



AL-'ADL



journal homepage : ejournal.iainkendari.ac.id/al-adl

Marriage Implementation on The Muharram in The Islamic Law Perspective

Nurbaeti¹, Samsuddin²

¹Program Studi Ahwal Al-Syakhshiyah, Fakultas Syariah dan Hukum, Institut Agama Islam As'adiyah Sengkang, Indonesia

²Program Studi Ahwal Al-Syakhshiyah, Fakultas Syariah dan Hukum, Institut Agama Islam As'adiyah Sengkang, Indonesia

E-mail: nurbeti800@gmail.com, samsuddin8508@gmail.com

ARTICLE INFO

Article History:

Received: 2021-12-27

Accepted: 2022-11-09

Published: 2023-01-31

Keywords:

Cultural, Islamic Law, Marriage, Muharram

ABSTRACT

The implementation of marriage cannot be separated from the traditions that apply in a region. Abstinence from performing weddings in the Muharram month is one of the prevailing traditions in society. Month. This research was qualitative research with field research (field research) data collection techniques, the author holds direct observations, interviews, and documentation. Qualitative data are analysed in an inductive and deductive way. The results of the research showed that most of the society in Cenrana district of Bone Regency still believe that if there were marriage implementation on The Muharram, the people will have bad luck, their marriage will not be lasting and will be a calamity and people views about marriage implementation on the Muharram month in Cenrana District are not following Islamic law.

A. Introduction

The debate on the determination of good days in the community is that the majority of people still maintain their beliefs in teachings that have been passed down from each generation and/or become a comprehensive belief in a particular area. Regarding the determination of good days, Fahmi Gunawan reported that the majority of people still maintain the process of determining good days as a tradition before

carrying out activities. Sulfa Miftahu Rohmah and Ahmad Nurcholis analyzed the determination of the day that the practice is inseparable from the astrological approach that has developed in the community since long ago.¹ Determination of good days is the belief and belief of the community that it can provide benefits to the family and/or as a form of rejecting family misfortune.

Studies related to the determination of good days in the month of Muharram regarding the practice of marriage. Rismayanti and Juhrocin based on the view of Sadd ad-Dhariyyah that a person marrying in Muharram can that the community believes will be affected by calamity and/or danger.² Finding a good day for marriage is not separated from the aspect of astrology which studies the determination of days and weather in general.³ Sulfa Miftahu Rohmah and Ahmad Nur Cholis determination of good days is an aspect of community sociology related to an event both for the community in general and certain community groups towards their lives so that events are associated with daily life so that they become community beliefs.⁴ The belief regarding the determination of good days that people can choose the time that they think is good as long as there is no deviation from the determination.⁵ Thus, based on the study of the determination of the month of Muharram and the determination of good days in marriage practices, the majority of people still believe in these customs.

Therefore, the practice of implementing marriage in the month of Muharram is still a pro and con to the implementation. especially referring to previous research, most of which revealed that determining the good day is very important. Maryani, Supratman, and Lesmana suggest that the determination of good days has mathematical calculations related to determining the day of marriage.⁶ However, the

¹Zulfa Miftahu Rohmah Ahmad Nurcholis, "Penentuan Hari Baik Pernikahan Dengan Menggunakan Tataldalam Perspektif Sosiologi," *Al-Afkar, Journal for Islamic Studies* 5, no. 3 (2022): 110–31.

²Pebi Rismayanti and Udi Juhrocin, "Analisis Sadd'u Dzariah Tentang Larangan Melaksanakan Pernikahan Di Bulan Muharram Di Desa Linggar Kec. Rancaekek Kab. Bandung," *Jimmi* 2, no. 2 (2021): 22–40.

³E W Hary Candana et al., "Perbandingan Fuzzy Tsukamoto, Mamdini Dan Sugeno Dalam Penentuan Hari Baik Pernikahan Berdasarkan Wariga Menggunakan Confusion Matrix," *Jurnal Ilmu Komputer Indonesia (JIK)* 6, no. 2 (2021): 14–22.

⁴ Ahmad Nurcholis, "Penentuan Hari Baik Pernikahan Dengan Menggunakan Tataldalam Perspektif Sosiologi."

