
The Prospective Groom's Customary Gift (*Seserahan*) Tradition in Marriage from a *Maslahah* Perspective (A Phenomenological Study in Jubang Village, Bulakamba Subdistrict, Brebes Regency)

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ABSTRACT

This study explores the shift in the customary gift (*seserahan*) tradition in Jubang Village, Brebes Regency, which has transformed from a symbol of household support into a significant financial burden driven by social prestige standards. This phenomenon creates socioeconomic inequality, as the demand for luxury goods often leads to debt traps and postponed marriages. The study aims to describe the historical background of this ceremony and examine its legal implications through the *maslahah* perspective of Najmuddin al-Tufi. Using a qualitative phenomenological approach, data were collected through in-depth interviews, field observations, and documentation. The findings indicate that while *seserahan* is intended to strengthen family ties, its contemporary practice contains elements of economic harm (*dharar*). As a theoretical solution, the study formulates the concept of *maslahah muqayyadah* (conditional benefit). This concept asserts that the *seserahan* tradition can be maintained only if it is constrained by the principles of sincerity and financial capacity (*istita'ah*), while adhering to the principle of *taisir* (ease) in Islamic law to achieve genuine benefit.

Keywords: Customary Gift (*Seserahan*); Marriage; *Maslahah*

A. INTRODUCTION

Marriage is a sacred milestone in human life, encompassing not only the union of two individuals but also the merging of two extended families into a unified social and religious bond. In Indonesian society, particularly among the Javanese, wedding ceremonies are characterized by various traditional rituals rich in symbolic significance.¹ One tradition that persists to this day is the customary gift (*seserahan*) tradition. *Seserahan* involves the presentation of specific items or assets from the prospective groom to the bride as a symbol of respect, commitment, and material support to facilitate the wedding proceedings.²

In Jubang Village, Bulakamba Subdistrict, Brebes Regency, the customary gift (*seserahan*) has become a deeply rooted social norm. This practice requires the prospective groom to provide a wide array of household items, ranging from complete kitchenware sets, furniture, and electronics to high-value assets such as motorcycles, as part of the customary gift package. However, with the passage of time and the tide of modernization, demands for the variety and luxury of these items have escalated, often exceeding the groom's financial capacity. This shift creates a significant gap between the tradition's noble philosophical values and the actual economic burden it imposes on the community.³

Several scholars with diverse foci have conducted research on the dynamics of gift-giving in traditional marriages. For instance, regarding the customary gift (*seserahan*) tradition in Javanese culture, a study by Hikmah Hariyati in the journal *al-Maqasid* examined cultural acculturation and the perspectives of religious activists on *seserahan* in Blitar. That study concluded that the tradition is the result of a fusion of Javanese and Islamic cultures, serving as a symbol of the prospective husband's material and spiritual readiness. However, while Hariyati's research focused primarily on the contestation of religious ideologies, the present study emphasizes the sociological and economic impacts of the modernization of customary gift items in Jubang Village.⁴

Second, regarding the financial burdens associated with marriage, Syarbini et al. note that determining the customary gift and other wedding requirements based on social status often forces the prospective groom to go to extreme lengths to ensure the

¹ Hadikusuma Hilman, *Hukum Perkawinan Adat* (Bandung: Citra Aditya Bakti, 2003), 87.

² KBBI Daring, "KBBI Daring (Online)" Edisi iii, Versi 2.9 (*Hak Cipta Badan Pengembangan dan Pembinaan Bahasa (Pusat Bahasa)*, 2025).

³ Dwi Febri Yolanda, et al., "Uang Japuik dalam Tradisi Perkawinan Masyarakat Pariaman: Telaah Filosofis, Historis, Sosial, dan Ekonomi," *JSE: Jurnal Sharia Economica* 5, no. 1 (2026): 42.

⁴ Hikmah Hariyati, "Seserahan Menurut Aktivis Muhammadiyah: Akulturasi Budaya dalam Perkawinan Adat Jawa," *al-Maqasid: Jurnal Ilmu Kesyarifan and Keperdataan* 9, no. 1 (2023): 111.

marriage takes place. Their findings indicate a significant financial burden resulting from these demands of social status.⁵

The present study explores these findings further by examining a specific phenomenon in Jubang Village, where luxury items such as motor vehicles have become the prevailing norm in customary gift (*seserahan*) packages. Third, within the framework of Islamic law, the concept of *maslahah* is instrumental in evaluating a tradition. Rosyid and Hafidzi define the *maslahah* concept, as formulated by al-Tufi, as any factor that promotes well-being and fulfills the *maqasid al-syari'ah*. Their research emphasizes that *maslahah* must be a primary consideration in the application of Sharia law.⁶ The present study applies the theory of *maslahah* to analyze whether the *seserahan* tradition in Jubang Village continues to provide genuine benefits or has, instead, devolved into *masyaqqah* (hardship) due to the significant debt burdens it creates.

Although previous research has examined the culture of customary gifts and the theory of *maslahah*, the present study fills a critical gap by focusing on Jubang Village in Brebes Regency, where lavish customary gift (*seserahan*) packages have now become a rigid social norm. Unlike prior studies, this research integrates a sociological perspective with al-Tufi's *maslahah* theory to examine how these traditions can lead to significant financial hardship. The findings reveal the stark reality of delayed marriages and debt traps, while also proposing a legal reconstruction of local customs to ensure they remain in harmony with Sharia principles.

Based on this background, this research focuses on three problem formulations, namely: (1) what is the background to the customary gift tradition in Jubang Village marriage? (2) How does the procession of handing over the customary gift items take place in the Jubang Village marriage? (3) What are the benefits and harms of the customary gift tradition in Jubang Village from a *maslahah* perspective?

