the marriage contract alone but also solves the deadlock in public perception by revealing the true meaning in the procession of the Samin Kudus marriage contract so that the study of phenomenology This has reached a climax in responding to the reality of Samin customs amid the modernity of the people. Researchers have never encountered harmonization of traditions in marriage contracts based on Samin customs like this research.

Conclusion

Tradition can never be separated from the culture of the people who incidentally are indigenous peoples. Modernity will add an element of renewal to the tradition itself, as is the case with the

Samin Kudus custom. Currently, Muslim marriage contracts based on Samin customs are still scarce, considering this is a rare phenomenon. The striking difference from the Samin Kudus custom is the implementation of the marriage contract, which must go through several stages, including a) *Nyumuk* (the stage of introduction from the groom's family to the bride's family; b) *Mbalesi gunem* (the process of consent or answers submitted to answer questions during *nyumuk* and delivery of the bride to the groom); c) *Ngendek* (*Kabul* process or the groom declares his marriage bond by bringing a dowry ring as evidence; d) *Paseksen* (testimony spoken by the groom in front of his family, traditional leaders and the community).

In the study of phenomenology, the genuine truth of the phenomenon of Muslim marriage contracts based on the Samin Kudus custom can be revealed that the *nyumuk*, *mbalesi gunem*, *ngendek* and *paseksen* processions are a series of Samin customs that have undergone a shift, the marriage contract is entered into cross traditions, both for the groom as Samin descendants and Muslim brides. However, this context reveals the meaning and essence of a reality that develops in indigenous peoples by solving cultural problems in a phenomenological frame and declaring traditions amid the modernity of the people.

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