⁵Laelatul Jannah, Risma Sinaga, and Yusuf Perdana, "Pawukon Dalam Perhitungan Hari Baik Masyarakat Jawa Di Desa Tanjung Inten Kecamatan Purbolinggo Kabupaten Lampung Timur," *Jurnal Pendidikan Dan Penelitian Sejarah (Pesagi)* 4, no. 1 (2020): 12–31.

⁶Annisa Maryani, Supratman, and Depi Setialesmana, "Studi Etnomatematika Aktivitas Menghitung Hari Baik Dalam Pernikahan Masyarakat Kampung Adat Pulo," *Jurnal Penelitian*

determination of the good day is not explained in Islamic law, not always the practice of the community is contrary to the teachings of Islamic law and there is a conflict between the teachings. While the determination of good days including marriage that analyzes that the determination is made based on astological calculations and traditional understanding.⁷

The difference in determining good days is that the community was found to not want a wedding in the month of Muharram and there are community groups that do not care about certain days when carrying out activities and rituals. Saiful Munif Jazuli revealed that in Islamic law there is no prohibition on determining the day that the community thinks is good for carrying out activities (marriage). Likewise, the prohibition of determining the day is not found in the argument stating that the activity is contrary to Islamic law.⁸ Because, the determination of good days is a socio-astrological aspect of the community that they believe in so that these differences are only differences in habits and sociology of the community so that the practices of determining good days, especially the implementation of marriage in the month of Muharram, can be carried out and vice versa.

B. Method

This research used field research with direct observations in finding qualitative data by using survey methods. This research used case study research that examines in detail the individuals, groups, institutions or certain communities regarding the background, circumstances or conditions of the factors or interactions within them. Because this aims to provide an in-depth description of the community's habit of avoiding marriage in the Muharram month in the Cenrana District community, the method used to obtain data in this study is by observation, interviewing the society and documentation, namely a data collection process in the form of notes, transcripts, books, newspapers, inscriptions, meeting minutes, calendars, agendas and so on.

Pendidikan Dan Pengajaran Matematika 8, no. 1 (2022): 73–84, <https://doi.org/10.37058/jp3m.v8i1.4468>.

⁷Sukmawati, Rasywan Syarif, and Shippah Chotban, “Analisis Terhadap Hari Baik Dan Hari Buruk Dalam Sistem Penanggalan Kalender Suku Bugis Perspektif Ilmu Falak,” *Hisabuna* 3, no. 1 (2022): 1–16, <https://journal.uin-alauddin.ac.id/index.php/hisabuna/article/view/25030>.

⁸Saiful Munif Jazuli, “Tinjauan Hukum Islam Terhadap Langangan Menikah Pada Bulan Muharram Di Desa Dukuh Kecamatan Lembeyan Kabupaten Magetan,” *Fakultas Syariah* (Institut Agama Islam Negeri Ponorogo, 2017).

C. Finding and Discussion

1. Society Perception about Marriage Implementation on the Muharram Month

Some society in Cenrana District still care about determining auspicious days to carry out marriages. Like the Muharram month, this is ancestor tradition. Tradition refers to ancestral habits, which are then stored into stories or advice. Every society has a pattern of behavior, the pattern of society is influenced by the culture of the community itself. Especially in regulating human relations. Just like what is still being done in Cenrana District, there is a tradition about marriage implementation cannot to be held on Muharram month.

The researchers done observations in the form of interviews with several community leaders, religious leaders, and educational leaders, each of whom expressed their opinions regarding marriages implementation on the Muharram month. The following is the view or understanding of the community in responding to tradition about marriages implementation on the Muharram.

Muharram is a month that is highly avoided by the community to carry out marriages, because the Muharram month is believed by the community to be a bad month and when carrying out marriages in that month, disaster will occur in the marriage. As stated by Kasma, one of the community leaders in Nagauleng Village, said that:

My family for generations does not want to carry out marriages in the Muharram because there are many taboos in that month, and I am a victim of marriage in the Muharram month and I divorced with my husband as a result of my marriage in the Muharram month and going against my grandmother's words, so I always tell my children and grandchildren not to marry in that month.⁹

This was also experienced by Mrs. Timang's family from the Panyiwu Village Community. She told that there was a her family who got married in the Muharram and they also divorced in that month. In Muharram, many people get divorced because of this, Mrs. Timang really believes in the words or tradition of her ancestors so that all of Mrs. Timang's family do not carry out marriages in the Muharram, afraid that something will happen to her marriage later.