Specifically, this research contributes to three primary aspects. First, theoretically, this study enriches the Islamic family law literature concerning the dialectic between *'urf* (custom) and Sharia, particularly by testing the elasticity of al-Tufi's *maslahah* theory in response to the phenomenon of consumerism within marriage. Second, in practical terms, the findings serve as a strategic reference for religious leaders and the office of religious affairs (KUA) in the Brebes region to enhance premarital education programs aimed at minimizing financial burdens that could undermine domestic harmony. Third, socially, this study offers a framework for reconstructing the customary gift (*seserahan*) culture, ensuring it returns to its original

⁵ Imam Syarbini, et al., "Beban Finansial dalam Penetapan Mahar Berdasarkan Status Sosial Perspektif Kompilasi Hukum Islam," *Al-Adillah: Jurnal Hukum Islam* 5, no. 2 (2025): 48.

⁶ Maskur Rosyid and Anwar Hafidzi, "Paradigma dan Alienasi Konsep Maslahat Al-Tufi Sebagai Legalitas Sumber Syariah," *Al-Banjari: Jurnal Ilmiah Ilmu-Ilmu Keislaman* 19, no. 2 (2020): 159.

philosophical function as a symbol of respect rather than a measure of social status that imposes an economic burden on rural communities.

The concept of *maslahah* can be found in two main categories: classical and modern. Although some researchers consider the classical concept of *maslahah* less relevant to modern applications, in reality, it has become a solid paradigm and remains a legal basis.⁷

When using *maslahah* as evidence, scholars link it to the text (the Qur'an or the Sunnah). If the *maslahah* aligns with it, both in text and spirit (explicitly or implicitly), they agree to use it as a legal basis. However, if the *maslahah* is inconsistent with or even contradicts the text, even if it contains elements of justice, goodness, and equality, they will naturally reject it.⁸

In this study, the researcher uses Imam Najm al-Din al-Tufi's perspective on *maslahah* because his views on *maslahah* differ from those of other mujtahids. He argues that the welfare of humans, whether they are *darury*, *hajj*, or *tahsini*, must be placed in the same position. This means that welfare, the main objective of legal regulation, must be truly upheld.⁹

The concept of *maslahah* according to Imam al-Tufi differs markedly from Imam Malik *maslahah mursalah*. Imam Malik holds that *maslahah mursalah* was used only to make laws after the Qur'an, sunnah, ijma', and qiyas. Meanwhile, Imam al-Tufi actually places *maslahah* in the four main sources. What is interesting is that, so far, rationalism has usually emerged from rationalist circles. However, Imam al-Tufi, who is classified as a textualist traditionalist, can issue fatwas that go beyond the bounds of his own school of thought.

Although he was considered a conventionalist, Imam al-Tufi was considered more progressive in his use of the concept of *maslahah* than other scholars of his time. This is evident in his statement: if a text begins with *maslahah*, then *maslahah* must be prioritized.¹⁰ For him, *maslahah* is an independent argument, the most obvious argument, and the strongest argument in the methodology of ushul fiqh. He took the basis for this from the Prophet's hadith, which states, "*Do not harm yourself or others*",

⁷ Iib Hibaturohman and Dena Ayu, "Konsep Maslahah Mursalah dalam Menghadapi Ketimpangan Ekonomi di Era Modern: Perspektif Ekonomi Islam," *IQTISHAD SHARIA: Jurnal Hukum Ekonomi Syariah and Keuangan Islam* 2, no. 1 (2024): 43.

⁸ Mega Rahmi Putri, "Rekonstruksi Konsep Maslahah dalam Perspektif Filsafat Hukum Islam Kontemporer," *Jurnal: Jurnal Media Akademik (JMA)* 3, no. 5 (2025): 97.

⁹ Rosyid and Hafidzi, "Paradigma dan Alienasi Konsep Maslahat Al-Tufi Sebagai Legalitas Sumber Syariah."

¹⁰ Siti Rohmah Muyassaroh, Bawon, and Ifa Nurhayati, "Analisis Teori Maslahat Najmuddin Al-Thufi Sebagai Landasan Hukum Progresif dalam Fiqih Kontemporer," *Journal of Literature Review* 1, no. 2 (2025): 496-500.

which is the foundation of the principle that "all forms of harm must be eliminated".¹¹ This means that harm to oneself or others must be eliminated, as must anything that could trigger it. All are subject to the same ruling: they must be eliminated.

He divided the scope or area of *maslahah* into two parts: first, pure *maslahah*, which is the right of Allah in the form of worship (*ubudiyah*). Second, *maslahah* is the right of the servant and for the good of the servant (*muamalah*), such as custom. This is in line with his statement that *maslahah* in the field of worship must be subject to texts and *ijma'*, and *maslahah* in the field of *muamalah* is a full human right. In this case, custom is part of *muamalah*. Imam al-Tufi still believes that texts and *ijma'* are the two main arguments in the hierarchy of *istidlal*. Both apply not only to the field of worship but also to all areas of life. The difference is that, in matters other than worship, texts and *ijma'* must be aligned with *maslahah*. Consequently, if both contradict *maslahah*, the *bayan* and *takhsis* methods are used.¹²

Some of Imam al-Tufi's opinions regarding *maslahah* include: first, maintaining human welfare is the most obvious, concrete, and clear source of law that needs no further debate. Second, one hadith can clash with another hadith or even the quran, ultimately leading to differences of opinion. Third, as a result, each school of jurisprudence (*fiqh*) becomes infighting within itself. Moreover, many fabricated hadith emerge due to sectarian interests, also used to defend their respective schools and attributed to the Prophet Muhammad (peace be upon him). Fourth, the conflict between schools of thought stems from differences in how the texts are understood. They praise each other's schools to the point of mutual hatred and even killing each other. All of this results from not prioritizing welfare as the primary legal principle, and instead always relying on textual interpretation as the primary argument.¹³

