

## Prohibition of *lutah darah* marriage according to 'urf: A case study on the community of Deling Village, Sekar District, Bojonegoro Regency

Ririn Fauziyah<sup>1\*</sup>, Agus Sholahudin Shidiq<sup>2</sup>

<sup>1,2</sup>Universitas Nahdlatul Ulama Sunan Giri Bojonegoro, Indonesia

e-mail: [shonafauziyah@gmail.com](mailto:shonafauziyah@gmail.com)

\*Corresponding Author.

Received: 11 January 2025; Revised: 23 January 2025; Accepted: 31 January 2025

**Abstract:** The prohibition of *lutah darah* marriage is a cultural practice preserved by the Deling Village community in Sekar District, Bojonegoro Regency, which forbids marriage involving routes that pass through the father's birthplace. This research explores the relevance of this prohibition in the context of Islamic law and its classification as al-'urf al-sahih or al-'urf al-fasid. The study aims to analyze the legitimacy of this custom as a legal basis in Islamic jurisprudence and its implications for social harmony. A qualitative descriptive method was employed, involving interviews with local traditional leaders, observations of community practices, and analysis of secondary sources. The findings indicate that the *lutah darah* prohibition meets the criteria of al-'urf al-sahih, as it aligns with Islamic legal principles, does not contradict the nass, and has been practiced consistently to prevent perceived familial and social disharmony. This study concludes that the custom reflects a form of localized Islamic jurisprudence that accommodates societal traditions while upholding the objectives of maqasid al-shari'ah..

**Keywords:** *Lutah darah*, al-'urf al-sahih, islamic law

**How to Cite:** Fauziyah, R., Shidiq, A., S. (2025). Prohibition of *lutah darah* marriage according to 'urf: A case study on the community of Deling Village, Sekar District, Bojonegoro Regency. *Asy-Syariah: Jurnal Hukum Islam*, 11 (1), 96-104. <https://doi.org/10.55210/assyariah.v11i1.1994>

### Introduction

Marriage is a very important divine law in human life. In Islam, marriage is not only considered a form of worship but also a means to maintain honor, lineage, and harmony in society (Ahmad Agung Setya Budi, 2023). However, in various local communities, including in Deling Village, Sekar District, Bojonegoro Regency, there are unique traditions that have become part of the local social norms and customs. One of these traditions is the marriage prohibition known as "*lutah darah*."

The prohibition of *lutah darah* is a belief that forbids someone from marrying a partner whose village is located between the village where the groom's father was born. This tradition is believed by the people of Deling Village as an effort to avoid calamities or dangers in household life. Although this tradition has been passed down through generations, its relevance in the context of Islamic law needs to be further examined to understand whether this tradition can be categorized as 'urf sahih or 'urf fasid.

In Islamic law, 'urf or community customs play an important role in determining the law as long as they do not contradict Sharia (Daryanti & Nurjannah, 2021). The Qur'an and Hadith recognize the value of local traditions as long as those traditions do not violate Islamic principles (Desmuliati et al., 2025). Scholars such as Al-Qarafi and Ibn Taimiyyah have discussed the importance of 'urf as a secondary source of law that can be considered in the formulation of Islamic law (Nurdin et al., 2022). Therefore, it is important to analyze the tradition of the prohibition of blood spitting in the perspective of 'urf to determine its validity in Islam.

This research discusses the prohibition of customary marriage from the perspective of 'urf, a study often used to analyze the traditions or habits of society within the context of Islamic law. Several previous studies have been conducted on similar themes. Amelia Safitri Istiningtyas's research discusses the tradition of the *mlumah murep* marriage prohibition in Javanese customs in Crabak Village, Ponorogo. This research discusses the "*mlumah murep*" tradition, which prohibits marriage when the

prospective bride or groom has a sibling who is already married and living in a specific house position. This study analyzes the tradition from the perspective of 'urf and Islamic law (Istiningtyas, 2020). Wibowo's research focuses on the prohibition of marriage in the month of Muharram within the Ketonggo community, Ponorogo. This research examines the community's adherence to the prohibition of marriage in the month of Muharram and analyzes it from the perspective of 'urf. This study highlights the factors influencing such adherence and its relevance to Islamic law (Wibowo, 2019). Siti Lathifah's research analyzes the prohibition of inter-village marriages in Pati Regency from the perspective of 'urf. This research examines the prohibition of marriage between two villages and analyzes it from the perspective of 'urf. This study explores the views of the local community and the compatibility of the tradition with the principles of Islamic law (Lathifah, 2021). These three studies show that traditional marriage customs often attract attention in Islamic studies because they are closely related to cultural values and sharia law.