The statement above showed that on the Muharram month many people get divorced, but this assumption is not in accordance with the data obtained by the

⁹Personal communication with A. Kasma, Nagauleng Village Community Leaders, Cenrana Subdistrict, Bone Regency, August 15, 2021.

author from the Watampone religious court that this year the most divorces occurred in the month of Rajab, namely 113 cases, Jumadil Akhir 99, Jumadil awal 98, Dzulhijjah 97, Dzulkaidah 28 and while Muharram 85 cases, so it is not true if it is said that many people get divorced in the Muharram month, the people's opinion is just a myth and it is suspected that it was just a coincidence that they got divorced in the Muharram month. The existence of perceptions like the one above is just a suggestion, this happens because maybe something has happened before so it used as a benchmark, always held and believed in until in the end there is fear within society that makes them not want to do a marriage again in the Muharram month, but this comes back to us when events are considered good then they will be good too but when events are considered bad then they are bad too. This is the opinion expressed by Idrus Husain as an educator figure in Cenrana District.

The behavior of people who still hold firmly to believe their ancestors, everything that happens or that befalls in their household is associated with the Muharram month, starting from the occurrence of disputes, the family is not harmonious and even up to divorce. When this happens in the household, it is the result of being married in Muharram month. However, this was different from what was expressed by Hamzah, as a society member of the Pallae Village community, who argues that:

Just see that is better to carry out marriages in the Muharram month, because in my opinion that is just the thought of the ancestors who still carry Hindu teachings, meaning that animists believe in things like that who do not want to carry out marriages in the Muharram month, this perception occurred before the arrival of Islam. I think it's just a belief that doesn't exist in Islamic teachings, only people who don't understand this month have such beliefs, I personally do things that coincide on 1 Muharram and all the work I do on that day is successful and this it could be proof that it's just a false belief for people who understand.¹⁰

This is also in line with what was said by Ansar Azis as a resident of Cenrana Village who expressed his argument that:

In my opinion, there is no problem with carrying out marriages in the Muharram month, but in society there are other perceptions because they are not unfounded either, but he heard from our ulema that there are two things in the Muharram month that we often hear, many grieve during the Muharram month.

¹⁰Personal communication with H. Hamzah, Pallae Village Community Leaders, Cenrana Subdistrict, Bone Regency, August 13, 2021.

besides that, besides that in this month there were also many prophets who won luck or were saved at that time so that these two things had frightening news and happy tones. And people who don't understand well think that because of the many incidents in that month, they are afraid and anxious, and it has become a tradition not to choose the Muharram month.¹¹

Another view was shared by Mrs. Asia from the Pacubbe Village Community, who also did not want to carry out her wedding in the Muharram month, saying that she did not want to marry off her child in the Muharram month because of pamali, so she was afraid that their marriage would later be divorced.

The opinion above is in contrast to what was said by Mr. Anwar, a religious figure in Labotto Village, who revealed that carrying out marriages in the Muharram month is legal because determining the day or month is not included in the terms and pillars of marriage, so it is permissible, it's just that the community still believes in holding and honoring our ancestors, even though we know that all events are the will of Allah and that all months are equal and good.

Marriage is a worship and sunnah of the Prophet and is very important in human life, individuals, and groups by way of legal marriage, male and female association. The same thing was also said by Jabbar mam Desa Awang Cenrana says:

The Muharram month is a good month as it is said in the Qur'an that the Muharram month is a holy month, a glorious month. It should be good to have a wedding this month and isn't marriage a worship, something that Allah likes and is a sunnah of the Prophet. So, there is no prohibition for that. However, there is a tradition of not wanting to get married in the Muharram month, that is the custom of our ancestors. And it all comes back to us whether we believe it or not, to respond to something we must be smart and there must be a foundation and evidence. Do not let what we do is an act that Allah hates or shirk.¹²

Another opinion said by Muliati, a community member of Panyiwi Village, is that it is not permissible to marry in the Muharram month because people used to forbid us from carrying out marriages in that month, but we don't know exactly why our parents used to forbid it, basically people said it was taboo and not good.