B. RESEARCH METHODS

This study is categorized as field research employing a qualitative approach. Qualitative methods were deliberately selected because the primary focus of this research is not merely to capture descriptive data, but to comprehend the underlying meanings behind the social practices of the Jubang Village community in performing the customary gift (*seseherahan*) tradition. From a qualitative perspective, the practice of *seseherahan* is viewed as a meaningful action that represents power relations, family honor, and the articulation of *maslahah* values. By engaging directly in the field, the

¹¹ Moh Usman, "Maslahah Mursalah Sebagai Metode Istinbath Hukum Perspektif Al-Thufi dan Al-Qaradhawi," *Al-Mashlahah: Jurnal Hukum Islam dan Pranata Sosial Islam* 8, no. 1 (2020): 87.

¹² Rosyid and Hafidzi, "Paradigma dan Alienasi Konsep Maslahat Al-Tufi Sebagai Legalitas Sumber Syariah."

¹³ Usman, "Maslahah Mursalah Sebagai Metode Istinbath Hukum Perspektif Al-Thufi dan Al-Qaradhawi."

researcher attempts to conduct an in-depth interpretation of the subjective experiences of the traditional actors. Thus, the phenomenon of the customary gift is understood not only as a cultural routine but also as a manifestation of the community's interpretation of *maslahah* within Islamic marriage law.

This study also adopts a phenomenological approach, in which the researcher seeks to understand the meanings of events and human interactions within specific contexts from the perspective of the subjects who experience them directly.¹⁴ In this study, the researcher's presence is fundamental as the key instrument, acting as a non-participant observer to maintain objectivity while gathering data. The research is located in Jubang Village, Bulakamba Subdistrict, Brebes Regency, Central Java. This site was purposively selected due to the significant financial burdens faced by residents resulting from the long-standing tradition of customary gift (*seseurahan*) offerings that have persisted for generations.

The data sources in this study are categorized as primary and secondary. Primary data were obtained directly through interviews with informants in Jubang Village, selected using a purposive sampling technique. According to Nidia Suriani et al., purposive sampling is a method where researchers intentionally select participants based on specific criteria to ensure they align with the research objectives and parameters.¹⁵ In this context, informants were selected based on their direct involvement in and in-depth understanding of customary gift (*seseurahan*) practices. The informants consist of: two pairs of customary actors (four individuals), one customary leader, one community leader, and one religious leader.

The data collection process was conducted over two weeks in September 2025, utilizing three primary techniques. First, in-depth interviews were held, lasting 60 to 90 minutes per informant, to explore their perceptions of the customary gift (*seseurahan*) from a *maslahah* perspective. Second, direct observations were carried out at two wedding processions in Jubang Village to closely examine the stages, social interactions, and material symbolism inherent in the tradition. Third, documentation was employed to collect village population profiles and physical evidence of the traditional ceremonies. Additionally, secondary data were gathered through a comprehensive literature review of academic journals, books, and *kitab kuning* (classical Islamic texts) relevant to the research themes.

¹⁴ Abdul Nasir, et al., "Pendekatan Fenomenologi dalam Penelitian Kualitatif," *INNOVATIVE: Journal of Social Science Research (UIN Raden Fatah Palembang)* 5, no. 3 (2023).

¹⁵ Nidia Suriani, Risnita, and M. Syahrani Jaelani, "Konsep Populasi dan Sampling serta Pemilihan Partisipan Ditinjau dari Penelitian Ilmiah Pendidikan," *Jurnal IHSAN: Jurnal Pendidikan Islam* 1, no. 2 (2023): 24–36.

The data analysis technique uses the inductive method, a thinking process that starts from empirical facts in the field.¹⁶ Technically, data analysis was carried out by following the Miles and Huberman model, which includes three systematic stages:¹⁷ (1) data reduction, namely the process of selecting, focusing and discarding data that is not relevant to the practice of traditional customary gift offerings (2) data presentation (*data display*), where the results of interviews and observations are arranged in the form of descriptive narratives and a matrix of relationships to make it easier to read community behavior patterns, (3) drawing conclusions and verification, namely giving meaning to the data that has been presented by re examining it using the analytical knife of Imam Najm al-Din al-Tufi's *maslahah* theory.

Through these stages, the analysis is directed at identifying the intersection between custom (*'urf*) and the principle of *maslahah muqayyadah* in Jubang Village. To ensure the validity of the data, the researcher used source and technical triangulation techniques, namely cross-checking information from various informants (customary actors, religious leaders, and community leaders) and comparing interview results with field observation findings to ensure a high level of data credibility.

C. RESULTS AND DISCUSSION

1. The Cultural Background of the Sesorahan Tradition in Jubang Village Marriage

The custom of giving gifts is an important part of wedding ceremonies in many cultures, including in Jubang Village. Historical data shows that the practice of giving gifts has been part of the community's wedding tradition since 1970. This custom has evolved and adapted to the social, economic, and cultural changes occurring in the village.

The following are the results of an interview with one of the community leaders of Jubang Village:¹⁸

“Sesorahan began to exist in Jubang Village around the 1970s. In the past, the sesorahan ritual was performed sincerely and very simply. Villagers brought everyday items such as steamers, pans, harvested vegetables, and other kitchen utensils, as a symbol of their willingness to build a happy household.”

“However, since the early 2000s, the customary gift (sesorahan) tradition in Jubang Village has undergone significant transformations. Simple, symbolic items have increasingly been replaced by luxury goods, such as teak wardrobes, refrigerators,

¹⁶ Muhaimin, *Metode Penelitian Hukum*, Cetakan 1, (Mataram: Mataram University Press, 2020), 125.