Although this research shares similarities in using the 'urf perspective to analyze traditional marriage customs, there are several unique and significant differences that give this study its novelty: First, this research focuses on the prohibition of bloodline marriage customs in Deling Village, Sekar, Bojonegoro. This tradition has a unique pattern, namely the prohibition of marrying someone from a neighboring village that crosses the birthplace of the groom's father, which has not been extensively studied in previous literature. Second, this research provides an in-depth analysis of the applicable classifications of 'urf (al-'urf al-khass, al-'urf al-'amali, and al-'urf al-sahih), while also linking this tradition to Islamic legal criteria. This approach not only explains tradition as a cultural phenomenon but also comprehensively assesses whether the tradition aligns with Islamic law. Third, this research emphasizes the aspect of community caution in avoiding molo (disaster) that is believed to occur if the tradition is violated. This makes the research more contextual as it links the understanding of customs with aspects of benefit (maslahah) and efforts to minimize harm (mafsadah), which have not been extensively discussed in previous studies.

Based on previous research presentations, it can be concluded that traditional marriage customs in various regions have unique diversities and are often analyzed using the perspective of 'urf to assess their conformity with Islamic law (Moh. Teguh Prasetyo, 2023). However, the tradition of prohibiting *lutah darah* marriage in Deling Village, Sekar, Bojonegoro, has never been the main focus in previous academic studies. Therefore, this research is expected to fill the gap in the literature related to this phenomenon and provide a more comprehensive analysis. The purpose of this research is to analyze the tradition of prohibiting *lutah darah* marriages in Deling Village, Sekar District, Bojonegoro Regency, from the perspective of 'urf, and to determine whether this tradition aligns with the principles of Islamic law. This research also aims to identify the social and cultural implications of this tradition on the local community.

### Method

This research is a field study relevant for examining social phenomena such as the prohibition of *lutah darah* marriages, as it requires empirical data obtained directly from the community of Deling Village (Weyant, 2022). This research uses qualitative methods aimed at understanding social phenomena and local traditions related to the prohibition of *lutah darah* marriages from the perspective of the community and 'urf (Moleong, 2020). his research was conducted directly at the research location, namely the community of Deling Village, Sekar District, Bojonegoro Regency. The data sources used in the study include primary data sources and secondary data sources. Primary data sources were obtained from interviews with key subjects related to the prohibition of consanguineous marriages, such as local customary and religious leaders (Rizky Fadilla & Ayu Wulandari, 2023). Meanwhile, secondary data sources are obtained from books, articles, scientific papers, websites related to research themes. Data collection was carried out through participatory observation, namely by directly observing community activities related to the tradition of prohibiting *lutah darah* marriages, as well as semi-structured interviews with customary leaders, religious leaders, and involved residents. Data analysis was conducted using qualitative analysis methods, including data reduction to organize the obtained information, systematic presentation of data, and drawing conclusions with a deductive approach.

## Results and Discussion

### Prohibition of marriage in islamic law

Marriage is a very strong holy bond or *mitsaqan ghalidhan* that is related to worship and obedience to Allah SWT. A marriage must be well maintained so that the purpose of marriage in forming a *sakinah, mawaddah, warahmah*, eternal and harmonious family can be achieved (Arifin & Khairuddin, 2023). To achieve the purpose of marriage, in a marriage there are prohibitions that should not be done, namely (Djun'astuti et al., 2022):

1. There is a *nasab* relationship

In the Qur'an, surah an-Nisa verse 23 is mentioned:

حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَأَبْنَاؤُكُمْ وَعَمَّاتُكُمْ وَخَالَاتُكُمْ وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضْعَةِ وَأُمَّهُتِ نِسَائِكُمْ وَرَبِّبُكُمُ اللَّاتِي فِي حُجُورِكُمْ مِّن نِّسَائِكُمُ اللَّاتِي دَخَلْتُم بِهِنَّ فَإِن لَّمْ تَكُونُوا دَخَلْتُم بِهِنَّ فَلَا جُنَاحَ عَلَيْكُمْ وَخَلَائِلُ أَبْنَائِكُمُ الَّذِينَ مِنْ أَصْلَابِكُمْ وَأَن تَجْمَعُوا بَيْنَ الْأُخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ ۚ إِنَّ اللَّهَ كَانَ غَفُورًا رَّحِيمًا

Meaning: It is forbidden for you to marry your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brothers' daughters, your sisters' daughters, your nursing mothers, your sisters, your mothers-in-law, your daughters who are in your care from the wives you have interfered with, but if you have not yet mixed with Your wife is (and you have divorced), you are sinless (marrying her), (and it is forbidden for you) the wives of your natural children (sons-in-law), and (it is also forbidden) to gather (in marriage) two sisters, except in the past. Indeed, Allah is the Most Forgiving and the Most Merciful (Q.S An-Nisa' 23).

Based on the above verse, it is stated that women who are forbidden to marry by a man because of a *nasab* relationship are as follows: First, mother, grandmother of mother, grandmother of father, and so on in a straight line upwards. Second, children, grandchildren of boys, grandchildren of girls. Third, siblings, half-brothers, or half-siblings. Fourth, aunt (father's brother), either father's sibling, father's sibling or paternal cousin, grandfather's brother, grandfather's sibling, paternal sibling or paternal cousin, and so on in a straight line upwards. Fifth, brothers and sisters (aunts), either siblings, siblings or siblings of the mother, brothers and sisters, brothers and sisters of the mother, brothers and sisters of the grandmother, and so on in a straight line upwards. Sixth, the child of a brother (nephew) is either a biological nephew, a father or mother, a grandson of a biological brother, either a father or a mother, and so on in a straight line down. Seventh, children of sisters (nieces) are either biological nieces, fathers or mothers, grandchildren of biological sisters, both fathers or mothers, and so on in a straight line down.

2. There is a lactation relationship (*radha'ah*)

Lactation (*radha'ah*) is the entry of other women's milk into the stomach of a baby who is not even two years old. Breastfeeding (*radha'ah*) has legal consequences for the emergence of a mahram relationship for breastfeeding mothers and all women who are in love with nursing mothers and breastfed babies. The relationship of mahram that arises due to the existence of milk (*radha'ah*) is the same as the relationship of mahram because of *nasab* (Mawardi, 2021). Women who are forbidden to marry because of breastfeeding are: Breastfeeding mothers and so on in a straight line upwards. Breastfeeding mothers and so on in a straight line downwards. Sisters and nieces of breastfeeding mothers in a straight line down. Aunt of the nursing mother in a straight line upwards. Children who were breastfed by his wife and their offspring.

3. There is a relationship of contemplation (*mushaharah*)

A relationship between a marriage or a *mushaharah* relationship is a mahram relationship that arises due to the occurrence of a marriage. Women who should not be married because of a contemplative relationship are as follows: A woman who has been married by her father (stepmother). A woman who has been married by a son (daughter-in-law). Mother-in-law (in-laws). The child of the wife with the provision that the wife has been married. Two sisters.

4. Prohibition due to triple talaq

A husband who has three wives, either gradually or at once, is forbidden to remarry him until his ex-wife is married by another man and has expired. The prohibition of marriage due to triple talaq can end not only with the occurrence of marriage between the ex-wife and the second husband, but there must be a legal relationship with the second husband (Hermanto, 2019).

5. Prohibition due to *ihram*

Women who perform *ihram* because of *ihram* hajj or *ihram* because of umrah should not be married to a man who is both *ihram* or not (Mubarak & Arif, 2018). This prohibition because of *ihram* is no longer applied to the woman if the woman has completed the *ihram* time.