¹¹Personal communication with, Abd. Jabbar, Awang Cenrana Village Imam, Cenrana Subdistrict, Bone Regency, August 17 2021

¹²Personal communication with Masuleng, Community Leader of Kampung Baru Hamlet, Pacubbe Village, Cenrana Subdistrict, Bone Regency, August 16 2021

Tradition is a habit that is repeated in the same way in society. This custom is a form of cultural and historical heritage which is usually passed down from ancestors and will still be carried out by people who believe and do not want to violate the customs of their ancestors. Not holding a wedding in the Muharram month is one of the habits that is still often carried out by the community and is still believed to be, this was said by Saheri as a community in Watu Village that weddings in the Muharram month are avoided by the community because this has become a custom or tradition that develops in society which if violated later something bad will happen, this habit has been around for a long time and is still believed by the community. The Muharram month is also believed to be a sacred month, it is not clear what causes it, it's just that people often say "

The same statement was also conveyed by Masuleng, a resident of Pacubbe Baru Village that:

It is better not to carry out marriages in the Muharram month because the Muharram month is not a good month, from its name alone Muharram means what is forbidden so it is not permissible, besides there are many other months which can be used as a good time to carry out a marriage. Because in this village there was once an incident of carrying out a wedding in the Muharram month, when approaching the wedding reception things happened that were not wanted, the child had an accident, and because of that the community believed the incident was due to the time of the wedding in the Muharram month.¹³

From the statement above, there is a perception of the people in Kampung Baru Hamlet, Pacubbe Village who really believe in and adhere to the tradition of not carrying out marriages and should look for another month because if they break this tradition, then the perpetrator will experience disaster. As experienced by one of the people in the village who was associated with getting married in the Muharram month.

However, it is different from what the religious leaders in the village said about the implementation of marriages in the Muharram month. Mustafa's opinion disagrees with the belief that the Muharram month is a month full of negative myths. Following are his words:

In Islam, there is no such thing as a bad day or a bad month. Basically, all days or months are good. All bad luck or calamity has been determined and outlined by Allah SWT. As Muslims, we believe in God's provisions, so we leave everything to God. Isn't there no explanation in the Qur'an about the prohibition of getting married in the Muharram month? Likewise related to the myth of the

¹³Personal communication with, Mustafa, Religious Leader of Kampung Baru Hamlet, Pacubbe Village, Cenrana Sub-District, Bone Regency, Agust 16 2021

Muharram month which the community believes is a sacred or sacred month, contrary to Islamic teachings. We may hold on to custom, but if it plunges us into polytheism, it will harm ourselves.¹⁴

From the explanation above, there is a view that believing in the belief of not carrying out marriages in the Muharram month is incorrect because there is no evidence for this problem in the Qur'an and hadith and everything has been arranged by Allah, be it destiny or calamity.

The above is also in line with what was said by a married couple in the Muharram month from Ujung Tanah Village, this food said they did not believe in such beliefs according to them it only applies to our parents first but this couple still married in the Muharram month because they believe everything has been arranged by God, and the proof is that until now their marriage is fine and they have been blessed with 2 children.

An educational figure in Pallae Village also commented on the implementation in the Muharram month, Musabiha is of the view that what is prohibited from being carried out in the Muharram month is only fighting unless it is permissible and regarding the months that marriage is not permissible, it is just a tradition, even as it is known that the Muharram month has an important history, namely the rescue of the prophet Musa as. from the Pharaohs and in this month, it is also sunnah to fast on 10 Muharram and it is highly recommended to worship because the rewards you will get will be multiplied, so this month of Muharram is a good month, so it is very illogical if the Muharram month is considered a bad month, especially in matters religious marriage.

Another opinion that the author also got from the statement of Saleha, a resident of Pallae Village, said that for her not all days in the Muharram month could not be married, it's just that on 1 Muharram she could not carry out any events or activities because she said day numbered Muharram and in 1 Muharram falls on Tuesday which according to Saleha has a bad meaning. This opinion is in line with what was said by Mommi, a resident of Nagauleng Village said:

Weddings on the Muharram month may be carried out when it does not coincide with the 1st of Muharram because I personally do not want to carry out all activities on the day that coincides with the 1st of Muharram, as this year falls on a Tuesday, for the next 1 year I do not want to carry out various events either marriage, traveling far away, starting a job, moving house all activities on Tuesday cannot be done because 1 Muharram is not good, because our ancestors used to tell stories that there was a war between Muslims and infidels