¹⁷ Matthew B. Miles, et al., *Qualitative Data Analysis A Methods Sourcebook*, Edition 3, (Los Angeles, Sage Publications, 2013), 71-72.

¹⁸ Hasan Bisri, “Wawancara Tokoh Masyarakat,” (Kediaman Beliau di Desa Jubang), 13 September 2025.

televisions, branded furniture, and even motor vehicles. One of the most striking shifts is the inclusion of motorcycles as a standard component of the *seserahan* package. This evolution signifies a transition from the gift's original function as a symbolic gesture of readiness to a modern display of economic prestige."

"Previously, items such as cupboards, refrigerators, and other household furniture were common, but now motorbikes have become widespread. Even the smallest ones are automatic motorbikes, such as the Beat and Vario. Even at its peak in 2019, before the coronavirus outbreak, one resident of Jubang Village managed to bring an X-Pander to his wedding. This reflects how modernization and social change have influenced traditions that have been firmly held in Jubang Village."

The evolution of customary gift (*seserahan*) items in Jubang Village is primarily driven by the dual forces of modernization and globalization. As the Jubang community becomes increasingly exposed to external cultures, there is a growing preference for modern and luxurious goods. This shift is significantly influenced by the high rate of out-migration among Jubang residents to major urban centers such as Jakarta and Bandung, as well as to regions outside Java. In these cities, migrants often secure higher incomes through various businesses or professional employment. Consequently, upon returning to their home village to marry, these individuals provide more expensive and prestigious customary gifts as a potent symbol of their newfound prosperity and elevated social status.

2. The Ritual Process of *Seserahan* Presentation in Marriage

Observational data show that the wedding gift-giving procession in Jubang Village involves several structured and meaningful stages. The wedding ceremony generally lasts two days, with all its distinctive rituals.

The results of interviews with traditional leaders in Jubang Village are as follows:¹⁹

"The wedding ceremony in Jubang Village generally spans two days and two nights. The first day is dedicated to the formal handover of the customary gift (seserahan) items by the prospective groom's family and relatives. In this process, the prospective groom does not participate in the delivery; instead, he is represented by a designated spokesperson (juru bicara) from his family. This spokesperson is tasked with formally delivering the customary gift agreement. The spokesperson conveys the prospective groom's intentions and facilitates the transfer of the agreed-upon items. Under local custom, if the arrangement is considered a gift, the items cannot be reclaimed in the event of a divorce. However, if the arrangement is classified as gawan (bringing), the husband retains the right to take the items back should a divorce occur after the marriage has been officially solemnized".

¹⁹ Agus Priyatno, "Wawancara Tokoh Adat," (dirumah Beliau di Desa Jubang), 15 September 2025.

“On the second day, the wedding ceremony culminates with the marriage contract at the bride's residence. The elaborately decorated and hopeful home bears witness to the sacred bond that will be forged. This moment is attended by family and close relatives from both parties, and witnessed by a registrar who leads the ceremony. Finally, the wedding ceremony concludes with a slametan (joint prayer) inviting residents of the bride and groom's neighborhood, led by a local religious leader.”

The researcher conducted direct observations of the customary gift (*seserahan*) procession during several wedding ceremonies in Jubang Village. Based on the field data collected, the items in the *seserahan* tradition comprise diverse components that reflect both symbolic values and the social status of the families involved. To provide a systematic overview of these findings, the components are categorized in the following table:

Table 1. Categories of Customary Engagement Gifts in Jubang Village

Category	Components of Goods	Characteristic
Precious metals	Specifically, gold jewelry with a minimum weight of 20 grams	Must
Clothes	<i>Pesing</i> (complete sets of clothing for the bride to be, her parents, and her sisters)	Must
Home furnishings	A complete set of furniture, including tables, chairs, wardrobes, bed frames, mattresses, and dressing tables	Support
Electronics and kitchen appliances	Washing machine, electric fan, refrigerator, stove, steamer (<i>dandang</i>), pans, and dining and drinking utensils	Support
Transportation	Motorcycle (mostly Honda Beat & Vario)	Optional

The data in the table above demonstrates that the structure of the customary gift in Jubang Village is not merely material; it also possesses a stratification of values that the community firmly upholds. Mandatory components, such as 20 grams of gold and a set of *pesing* clothing, are viewed as instruments of commitment that affirm the groom's seriousness. Sociologically, the *pesing* carries a broader meaning of respect, as it is intended not only for the bride-to-be but also as a form of acknowledgment regarding the roles of parents and sisters within the bride's family.

The presence of comprehensive household furnishings, ranging from living room sets to kitchenware, reflects the domestic independence expected to manifest immediately after the marriage contract. The community of Jubang Village views the fulfillment of these items as a foundational investment to prevent future

economic conflict. This practice demonstrates a high degree of customary standardization, in which the completeness of the customary gift frequently serves as an indicator of social status and the prospective groom's readiness to assume the responsibilities of head of household within his social environment.

3. *Maslahah and Mafsadat in the Tradition of Customary Gifts: A Maslahah Perspective*

a. Analysis of the Practical Benefits of the Customary Gift Tradition in Marriage

In the Javanese marriage tradition, particularly as practiced in Jubang Village, the bride's side typically incurs higher costs than the groom's side because the wedding stages are held at the bride's residence. It is therefore logical for the groom to provide support to the bride's family, a practice referred to in the marriage tradition as the customary gift.

This research does not merely focus on preserving the customary gift tradition in Jubang Village; rather, it aims to articulate the philosophical meaning and substantive purpose of this practice.