6. Prohibition of *mut'ah* marriage

*Mut'ah* marriage is a marriage that is not for worship, but only for temporary pleasure. Contract marriage or *mut'ah* marriage is carried out using an agreement and within a certain time limit. After the agreed agreement time is completed, then both parties (*mut'ah* marriage couple) can separate without talaq and inheritance. This is not in line with the requirements of the purity of marriage intentions, the purpose of getting a partner, the purpose of having children, and the absence of respect for human beings as noble servants with noble ethics and high souls (Hakim, 2022).

7. Prohibition of *syighar* marriage

*Shighar* marriage is a cross marriage, which is a marriage between a father and a daughter of another man who also has a daughter who is willing to marry him and is carried out without a dowry (Alamsyah & Maloko, 2021).

8. Prohibition of *muhallil* marriage

*Muhallil* marriage is marrying a woman who has been talaq three times by her first husband and after the iddah period is over, the woman is divorced and returned to her first husband. This *muhallil* marriage has the purpose of allowing the previous husband to marry his ex-wife.

9. Prohibition of marrying non-Muslim women

Islam has regulated the prohibition of marrying non-Muslim women other than Jewish and Christian women.

### Prohibition of *lutah darah* marriage

*Lutah darah* is a term used to interpret the discharge of blood during the birth process, which in this context is symbolically associated with familial connections and ancestral lineage. This cultural interpretation forms the basis for the prohibition of *lutah darah* marriage, making it essential to explore how such beliefs influence marital customs. From this term, the prohibition of *lutah darah* marriage emerges, which is a prohibition for a man who wants to get married through his father's birthplace (village). Namely, if a man from village A wants to marry a woman from village C, while village C is located next to or passing through village B (the village where his father was born), then the marriage will be prohibited because it is considered a *lutah darah* marriage, a practice rooted in the community's understanding of 'urf. This prohibition is justified based on the principle of cultural preservation and caution (ihtiyat) to avoid potential harm (madarrah), as perceived by the Deling Village community.

Such traditions are regarded as *al-'urf al-'amali* and are not directly contradictory to Islamic law, emphasizing their validity within the framework of customary practices.

In addition to *lutah darah* weddings, in Sugihwaras Village, Prambon District, Nganjuk Regency, there is also a prohibition of *kebo balik kandang* marriage, which may share similarities with the *lutah darah* concept in its emphasis on lineage and connections to ancestral heritage. However, further analysis is required to clarify whether *kebo balik kandang* reflects a parallel understanding of familial boundaries or represents a distinct cultural practice entirely. The prohibition of *kebo balik kandang* marriage is that a person who has moved from village A to village B and settles in village B and then has children is not allowed to marry his offspring with someone who lives in village A.

In addition *kebo balik kandang* marriage, there is also a prohibition *ngalor-ngulon* marriage in Blitar Regency. *Ngalor-ngulon* marriage is a tradition that prohibits marriage between a couple of prospective brides with the position or direction of the *ngalor-ngulon* house (northwest) or vice versa, namely *ngidul-ngulon* (southeast). This means that if the groom's house is drawn a line to the bride-to-be's house, it has a northwest direction. This prohibition is grounded in the cultural belief that specific directional alignments can disrupt harmony or bring misfortune. The northwest direction, in this context, is thought to symbolize a disruption in familial and spiritual balance, as it intersects with values tied to ancestral lineage and community customs.

The prohibition of *lutah darah* marriage is one of the many customs that are still held and preserved by the people of Deling Village, Sekar District, Bojonegoro Regency. Mr. Siram a traditional leader of Deling Village, Sekar District, Bojonegoro Regency said that the prohibition of *lutah darah* marriage is a belief that is trusted by the community and is believed that if violated, it will cause disasters in his life, as narrated by the community, including disharmony in the household, frequent quarrels, divorce, economic difficulties, children frequently falling ill, and even death. However, these claims require validation through empirical data or comparative studies with similar cultural prohibitions to substantiate the perceived consequences and strengthen the argument.

The beginning of the prohibition of *lutah darah* marriage was because in the past there were often events that were considered unnatural or unlucky, such as: family disharmony, frequent quarrels that led to divorce, the condition of children who were often sick, economic difficulties, and not long life. After thorough observation and recounting of specific familial cases, the community identified recurring patterns of misfortune such as economic hardship and familial discord that were attributed to couples engaging in *lutah darah* marriages. Based on an interview with Mr. Siram, a traditional leader of Deling Village, Sekar District, Bojonegoro Regency, the belief in the prohibition of *lutah darah* marriages originated from the community's observation of various events considered to bring misfortune, such as disharmony in households, divorce, economic difficulties, children frequently falling ill, and even death. According to him, from a series of events, the community then concluded that the marriage *lutah darah* should be avoided in order to maintain the welfare and harmony of social life in Deling Village.