¹⁴Personal communication with, Mommi, Community Leader of Nagauleng Village, Cenrana Subdistrict, Bone Regency, August 15 2021

and at that time Islam was defeated, that's where the ancestors banned This happened.¹⁵

A belief in myths which is widely spread in society, namely tathayyur (considering bad luck for something). This is mostly done by the community regarding the implementation of marriages in the Muharram month where if married in this month it will have a negative impact on their marriage and this is related to the Muharram month. this was conveyed by Nasaruddin as a religious figure in the village. Following is his description:

In my opinion, people who believe in this believe that the Muharram month is the hot month, so this is the reason for them to discourage marriage in the Muharram month because they are worried that their marriage will not be happy so they cannot achieve happy, loving and cooperation. This case is the same as they are Tathayyur, meaning they are linking bad luck, for example, if their child gets married in the Muharram month then things happen that are not desired in their marriage, they always assume that it is because of the Muharram month, this should not be done because it is the same as we believe in something other than Allah. Nothing happens in this world without the will of Allah.¹⁶

Likewise, what was said by Muhammad Sabir as an educational figure in Nagauleng Village was of the opinion that there was indeed a habit of the people not wanting to hold weddings in the Muharram month, and in reality there were indeed less people getting married this month, for example in Nagauleng Village this custom was still done so far. one of their reasons is because they are considered as *pamali* and this is an ancestral custom that is still developing in society, but actually this is not true it's just that people lack understanding of this they only know they shouldn't but don't see from the good side of the Muharram month itself, where we see that the Muharram month is the Islamic New Year. While marriage itself is something highly recommended by the Prophet.

From the several opinions above, the writer can conclude that after the writer conducted interviews with the community in Cenrana Subdistrict, most of the people in Cenrana Subdistrict were still strong with the habit of not wanting to carry out marriages in the Muharram month. Even though they don't know the exact underlying reasons why their parents didn't want to get married in the Muharram month, people understand that the Muharram month is a hot month, a bad month and a sacred month that will bring disaster to those who get married in

¹⁵Personal communication with, Mommi, Community Leader of Nagauleng Village, Cenrana Subdistrict, Bone Regency, Agust 15 2021

¹⁶Personal communication with, Naseruddin, Religious leader of Pallae Village, Cenrana Subdistrict, Bone Regency, Agust 13 2021

that month. The above is supported by data that the authors obtained from the Office of Religious Affairs (KUA) in Cenrana District, Bone Regency. That there are only 3 wedding events in the Muharram month this year. So it can be said that very few people are getting married in the Muharram month compared to other months.

2. Islamic Law Perspective about Marriage Implementation on the Muharram Mont in Cenrana District

The people of Cenrana District, Bone Regency, are a sub-district whose entire population is Muslim. However, most people when they are going to carry out a wedding still choose a good day, month, and year to hold a wedding. This is done so that the bride and groom in their marriage run smoothly and are kept away from disaster. It's the same with the custom of the people not wanting to marry off their children in the Muharram month because the Muharram month is seen by the community as a bad month which if someone marries in that month will get unwanted trials or misfortunes in their marriage. All disasters that occur in human life have been determined by Allah SWT, not due to other causes such as time, humans or other creatures. As the Word of Allah SWT in Q.S. Al-Baqarah: 170.

وَإِذَا قِيلَ لَهُمُ اتَّبِعُوا مَا أَنْزَلَ اللَّهُ قَالُوا إِن نَّبِيعٌ مَّا آفَيْنَا عَلَيْهِ ؕ أَمْ ءَاءَنَا ؕ أَوْ لَوْ كَانَ
 ؕ أَوْ هُمْ لَا يَعْمَلُونَ شَيْئًا وَلَا يَهْتَدُونَ

Translation:

When it is said to them, "Follow what Allah has revealed," they reply, "No! We only follow what we found our forefathers practicing." Would they still do so, even if their forefathers had absolutely no understanding or guidance?¹⁷

According to the interpretation of the Quraish Shihab verse above, it is explained that people who deviate from the path of truth are used to holding fast to the beliefs and traditions left by their fathers. They, when invited to accept the teachings contained in God's guidance, said, "We will not leave what we inherited from our fathers." It is truly an utter folly if someone is willing to follow the traditions and legacy of their ancestors by putting aside obedience and obeying God's commands, because in fact their fathers did not understand religion in the least and enlightened themselves with the light of faith and guidance.¹⁸

¹⁷ Kemenag, *Kementrian Agama RI, Al-Qur'an Dan Terjemahannya*, 6th ed. (Bandung: CV Penerbit Diponegoro, 2020).p. 46.