Based on the data obtained from several informants who expressed their views on the intent and purpose of the customary gift tradition, it can be concluded that this tradition serves the following purposes:

- 1) To help alleviate the financial burden borne by the bride's side. In practice, the series of marriage activities in Jubang Village is conducted at the bride's residence. Therefore, it is considered natural for the groom to provide support in the form of customary gift items to the bride's family to ease the costs of the ceremonies.
- 2) The customary gift is viewed as a symbol of the man's care and commitment to the woman, which implicitly reflects the prospective groom's readiness to assume future responsibilities.
- 3) As an expression of the groom's affection for the bride, which, in addition to the mahr as a mandatory Islamic requirement, is further manifested through this customary gift (*seserahan*) tradition.
- 4) As a form of cooperation (*gotong royong*) from the groom's side toward the bride's side to ensure the smooth progression of the various marriage stages between the two parties.
- 5) As a bridge connecting the groom's family with the bride's family. If a positive relationship between both parties is established from the beginning, it will contribute to the realization of harmony between them.

However, alongside these well-intentioned purposes, there are several highly personal issues, as highlighted by one of the informants.²⁰

²⁰ Alfa Rizqi, "Wawancara Pelaku Adat," (di Desa Jubang), 14 September 2025.

“The practice of the customary gift tradition in Jubang often involves comparisons of the items brought. Usually, it is the neighbors of the bride-to-be who make these comparisons. A prospective groom, seeing his neighbors or friends bring expensive items such as motorcycles or even cars, will feel pressured to do the same, even if he is financially unable to. Furthermore, it frequently becomes a subject of neighborhood gossip if the items are few; consequently, the bride-to-be and her family may feel undervalued, which eventually impacts the mother-in-law's attitude toward the husband.”

Regarding the issue of comparing the quantity and quality of the customary gift, such situations should not occur if the community remains mindful of the true intent and purpose of this tradition.

The concept of *maslahah* refers to the public interest or the common good. In the context of marriage and the practice of the customary gift, *maslahah* encompasses considerations of the benefits or goodness that can be derived from the practice for individuals, families, and society as a whole.

Based on the data obtained by the researcher through interviews with several informants, several conclusions have been drawn regarding the forms of *maslahah* (benefit) inherent in the customary gift tradition, which include:

- 1) Strengthening the bonds of *silaturrahim* (kinship) between both families (the groom's and the bride's sides).
 - 2) The customary gift items serve as a form of marital welfare, as they include essential household furnishings and clothing, which provide the newlyweds with the necessary resources for when they eventually establish their own home.
 - 3) Mitigating negative perceptions and community gossip. The provision of a significant customary gift serves as material evidence of the groom's seriousness. This functions to suppress negative public assumptions regarding the integrity of the relationship, whereby the magnitude of the sacrifice acts as a psychological motivation for the couple to maintain the stability of the marriage and minimize the risk of divorce.
- b. Analysis of the Harmful Effects of the Customary Gift Tradition in Marriage

Although the customary gift tradition in Jubang Village historically served as a symbol of respect, field data reveal a functional shift that has resulted in substantial *mafsadat* (harm) for the community. Najm al-Din al-Tufi's perspective emphasizes that every legal or customary action must ultimately

lead to the protection of *maslahah* (public interest). Consequently, if a practice triggers social harm, it loses its legitimacy as a beneficial action.²¹

Given that the customary gift tradition falls within the realm of *muamalah* (social transactions) or, more specifically, within the dynamic nature of customary law, al-Tufi's principle of *maslahah* provides full legitimacy to restructure this practice in order to avoid social harm (*mafsadat*).

The researcher has found that the demand for customary gift items, which include a minimum of 20 grams of gold, a set of *pesing* clothing, and even motorized vehicles, has become a display of prestige and conspicuous consumption. The phenomenon of neighbors comparing the customary gift items in Jubang Village constitutes a tangible form of social *mafsadat* (harm). The community's subjective assessment of household appliances, ranging from living room sets and dressing tables to washing machines, triggers social jealousy that undermines the principle of simplicity. The social pressure arising from these group standards often compels individuals to act beyond their financial capacity to maintain their self-image.²²

Within al-Tufi's framework, this situation is categorized as a disruption of relationships. When the items provided are perceived as insufficient or inexpensive by the surrounding environment, the bride's family tends to feel undervalued, which ultimately triggers a rift between the son-in-law and the parents-in-law even before the marriage begins.

Furthermore, if the customary standards that mandate a complete set of customary gift items ranging from precious metals and kitchenware to *pesing* clothing, extensive household furniture, electronic goods, and even transportation such as motorcycles continue to be enforced amidst unequal economic conditions, then this tradition transforms into a severe burden (*masyaqqah*). This shift directly contradicts the primary goal of marriage in Islam, which is to realize a household full of tranquility, love, and mercy (*sakinah, mawaddah, wa rahmah*).²³

These unrealistic social demands often trigger long-term psychological distress for young couples, such as feelings of shame, family conflict, and even the postponement of marriage, which ultimately undermines their emotional

²¹ Bustanul Arifin, "Kehujjahan Masalah Mursalah dalam Perspektif Imam Al-Ghazali dan Najm Al-Din Al-Tufi", *Al-Mawaddah: Jurnal Studi Islam dan Hukum Keluarga (Ahwal Al-Syakhsyiyah)* 1, no. 1 (2024): 22.

²² Raihan Saputra and Gevan Naufal Wala, "Pengaruh Tekanan Sosial terhadap Perilaku Konsumtif (Study Literature Review)," *JKIS: Jurnal Komunikasi and Ilmu Sosial* 2, no. 3 (2024): 115.