### **'Urf definition and types**

'Urf in the Qur'an is mentioned in various forms, such as: *ma'rifah* and *'irfan* which means knowledge, *ma'ruf* or known good deeds, *'itiraf* or recognition (Janah, 2023). 'Urf can be interpreted as an act that can be accepted by the intellect and is considered good (Budiawan, 2021). 'Urf in terminology is everything that has been known and practiced by humans in the form of speech, behavior, or prohibition. In certain societies, 'urf is known as customs or customs. 'Urf according to the scholars of *ushul fiqh* is divided into three, namely (Fitriani et al., 2022):

1. Seen from the aspect of the object of 'urf, 'urf is divided into two, namely *al-'urf al-lafzi* or habits in the form of words and *al-'urf al-'amali* or habits in the form of behavior.

- a. *Al-'urf al-qawli* or also known as *al-'urf al-lafzi* is the use of certain words or sayings of the community in expressing something that has become a habit and has legal implications, so that the meaning of the saying is understood by the community. Such as the use of the word *al-walad* which is interpreted by the community as a boy. So, if someone says the word *al-walad*, then the public will assume that *al-walad* is a boy and not a girl.
- b. *Al-'urf al-'amali* is the behavior of the community that has become a habit and is an agreement with legal implications. Such as the use of toilets or public bathrooms that are not given a limit on the time of use and the amount of water used by making a certain amount of payment.
2. In terms of the scope of 'urf, 'urf is divided into two scopes, namely: *al-'urf al-'amm* or habits of a general nature and *al-'urf al-khass* or customs of a special nature.
  - a. *Al-'urf al-'amm* is everything that has been known at a certain time by the majority of the population (the majority of the population) of a country. Such as the term haram in a divorce. So if there is a man (husband) who says to his wife the term "you are haram for me", then it is considered to have fallen one talaq.
  - b. *Al-'urf al-khass* is a custom practiced by a certain society and in a certain area. Such as the habit of determining the warranty period of an item among traders.
3. In terms of the validity of 'urf, 'urf is divided into two, namely: *al-'urf al-sahih* or customs that are considered valid and *al-'urf al-fasid* or customs that are considered invalid.
  - a. *Al-'urf al-sahih* is what is known to man and is stated not to contradict shara' (does not consider what is haram and does not consider haram what is halal). For example, it has been known that a woman (wife) will not leave her parents' house and go to her husband's house unless she has received part of the *mahar* (her dowry).
  - b. *Al-'urf al-fasid* is what is known to man and is contrary to shara' (considering what is halal and considering haram what is halal). For example, gambling and eating riba.

### The arguments of 'urf

Islam in establishing a certain law also pays attention to custom or 'urf. This is because 'urf plays an important role in regulating traffic correlation and social order in society. Adat or 'urf has been transformed into an unwritten law, lived in society, and obeyed. Islamic law can be in accordance with existing and developing socio-cultural conditions, and be able to realize legal products that are increasingly dynamic and flexible by paying attention to customs or 'urf (Sulistiani, 2021).

The scholars agree to use 'urf as a basis in producing legal products even with the details and capacities of each among the four Madhab Imams (Darmalaksana, 2022). The scholars also expressed their agreement to reject *al-'urf al-fasid* as a legal basis. Regarding *al-'urf al-sahih*, all Madhab Imams agree on its validity, both regarding *al-'urf al-'amm*, *al-'urf al-khass*, and those related to *al-'urf al-lafzi* and *al-'urf al-'amali*. The whole of *al-'urf al-sahih* is agreed to be used as an argument in establishing the law of shara'. There is a cross opinion among scholars regarding the legitimacy and scope of applying 'urf related to customs in ancient Arab societies which was then positively confirmed by shari'at so that it became shara' law'. The scholars who agreed with the 'urf stated that the custom is binding and remains firm and valid. Meanwhile, the habits of the Arab society which were then explicitly negated by shari'at became haram so that this habit must be avoided.