¹⁸ "Tafsir Surah Al-Baqarah Ayat 170," n.d., <https://tafsirq.com/2-al-baqarah/ayat-170#tafsir-quraish-shihab> diakses pada 13 Desember 2022.

Everything that happens in human life is the will of the creator, everything has been determined by Allah SWT. As in his words in QS. Al Hadid: 22:

مَا أَصَابَ مِنْ مُصِيبَةٍ فِي الْأَرْضِ وَلَا فِي أَنْفُسِكُمْ إِلَّا فِي كِتَابٍ مِّن قَبْلِ أَنْ نَبْرَأَهَا إِنَّ ذَلِكَ عَلَى اللَّهِ يَسِيرٌ

Translation:

“No disaster strikes upon the earth or among yourselves except that it is in a register before We bring it into being – indeed that, for Allah, is easy”¹⁹

In Islam the Muharram month is seen as a glorified month. This is as contained in Q.S. At-Taubah verse 36. In this verse there are four months that are glorified, namely Dzulkaidah, Dzulhijjah, Muharram, and Rajab. But this does not mean that the other months are not good because all months belong to Allah and all are good months and we can do all the hajjat at any time.

Regarding carrying out marriages in the Muharram month it is not a problem, because notabane Asyharul Khurum in Asbab an-Nuzul Q.S. At-Taubah: 36 namely in a people it is forbidden to wage war. Those four months, three in a row and one alone is Zul-Qo'dah, because at that time they stop fighting. And it is forbidden in the month of Dzulhijjah, because at that time they carry out the pilgrimage. And after the month of Dzulhijjah is Muharram it is forbidden, that is so they can return to their country safely. Rajab who is in the middle of the year to make it easier for those on the outskirts of the Arabian Peninsula, if they want to perform Umrah or pilgrimage to Baitullah. They can do so and return to their country safely.²⁰

The four months that Allah is obligated to respect. In that fourth month, Allah forbids war from them mutawatir, be it in the form of words or deeds, although sometimes they damage because they follow their desires. The four months are Dzulkaidah, Dzulhijjah, Muharram, while those the other one is Rajab.²¹

In the case of marriage, it may be done at any time. There are no certain days or months or even years that are prohibited from carrying out marriages. In Islamic Sya'riat there is no text that discusses a certain time to carry out marriage, both from the Qur'an and Hadith. Because basically all times are good for carrying out a marriage, there is no recommendation for a certain day and

¹⁹ Departemen Agama Republik, *Al-Qur'an Dan Terjemahnya* (Jakarta: Kementerian Agama RI Diterbitkan, 1971), <https://archive.org/details/alqurandanterjemahnya/page/n9/mode/2up>.

²⁰ Ibnu Kasir, *Tafsir Al-Qur'anul A'zim*, ed. 3 (Lebanon: Beirut, Dar al-Fik, 1986). p. 403.

²¹ Ahmad Mustafa Al-Maragi, *Al-Maragi Dalam Terjemah Departemen Agama RI* (Semarang: Toha Putra, 2012). p. 150.

there is no prohibition on a certain day.²² In fact, marriage is a matter of worship which is highly recommended by Rasulullah SAW. as in a hadith:

يَا مَعْشَرَ الشَّبَابِ عَلَيْكُمْ الْبَاءَ فَإِنَّهُ أَغْضُ لِلْبَصْرِ وَأَحْصَنُ لِلْفَرْجِ فَمَنْ
لَمْ يَسْتَطِعْ مِنْكُمْ الْبَاءَ فَعَلَيْهِ الصَّوْمُ فَإِنَّ الصَّوْمَ وَجَاءَ لَهُ

Translation:

“O young men, whoever among you can afford it, let him get married, for it is more effective in lowering the gaze and guarding one's chastity. Whoever cannot afford it, let him fast, for it will diminish his desire.”²³

From the above hadith it can be concluded that marriage does not determine the time of day, month and year to carry it out. If there is someone who wants to get married and is able physically and mentally, then he is obliged to get married immediately, but if they are not able to then fast. Whereas what happened to the people of Cenrana Subdistrict who did not carry out or avoid carrying out marriages in the Muharram month.