²³ Ririn Andriani and Hasan Zaini, "Keluarga Sakinah Mawaddah Wa Rahmah Menurut Al-Qur'an Perspektif Wahbah Az-Zuhaili," *Lathaif: Literasi Tafsir, Hadis and Filologi* 1, no. 1 (2022).

and financial well-being.²⁴ Therefore, from the perspective of al-Tufi's *maslahah*, which emphasizes the flexible fulfillment of syar'i interests, the customary gift tradition in Jubang Village, which has been distorted into an instrument for validating a family's economic status, must be wisely redefined. It should return to its original function as a simple, voluntary, and mutually beneficial medium for strengthening *silaturahmi* (kinship) between families, without placing an undue burden on either party.

c. Legal Synthesis: The Application of the *Maslahah Muqayyadah* Theory

After mapping the various forms of *mafsadat* (harm) arising from the functional distortion of the customary gift tradition in Jubang Village, a legal instrument is required that can accommodate social realities while remaining grounded in universal sharia principles. In this context, the application of the theory of *maslahah muqayyadah* becomes highly relevant. This concept offers a framework that does not view *maslahah* as an absolute or value-free entity, but rather as a benefit that is bound (*muqayyad*) to the objectives of Sharia (*maqasid al-shari'ah*). Through this approach, a tradition initially regarded as a means of goodness can have its relevance re-evaluated by considering the boundaries of the social harm emerging in the field.²⁵

The following is a detailed explanation concerning the operationalization, differentiation, and practical implications of applying the concept of *maslahah muqayyadah* (constrained public interest) toward the customary gift (*seserahan*) tradition in Jubang Village:

The operationalization of *maslahah muqayyadah* within the customary gift tradition in Jubang Village requires a strategic shift from rigid cultural adherence to a principled, Sharia-aligned framework. Below is a breakdown of the implementation, differentiation, and practical implications of this concept:

1) Operationalizing the *maslahah muqayyadah* concept within the customary gift tradition

The operationalization of this concept in the practice of the customary gift in Jubang Village is carried out through three stages of legal transformation, as follows:

a) Categorization of priority scales: *dharuriyyat* vs *tahsiniyyat* in marriage

Maslahah muqayyadah necessitates classifying the components of customary gifts by urgency. Gold and *pesing* clothing are positioned as a form of respect for the wife's rights, approaching the level of primary

²⁴ Nabilla, et al., "Analisis Dampak Fenomena Pacaran terhadap Perilaku Disiplin Siswa di SMA Negeri 6 Bengkulu Tengah", *Jurnal Ilmiah PGSD FKIP* 11, no. 04 (2025): 281.

²⁵ Hj Nur Asiah, "Maslahah Menurut Konsep Imam Al Ghazali", *DIKTUM: Jurnal Syariah dan Hukum* 18, no. 1 (2020): 124.

necessities (*dharuriyyat*). Conversely, demands for motorized vehicles and luxury furniture must be classified as supplementary or 'beautifying' elements (*tahsiniyyat*). Legally, the fulfillment of these supplementary aspects must not compromise the family's financial stability, a primary necessity; therefore, customary standards must be relaxed if they threaten the household's well-being.

b) The principle of economic flexibility

This concept is operationalized by transforming the customary gift from a rigid social standard into a flexible personal agreement. The determination of the amount of gold or the type of furnishings is not based on societal expectations, but rather on the real financial capacity of the prospective groom. By prioritizing the actual conditions of the legal subjects involved, the tradition can persist without triggering social resistance or marital failure due to financial barriers; thus, *maslahah* (public interest) remains preserved amidst economic dynamics.

c) The elimination of mafsadat (social harm)

The final stage involves eliminating destructive elements within the custom. If the competition among villagers in comparing customary gifts is proven to damage family relationships and trigger social gossip, then *maslahah muqayyadah* provides the legitimacy to reform such practices. The customary gift is restored to its original function as a voluntary gesture of joy, rather than a debt burden that undermines the objectives of marriage.

2) Distinction between *maslahah muqayyadah* and *maslahah mursalah*

The epistemological distinction between *maslahah mursalah* and *maslahah muqayyadah* is fundamental in addressing the customary gift tradition in Jubang Village. *Maslahah mursalah* refers to a benefit for which there is no specific textual evidence that either explicitly acknowledges (*mu'tabarah*) or rejects (*mulghah*) it. It is considered 'unrestricted' (*mursal*) because the Sharia remains silent on the matter; however, on rational grounds, it is regarded as beneficial.²⁶ In the context of marriage, an example of *maslahah mursalah* is the administrative registration of marriage at the office of religious affairs (KUA); no verse in the Qur'an explicitly mandates it, yet it is practiced for administrative order and the protection of legal rights.

²⁶ Irsyad Al Fikri Ys and Asep Fu'ad, "Peran Maslahah Mursalah dalam Legislasi Islam Kontemporer: Analisis Mazhab dan Implikasi Kebijakan", *Equality: Journal of Islamic Law (EJIL)* 3, no. 2 (2025): 46.

In contrast, *maslahah muqayyadah* refers to a benefit that is bound (*muqayyad*) by established Sharia principles (*maqasid al-shari'ah*). This type of benefit does not stand on its own; rather, it must adhere to legal parameters such as justice, capacity (*istita'ah*), and the avoidance of burdens that exceed reasonable limits.²⁷ While *maslahah mursalah* operates within a textual vacuum where there is no specific divine directive, *maslahah muqayyadah* functions within the corridors of *maqasid al-shari'ah* to ensure that a customary practice does not generate unnecessary hardship (*masyaqqah*) that contradicts the fundamental objectives of marriage.