Imam Abu Hanifah and his adherents are known to often cross opinions in determining several laws due to differences in customs and customs. Imam Malik often used the *amal* of Medina experts in taking the law. Imam Shafi'i after moving and making many observations on the 'urf that prevailed in Egypt, issued many fatwas based on the 'urf of the Egyptian people. In fact, some of the fatwas issued in Egypt are different from previous fatwas when they were in Iraq. Therefore, some scholars are of the

opinion that because of the difference in *'urf* between the Egyptian people and the people of Baghdad, Imam Shafi'i has changed his opinion a lot in a number of laws (Khalifah & Rohman, 2022). A fatwa can change due to changes in the times, places, environment, intentions, and customs that apply according to Ibn Qayyim al-Jauziyah.

The marriage prohibition *lutah darah* in Deling Village can be categorized as al-*'urf al-sahih* because it meets the criteria of customs that do not contradict the nass, has been accepted and consistently practiced by the community, and aims to maintain social welfare and harmony. This custom aligns with the maqasid al-shari'ah because it aims to avoid family conflicts and maintain harmonious relationships among community members. Thus, this prohibition has legitimacy to be used as a basis for local law enforcement as long as there is no conflicting shari'ah evidence. According to Imam al-Shatibi and Ibn Qayyim al-Jauziyah, all madhab Imams actually accept and make *'urf* the basis of shara' in establishing the law. Especially if there is no nass that explains the law of a problem faced.

As quoted by Satria Effendi, the results of the research of al-Tayyib Khudari al-Sayyid (professor of ushul fiqh at Al-Azhar University, Egypt) in his work *al-Ijtihad Fi Ma La Nassa Fih*, states that madhabs that are known to often use *'urf* as a legal basis are madhhab Hanafi, Malik, then Hanbali, and Shafi'i. From this explanation, it can be concluded that *al-'urf al-fasid* cannot be used as a *dalalah al-istinbat*, while *al-'urf al-sahih* can be used as one of the *dalalah al-istinbat* that can be used and has been recognized as valid by the Madhab Imams in making laws. However, among the Madhab Imams, there is a difference in the hierarchical arrangement of *'urf* in their *dalalah al-istinbat* (Harahap, 2022).

Regarding the conditions of *'urf* as a legal basis are as follows: First, *'urf* should apply comprehensively in all Islamic countries. Second, the *'urf* should be a valid *'urf* in the sense that it does not contradict the nass. Third, *'urf* should have been practiced repeatedly and has been embedded in society. This means that *'urf* has been in effect before there is a case that will be determined by law. Fourth, the *'urf* should be acceptable to common sense (logical) and relevant. So *'urf* is not possible related to immoral behavior and can bring harm. Fifth, the issue should not be listed in the nass. Sixth, there should be no speech and behavior that is contrary to the content.

### **'Urf's perspective on the prohibition of *lutah darah* marriage**

Based on interviews and observations, the people of Deling Village understand "*lutah darah*" as a prohibition on marriage between couples whose place of residence is beyond the birthplace of the male's father. This prohibition has been passed down through generations and is considered a form of caution (*ihtiyat*) to prevent misfortune or disaster in household life, such as family disharmony, divorce, or poor economic conditions. This prohibition is rooted in local beliefs that link symbolic relationships between lineage, birthplace, and spiritual balance. In the tradition of the Deling Village community, it is believed that passing through the father's birthplace village disrupts the family harmony that has been ordained by the ancestors. This belief is reinforced by community narratives that link negative events to the violation of this prohibition.

In the study of *'urf*, the prohibition of *lutah darah* marriage can be categorized as al-*'urf al-'amali* (customs in the form of actions) and al-*'urf al-khass* (customs applicable specifically to certain regions). This tradition is also included in al-*'urf al-sahih* because it does not contradict Islamic law and does not legalize something haram or prohibit something halal. In this context, the tradition of prohibiting *lutah darah* marriages meets the criteria to be recognized as a valid *'urf*, especially because it aims to maintain social harmony and prevent potential harm (*madarra*). This tradition has a significant impact on the social structure of the Deling Village community. This prohibition affects the way the community chooses life partners and creates strict social boundaries based on geographical location. This tradition also reinforces the role of local leaders in maintaining social norms. However, there is potential for

conflict when individuals who wish to marry do not fully align with this tradition, which can create a dilemma between preserving local culture and fulfilling personal desires.