Humans are in their evolution when they reach the stage of achieving their perfect consciousness, since then humans need an explanation regarding the puzzle of their existence in the world and their environment. From the experiences experienced, humans feel that they themselves and their environment are full of mysteries that are difficult to explain. because the human intellect does not have enough tools and is not experienced in solving these mysteries.²⁵ Their answer is that they believe in myths due to the influence of animism and dynamism so that this causes them to be afraid to hold a wedding in the Muharram month. The community believes myths are limited to following along in accordance with the traditions that are running in place. This belief is born from ancestors or elders who are continuously passed on to their children. generations after. This myth has developed until now, even though this matter cannot be scientifically justified at all, they have already been contaminated with superstitions, only those who can accept and believe it.

'Urf and habits can be said to have the same meaning according to the definition of Ibn Majah in "Syarih al-Mugni" is an understanding that exists in people's souls in the form of recurring things that can be accepted by common sense. There are two kinds of customs, the first are general habits, namely habits that are adhered to by all the people of a nation regarding actions that are

²² Samsurijal, *Pernikahan Menurut Islam* (Jawa Barat: Adanu Abimata, 2020). p. 6.

²³ Muhammad bin Isa Abu Isa at Tirmidzi as Dulami, *Keutamaan Menikah Dan Motivasi Hadits Ke 1081*, 3rd ed. (Daarul Ihya at Turats al Araby, n.d.). p. 293.

muamalat, the second are specific ones, namely those that are adhered to by a group of people or only a part of a country.²⁴

In terms of good and bad, this 'urf is divided into 2 parts, namely: a) 'urfshahihis a habit that is repeated, accepted by many people and does not conflict with religion and manners. It does not justify what is unlawful and does not cancel what is obligatory. b) 'urffasidis a habit that is carried out by people and is contrary to Islamic law, namely to justify what is unlawful and cancel what is obligatory.

Urf which can be used as an argument in determining a syara' law contained in society must meet several conditions, namely: a) The 'urf that is implemented is 'urf that does not conflict with the Qur'an and Sunnah, b) 'urf is general, c) The urf made in establishing the law must already be valid, d) urf must contain benefits and be able to be accepted by common sense.²⁵

Related to people who, if they want to get married by looking for or choosing a certain day, basically it is legal to do so. What is of concern is the motivation, if in determining the day because of the calculation of benefit, for example choosing holidays, namely Sundays, so that guests invitations can attend or the family is not busy on that day, then things like this are good or okay. Likewise, choosing certain months because of their benefit. But when determining days, months or years with reasons because of beliefs that time has sacred values, is not good and can bring disaster. Or other beliefs that smell of shirk, then this is not justified. Because Islam prohibits superstition and shirk. And in fact what determines good and bad luck is Allah SWT.

So, in Islamic law there is no argument or explanation regarding the recommendation or prohibition to marry at certain times. So that marriage can be done at any time if the marriage fulfills the pillars and conditions of marriage and has a good purpose solely to worship Allah SWT.

D. Conclusion

Public views regarding the implementation of marriages in the Muharrammonth, most people said that the Muharram month is not good for carrying out marriages because someone who marries in the Muharram month will experience unwanted disasters in their household. The factors that cause most people to be afraid of carrying out marriages in the Muharram month are the lack of public knowledge,

²⁴ Muhtar Yahya and Faturrahman, *Dasar-Dasar Pembinaan Hukum Islam* ((Bandung: al-Ma'arif, 1988). p. 23.

²⁵ Amir Syarifuddin, *Ushul Fiqh Jilid 2* (jakarta: Logos, 1999). p.368.

in this case the lack of understanding about the Muharram month because most of them just continue the ancestral traditions. religious. The public view about marriage implementation on the Muharram month in Cenrana District is not in accordance with Islamic law, because according to Sya'ra law marriage can be performed at any time, there is no time that is prohibited as long as it fulfills the pillars and conditions of marriage.