In the context of the customary gift practice in Jubang, this distinction serves as a highly precise legal filter. If the customary gift is viewed merely as *maslahah mursalah*, then material standards such as 20 grams of gold or motorized vehicles could be regarded as absolute customary virtues, regardless of their economic impact. Conversely, through the *maslahah muqayyadah* approach, such customary benefits are bound by the principle that no material burden in marriage may obstruct the core objective of marriage itself: realizing a household that is harmonious and financially stable. Thus, *maslahah muqayyadah* functions as a control instrument, ensuring that local values remain aligned with the universal values of Islam, which prioritize ease and simplicity over destructive symbolic extravagance.

3) Implications for the Jubang village community

The implementation of legal reconstruction through the *maslahah muqayyadah* approach carries broad and transformative implications for the social order of Jubang Village. These implications extend beyond the formal aspects of marriage; they fundamentally redefine the structure of values that have long been deeply rooted in the community.²⁸

The implementation of this legal reconstruction through *maslahah muqayyadah* generates significant transformative effects on the social dynamics of Jubang Village, manifesting in three primary dimensions:

a) Deconstruction of standards of family prestige and economic resilience

Fundamentally, the first implication lies in the deconstruction of the prestige standards that have long imposed an acute financial burden on prospective grooms. By shifting the paradigm of the customary gift from an instrument of conspicuous consumption to a symbol of proportional respect, the community is encouraged to prioritize sincerity

²⁷ Prahasti Suyaman, "Maslahah Mursalah Sebagai Salah Satu Metode Istinbath", *Journal Krtha Bhayangkara* 18, no. 2 (2025): 417.

²⁸ Muhammad Asy'ari, "Prinsip Maslahah dalam Hukum Syariah Islam dan Implikasinya Terhadap Penetapan Hukum Islam Kontemporer", *Journal of Islamic Sharia Law Studies* 1, no. 1, (2026): 62–63.

over material formalities. The researcher found that when demands for luxury items, such as motorized vehicles or excessive amounts of gold, are categorized as flexible supplementary elements (*tahsiniyyat*), this enhances the economic resilience of young families. Newlyweds in Jubang Village no longer begin their domestic life burdened by accumulated debt, thereby ensuring that financial stability, the primary foundation of family resilience, is maintained from the very beginning.

b) Mitigation of social stigma and harmonization of interpersonal relations

The most crucial sociological implication is the breaking of the cycle of public gossip and social stigma that has long haunted the bride's family. Through the operationalization of *maslahah muqayyadah*, a groom's sincerity is no longer measured quantitatively by the volume of kitchenware or electronic goods brought, but rather by the quality of his commitment and sense of responsibility. This automatically reduces the potential for rifts between the son-in-law and the parents-in-law, which are frequently triggered by feelings of being undervalued due to 'minimalist' customary gifts. As customary standards become more inclusive and empathetic, destructive community gossip loses relevance as the community adopts a more substantively Islamic perspective.

c) Reactualizing the customary gift as a guarantee for women's rights

From a legal perspective, this implication restores the customary gift to its original essence (*khitah*) as a medium for protecting a wife's rights. In the researcher's analysis, providing a minimum of 20 grams of gold is still regarded as *maslahah* if it is intended as a financial safety net for the wife's future; however, its implementation must consistently account for the husband's capacity (*istita'ah*). Thus, the customary gift functions as a tangible economic guarantee, rather than mere symbolism that is rapidly consumed or used for public display.

d) Legal education and the transformation of the collective mindset

Finally, these implications drive the emergence of massive legal education at the grassroots level. Religious and community leaders in Jubang Village are beginning to realize that maintaining customary practices that cause harm (*mudharat*) is fundamentally at odds with the spirit of *maqasid al-shari'ah*. This transformation of the collective mindset represents the most significant achievement of the legal synthesis conducted; it signifies a community that is increasingly capable of distinguishing between traditions that must be preserved for their

benefits and those that must be reformed because of elements of ostentation and social-status competition.

D. CONCLUSION

This study concludes that the customary gift tradition in Jubang Village is a cultural phenomenon that has existed since 1970 as a symbolic gesture of household support; however, it has undergone a significant shift since 2000 amid currents of modernization. This transformation has turned the customary gift into a binding standard of social decency, in which demands for luxury items such as motorized vehicles and complete furniture sets frequently exceed the community's economic capacity, with the majority of whom work as farm laborers. Examining this phenomenon through the *maslahah* perspective of Imam Najmuddin al-Tufi, this practice is deemed to have lost its legitimate benefit (*maslahah*) because the element of social prestige has become dominant, leading to economic harm (*dharar*) in the form of debt traps and delayed marriages. As a theoretical implication, this research proposes a reconstruction grounded in the concept of *maslahah muqayyadah* (conditional benefit), asserting that this tradition must be constrained by the principles of sincerity, financial capacity (*istita'ah*), and ease (*taisir*) to remain aligned with Sharia objectives (*maqasid al-shari'ah*). In practical terms, these findings serve as a reference for religious leaders and the office of religious affairs (KUA) in the Brebes region to provide premarital education aimed at minimizing financial burdens that could undermine domestic harmony. The limitation of this study lies in its narrow geographic focus on a single agrarian village; thus, there remains an opportunity for future researchers to examine this phenomenon through socio-economic or family psychology approaches to gain a more comprehensive understanding.