From the research findings, it can be concluded that the prohibition of *lutah darah* marriages does not contradict the principles of Islamic law, as it does not declare something halal as haram or impose something that is not obligatory in Islam. On the contrary, this tradition can be categorized as 'urf sahih that is recognized as long as it has good intentions and does not contain elements of harm (Haris, 2021). In this case, the tradition of spitting blood can be viewed as a form of community caution to avoid potential risks they believe in. The community's belief in this prohibition is based on collective experiences preserved through generations. The narrative about the bad events associated with the violation of this prohibition becomes a tool of cultural legitimation that reinforces the sustainability of the tradition. This research demonstrates how these beliefs function as a social mechanism to maintain community stability and family values.

In the context of modernization, traditions such as the prohibition of bloodletting face challenges from the younger generation who may prioritize individuality and personal choice. This raises the need to align traditions with contemporary values, so they can be preserved without hindering individual freedom. Dialogue between traditional leaders, religious figures, and the broader community is an important step in navigating this issue. With this analysis, this research not only identifies the position of the blood oath tradition within the context of 'urf and Islamic law but also provides insights into its impact on the social structure of the community. These findings reinforce that local traditions can be accommodated within the framework of Islamic law as long as they do not contradict the principles of Sharia.

### References

- Ahmad Agung Setya Budi. (2023). Kawin Paksa Dalam Perspektif Hukum Islam Dan Konteks Kajian Hak Asasi Manusia. *Jurnal Dunia Ilmu Hukum (JURDIKUM)*, 1(2). <https://doi.org/10.59435/jurdikum.v1i2.168>
- Alamsyah, A., & Maloko, T. (2021). Analisis Mazhab Hanafi Dan Syafi'i dalam Nikah Syigār. *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab Dan Hukum*. <https://doi.org/10.24252/shautuna.v2i2.18439>
- Arifin, S., & Khairuddin. (2023). Konsep Keluarga Harmonis dalam Konteks Hukum Islam. *Al-Adillah: Jurnal Hukum Islam*, 3(1).
- Budiawan, A. (2021). Tinjauan al Urf dalam Prosesi Perkawinan Adat Melayu Riau. *Jurnal An-Nahl*, 8(2). <https://doi.org/10.54576/annah.v8i2.39>
- Darmalaksana, W. (2022). *Hukum Islam Suatu Tinjauan Filosofis*. UIN Sunan Gunung Jati.
- Daryanti, U., & Nurjannah, S. (2021). Analisis 'Urf terhadap Tradisi Janur Kuning Dalam Adat Pernikahan Jawa Di Kabupaten Luwu Timur. *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab Dan Hukum*. <https://doi.org/10.24252/shautuna.v2i1.16220>
- Desmulati, M., Fawwaz Ramadhan, M., Afriyandi, M., Ridwan, M., Nur, S., Hidayanti, S., Islam, U., & Hilir, I. (2025). Kajian tentang Penerapan Kaidah Fiqhiyyah al-'Adatu Muhakkamah dalam Berbagai Aspek Kehidupan. *Jurnal Indragiri Penelitian Multidisiplin*, 5(1), 92–101. <https://doi.org/10.32665/almaqashidi.v6i2.2451>
- Djun'astuti, E., Tahir, M., & Marnita, M. (2022). Studi Komparatif Larangan Perkawinan Antara Hukum Adat, Hukum Perdata dan Hukum Islam. *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam*, 4(2). <https://doi.org/10.37680/almanhaj.v4i2.1574>
- Fitriani, L., Anditya, L. S., Saniyyah, M., Sari, N. N., & Nur, I. (2022). Eksistensi dan Kehujjahan Urf sebagai Sumber Istimbath Hukum. *Al-Hikmah*, 7(2). <https://doi.org/10.30651/ah.v7i2.8088>
- Hakim, L. (2022). PERKAWINAN MUT'AH: Pandangan Islam dalam Ketatanegaraan Indonesia. *Manajerial | Journal Manajemen Pendidikan Islam*, 1(1). <https://doi.org/10.70143/manajerial.v1i1.80>
- Harahap, M. A. (2022). Al-Qawaid As-Syar'iyyah dan Maqashid As-Syat'iyyah. *Ushul Fiqih Dan Kaedah Ekonomi Syariah*.