Reference

- Ahmad Nurcholis, Zulfa Miftahu Rohmah. "Penentuan Hari Baik Pernikahan Dengan Menggunakan Tata dalam Perspektif Sosiologi." *Al-Afkar, Journal for Islamic Studies* 5, no. 3 (2022): 110–31.
- Departemen Agama Republik RI. *Al-Qur'an Dan Terjemahnya*. Jakarta: Kementerian Agama RI Diterbitkan, 1971. <https://archive.org/details/alqurandanterjemahnya/page/n9/mode/2up>.
- Dulami, Muhammad bin Isa Abu Isa at Tirmidzi as. *Keutamaan Menikah Dan Motivasi Hadits Ke 1081*. 3rd ed. Daarul Ihya at Turats al Araby, n.d.
- Hary Candana, E W, I Gede, Aris Gunadi, and D G H Divayana. "Perbandingan Fuzzy Tsukamoto, Mamdini Dan Sugeno Dalam Penentuan Hari Baik Pernikahan Berdasarkan Wariga Menggunakan Confusion Matrix." *Jurnal Ilmu Komputer Indonesia (JIK)* 6, no. 2 (2021): 14–22.
- Jannah, Laelatul, Risma Sinaga, and Yusuf Perdana. "Pawukon Dalam Perhitungan Hari Baik Masyarakat Jawa Di Desa Tanjung Inten Kecamatan Purbolinggo Kabupaten Lampung Timur." *Jurnal Pendidikan Dan Penelitian Sejarah (Pesagi)* 4, no. 1 (2020): 12–31.
- Jazuli, saiful Munif. "Tinjauan Hukum Islam Terhadap Langangan Menikah Pada Bulan Muharram Di Desa Dukuh Kecamatan Lembeyan Kabupaten Magetan." *Fakultas Syariah*. Institut Agama Islam Negeri Ponorogo, 2017. <https://ejournal.poltektegal.ac.id/index.php/siklus/article/view/298%0Ahttp://repositorio.unan.edu.ni/2986/1/5624.pdf%0Ahttp://dx.doi.org/10.1016/j.jana.2015.10.005%0Ahttp://www.biomedcentral.com/1471-2458/12/58%0Ahttp://ovidsp.ovid.com/ovidweb.cgi?T=JS&P>.
- Kasir, Ibnu. *Tafsir Al- Qur'anul A'dzim*. Edited by 3. Lebanon: Beirut, Dar al-Fik, 1986.
- Kemenag. *Kementerian Agama RI, Al-Qur'an Dan Terjemahnya*. 6th ed. Bandung: CV Penerbit Diponegoro, 2020.
- Maragi, Ahmad Mustafa Al-. *Al-Maragi Dalam Terjemah Departemen Agama RI*. Semarang: Toha Putra, 2012.
- Maryani, Annisa, Supratman, and Depi Setialesmana. "Studi Etnomatematika Aktivitas Menghitung Hari Baik Dalam Pernikahan Masyarakat Kampung Adat Pulo." *Jurnal Penelitian Pendidikan Dan Pengajaran Matematika* 8, no. 1 (2022): 73–84. <https://doi.org/10.37058/jp3m.v8i1.4468>.

- Rismayanti, Pebi, and Udi Juhrocin. "Analisis Sadd'u Dzariah Tentang Larangan Melaksanakan Pernikahan Di Bulan Muharram Di Desa Linggar Kec. Rancaekek Kab. Bandung." *Jimmi 2*, no. 2 (2021): 22–40.
- Samsurijal. *Pernikahan Menurut Islam*. Jawa Barat: Adanu Abimata, 2020.
- Sukmawati, Rasywan Syarif, and Shippah Chotban. "Analisis Terhadap Hari Baik Dan Hari Buruk Dalam Sistem Penanggalan Kalender Suku Bugis Perspektif Ilmu Falak." *Hisabuna 3*, no. 1 (2022): 1–16. <https://journal.uin-alauddin.ac.id/index.php/hisabuna/article/view/25030>.
- Syarifuddin, Amir. *Ushul Fiqh Jilid 2*. Jakarta: Logos, 1999.
- "Tafsir Surah Al-Baqarah Ayat 170," n.d. <https://tafsirq.com/2-al-baqarah/ayat-170#tafsir-quraish-shihab> diakses pada 13 Desember 2022.
- Yahya, Muhtar, and Faturrahman. *Dasar-Dasar Pembinaan Hukum Islam*. (Bandung: al-Ma'arif, 1988.