E. BIBLIOGRAPHY

- Al Fikri Ys, Irsyad, and Asep Fu'ad. "Peran Maslahah Mursalah dalam Legislasi Islam Kontemporer: Analisis Mazhab dan Implikasi Kebijakan." *Equality: Journal of Islamic Law (EJIL)* 3, no. 2 (2025).
- Andriani, Ririn, and Hasan Zaini. "Keluarga Sakinah Mawaddah Wa Rahmah Menurut Al-Qur'an Perspektif Wahbah Az-Zuhaili." *Lathaif: Literasi Tafsir, Hadis dan Filologi* 1, no. 1 (2022).
- Arifin, Bustanul. "Kehujjahan Maslahah Mursalah dalam Perspektif Imam Al-Ghazali dan Najm Al-Din Al-Tufi." *Al-Mawaddah: Jurnal Studi Islam dan Hukum Keluarga (Ahwal Al-Syakhsiyah)* 1, no. 1 (2024).
- Asiah, Hj Nur. "Maslahah Menurut Konsep Imam Al Ghazali." *DIKTUM: Jurnal Syariah dan Hukum* 18, no. 1 (2020).

- Asy'ari, Muhammad. "Prinsip Mahibaturslahah dalam Hukum Syariah Islam dan Implikasinya Terhadap Penetapan Hukum Islam Kontemporer." *Journal of Islamic Sharia Law Studies* 1, no. 1 (2026).
- Bisri, Hasan. "Wawancara Tokoh Masyarakat." (Kediaman Beliau di Desa Jubang), 13 September 2025.
- Hariyati, Hikmah. "Seserahan Menurut Aktivis Muhammadiyah: Akulturasi Budaya dalam Pernikahan Adat Jawa." *al-Maqasid: Jurnal Ilmu Kesyarifan dan Keperdataan* 9, no. 1 (2023).
- Hibaturohman, Iib and Dena Ayu. "Konsep Masalah Mursalah dalam Menghadapi Ketimpangan Ekonomi di Era Modern: Perspektif Ekonomi Islam." *IQTISHAD SHARIA: Jurnal Hukum Ekonomi Syariah dan Keuangan Islam* 2, no. 1, (2024).
- Hilman, Hadikusuma. *Hukum Perkawinan Adat*. Bandung, Citra Aditya Bakti, 2003.
- KBBI Daring. "KBBI Daring (Online)" Edisi iii, Versi 2.9 (*Hak Cipta Badan Pengembangan dan Pembinaan Bahasa (Pusat Bahasa)*, 2025).
- Miles, Matthew B., A. Michael Huberman, and Johnny Saldana. *Qualitative Data Analysis: A Methods Sourcebook*. Edition 3. Los Angeles: Sage Publications, 2013.
- Muhaimin. *Metode Penelitian Hukum*. Cetakan 1. Mataram: Mataram University Press, 2020.
- Muyassaroh, Siti Rohmah, Bawon, and Ifa Nurhayati. "Analisis Teori Maslahat Najmuddin Al-Thufi sebagai Landasan Hukum Progresif dalam Fiqih Kontemporer." *Journal of Literature Review* 1, no. 2 (2025).
- Nabilla, Zulkarnain, and Hamdan Efendi. "Analisis Dampak Fenomena Pacaran Terhadap Perilaku Disiplin Siswa di SMA Negeri 6 Bengkulu Tengah." *Jurnal Ilmiah PGSD FKIP* 11, no. 4 (2025).
- Nasir, Abdul, Khaf Shah, Rusdy Abdullah Sirodj, and M. Win Afgani. "Pendekatan Fenomenologi dalam Penelitian Kualitatif." *INNOVATIVE: Journal of Social Science Research (UIN Raden Fatah Palembang)* 5, no. 3 (2023).
- Priyatno, Agus. "Wawancara Tokoh Adat." (dirumah Beliau di Desa Jubang), 15 September 2025.
- Putri, Mega Rahmi. "Rekonstruksi Konsep Masalah dalam Perspektif Filsafat Hukum Islam Kontemporer." *Jurnal Media Akademik (JMA)* 3, no. 5 (2025).
- Rizqi, Alfa. "Wawancara Pelaku Adat." (di Desa Jubang), 14 September 2025.
- Rosyid, Maskur and Anwar Hafidzi. "Paradigma dan Alienasi: Konsep Maslahat Al-Tufi Sebagai Legalitas Sumber Syariah." *Al-Banjari: Jurnal Ilmiah Ilmu-Ilmu Keislaman* 19, no. 2 (2020).
- Saputra, Raihan and Gevan Naufal Wala. "Pengaruh Tekanan Sosial Terhadap Perilaku Konsumtif (Studi Literature Review)." *JKIS: Jurnal Komunikasi dan Ilmu Sosial* 2, no. 3 (2024).
- Suriani, Nidia, Risnita, and M. Syahran Jailani. "Konsep Populasi dan Sampling serta Pemilihan Partisipan Ditinjau dari Penelitian Ilmiah Pendidikan." *Jurnal IHSAN: Jurnal Pendidikan Islam* 1, no. 2 (2023).
- Suyaman, Prahasti. "Maslahat Mursalah Sebagai Salah Satu Metode Istinbath." *Krtha Bhayangkara* 18, no. 2 (2025).

- Syarbini, Imam, Ahmad Bahrosi, and Mazidatul Azizah. "Beban Finansial dalam Penetapan Mahar Berdasarkan Status Sosial Perspektif Kompilasi Hukum Islam." *Al-Adillah: Jurnal Hukum Islam* 5, no. 2 (2025).
- Usman, Moh. "Maslahah Mursalah Sebagai Metode Istinbath Hukum Perspektif Al-Thufi dan Al-Qaradhawi." *Al-Mashlahah: Jurnal Hukum Islam dan Pranata Sosial Islam* 08, no. 1 (2020).
- Yolanda, Dwi Febri, Rizal Fahlefi, and Ahmad Lutfi. "Uang Japuik dalam Tradisi Pernikahan Masyarakat Pariaman: Telaah Filosofis, Historis, Sosial, dan Ekonomi." *JSE: Jurnal Sharia Economica* 5, no. 1 (2026).