- Haris. (2021). Peradilan Islam. *UIN Alauddin Makassar, 1*(Desember).
- Hermanto, A. (2019). LARANGAN PERKAWINAN PERSPEKTIF FIKIH DAN RELEVANSINYA DENGAN PERATURAN HUKUM PERKAWINAN DI INDONESIA. *ASAS, 10*(02). <https://doi.org/10.24042/asas.v10i02.4538>
- Istiningtyas, A. S. (2020). *Perspektif 'Urf Terhadap Tradisi Larangan Perkawinan Mlumah Murep Dalam Adat Jawa (Studi Kasus Di Desa Crabak Kecamatan Slahung Kabupaten Ponorogo)*. IAIN Ponorogo.
- Janah, S. (2023). Eksistensi 'Urf Sebagai Metode Dan Sumber Hukum Islam. *Al-Manar: Jurnal Agama Dan Pendidikan Islam, 1*(1).
- Khalifah, N., & Rohman, M. (2022). METODOLOGI Metodologi Istimbath Hukum Imam Asy-Syafi'i. *SINDA: Comprehensive Journal of Islamic Social Studies, 2*(2). <https://doi.org/10.28926/sinda.v2i2.469>
- Lathifah, S. (2021). *Tinjauan 'urf terhadap larangan perkawinan antar desa: studi kasus di Desa Ngemplak Kidul dan Desa Pohijo Kecamatan Margoyoso Kabupaten Pati - Walisongo Repository* [Universitas Islam Negeri Walisongo Semarang]. <https://eprints.walisongo.ac.id/id/eprint/14785/>
- Mawardi, M. (2021). Konsep Radha'ah dalam Fiqih. *Jurnal An-Nahl, 8*(1). <https://doi.org/10.54576/annahl.v8i1.26>
- Moh. Teguh Prasetyo. (2023). ISLAM DAN TRANSFORMASI BUDAYA LOKAL DI INDONESIA. *Batuthah: Jurnal Sejarah Padaban Islam, 2*(2). <https://doi.org/10.38073/batuthah.v2i2.1107>
- Moleong, J. L. (2020). metodologi penelitian kualitatif J lexy Moleong. *Jurnal Ilmiah*.
- Mubarok, M. H., & Arif, S. (2018). Pernikahan Pada Waktu Ihram Menurut Imam Syafi'i dan Imam Abu Hanifah. *Mizan: Journal of Islamic Law, 1*(2). <https://doi.org/10.32507/mizan.v1i2.127>
- Nurdin, A., Usman, B., Samad, F., & Mukhtar, M. (2022). Tujuan Hukum Islam untuk Kemaslahatan Manusia: Penerapan Kaidah Fiqhiyah dalam Bidang Ekonomi dan Hukum Keluarga. *El-Usrah, 5*(1). <https://doi.org/10.22373/ujhk.v5i1.14665>
- Rizky Fadilla, A., & Ayu Wulandari, P. (2023). Literature Review Analisis Data Kualitatif: Tahap Pengumpulan Data. *Mitita Jurnal Penelitian, 1*(No 3).
- Sulistiani, S. L. (2021). *Hukum Adat di Indonesia*.
- Weyant, E. (2022). Research Design: Qualitative, Quantitative, and Mixed Methods Approaches, 5th Edition. *Journal of Electronic Resources in Medical Libraries, 19*(1–2), 54–55. <https://doi.org/10.1080/15424065.2022.2046231>
- Wibowo, C. (2019). *Analisis 'urf terhadap ketaatan masyarakat dalam adat larangan perkawinan bulan muharram (studi kasus pada masyarakat ketonggo bungkal ponorogo)* [IAIN Ponorogo]. <https://etheses.iainponorogo.ac.id/5726/>