

Deliberating Marriage Payment through *Jujuran* within Banjarese Community

Anwar Hafidzi

Universitas Islam Negeri Antasari, Banjarmasin

E-mail: anwar.hafidzi@uin-antasari.ac.id

Abstract: In the Banjarese culture of marriage, besides dowry, *jujuran* is also paid by the man to the woman in a certain amount of money under the request of the women's family. Many researchers have discussed dowry, but only a few have revealed the reality of *jujuran* as a sign of marriage. This study was conducted with a phenomenological approach as part of a qualitative approach. The study aims to understand and describe a phenomenon about the subjects' experiences regarding the Banjar community's marriage system, South Kalimantan, Indonesia. The research argued that the Banjarese use *jujuran* as a sign of a marriage agreement. It also asserts that although *jujuran* aims to improve their children's economic standard when married, it reveals that this system determines who has the right to propose to their daughters. The paper also maintains that the local practice of *jujuran* payment has, to some extent, violated the rights of the women to their choice in marriage, mainly when the prospective grooms are unable to pay the *jujuran*.

Keywords: *women; jujuran; marriage; local value; Banjarese*

Abstrak: Dalam budaya perkawinan Banjar, selain mas kawin, *jujuran* juga dibayarkan oleh laki-laki kepada perempuan dalam jumlah tertentu atas permintaan keluarga perempuan. Banyak peneliti telah membahas tentang mahar, namun hanya sedikit yang mengungkap realitas *jujuran* sebagai tanda pernikahan. Penelitian ini dilakukan dengan pendekatan fenomenologi sebagai bagian dari pendekatan kualitatif. Penelitian ini bertujuan untuk memahami dan mendeskripsikan fenomena sistem perkawinan di masyarakat Banjar, Kalimantan Selatan, Indonesia. Hasil penelitian menunjukkan bahwa orang Banjar menggunakan *jujuran* sebagai tanda akad nikah. Hal ini juga menegaskan bahwa meski tujuan *jujuran* adalah untuk meningkatkan taraf ekonomi anak-anak mereka ketika mereka menikah, tetapi sistem ini dapat menentukan siapa yang berhak melamar anak perempuannya. Penelitian ini juga menyatakan bahwa praktik pembayaran *jujuran* setempat sampai batas tertentu telah melanggar hak perempuan atas pilihan mereka dalam pernikahan, terutama ketika calon pengantin pria tidak mampu membayar *jujuran*.

Kata kunci: *perempuan; jujuran; pernikahan; tradisi; Banjar*

Introduction

At this time, almost the whole world has begun to be interested in a marriage system that is traditionally regulated, such as in Africa, Southeast Asia, the Middle East, and some other Muslim countries. According to Bravo et al.,¹ The cause is many migration practices, so that this practice has now spread to countries in the western world. Many families choose their husbands and daughters based on wealth, thus turning the woman into a tradeable item.

Of course, in practice,² The marriage system with this trading model has been conflicted by women, especially if the matchmaking practice is promised in exchange for a high dowry. A woman's family tends to find the best candidate for their child, especially when it comes to wealth. This pattern seems to have become a habit in the 20th century because it is considered promising for their children's future,³ especially if they have higher education.

Menon⁴ has researched India, and the findings proved a relationship between a woman's income and wealth and domestic violence. One of the factors that can influence domestic violence was the dowry received by women at marriage. Because gifts such as gold when getting married can endogenously affect the quality of a partner's match, the results showed a positive and significant effect of

¹ María Del Mar Pastor Bravo, Pilar Almansa Martínez, And Ismael Jiménez Ruiz, "Arranged Marriages: Women For Sale," *Procedia - Social And Behavioral Sciences*, 6th International Conference On Intercultural Education "Education And Health: From A Transcultural Perspective", 132 (May 15, 2014): p. 564, Doi:10.1016/J.Sbspro.2014.04.354.

² Keera Allendorf And Dirgha J. Ghimire, "Determinants Of Marital Quality In An Arranged Marriage Society," *Social Science Research* 42, no. 1 (January 1, 2013): p. 59, Doi:10.1016/J.Ssresearch.2012.09.002.

³ Amitrajeet A Batabyal, "On The Likelihood Of Finding The Right Partner In An Arranged Marriage," *The Journal Of Socio-Economics* 30, no. 3 (May 6, 2001): p. 273, Doi:10.1016/S1053-5357(01)00095-6.

⁴ Seetha Menon, "The Effect Of Marital Endowments On Domestic Violence In India," *Journal Of Development Economics* 143 (March 1, 2020): p. 143, Doi:10.1016/J.Jdeveco.2019.102389.

giving a very high dowry at marriage on domestic violence.⁵ This pattern showed, in general, that women were abused by giving enormous amounts to improve the family economy later. It was inversely proportional; his research stated that this causes husbands to use their wives efficiently because they were considered flawed or unable. It is one of the causes of domestic violence.

Based on their research⁶ On women's choice when arranged marriage, the findings showed that women who were to be married off were mostly voluntary between parents, even without their children's knowledge. Second, the system of determining money as nominal in marriage was determined based on the amount of money to decide which will accept the proposal. Third, matchmaking with a marriage proposal seemed to offer their child to marry only those who have immense wealth and money in giving as a sign of marriage.

As is the case in the tradition of community marriage in Indonesia, which mostly follows Islam, dowry is an obligatory part that must be done by the husband to his wife.⁷ However, the dowry is not burdensome because this corresponds to the advice of the Qur'an Surah An-Nisa verse 4, Meaning: Give dowry (ed mehr) to the woman (whom you marry) as a voluntary gift. Then if they give you a portion of the dowry with pleasure, eat (take) the gift (as food), which is delicious again with good results ".

The primary purpose of this obligation to give dowry is to show the sincerity of the husband's intention to marry his wife and to

⁵ Shyamal Chowdhury, Debdulal Mallick, And Prabal Roy Chowdhury, "Natural Shocks And Marriage Markets: Fluctuations In Mehr And Dowry In Muslim Marriages," *European Economic Review* 128 (September 1, 2020): 103510, Doi:10.1016/J.Eurocorev.2020.103510.

⁶ Amitrajeet A. Batabyal And Hamid Beladi, "A Stochastic Dynamic Programming Approach To Decision Making In Arranged Marriages," *Applied Mathematics Letters* 24, no. 12 (December 1, 2011): pp. 2197–2200, Doi:10.1016/J.Aml.2011.06.025.

⁷ Apriyanti Apriyanti, "Historiografi Mahar Dalam Pernikahan," *Ann Nisa'a* 12, no. 2 (2017): p. 163; Chowdhury, Mallick, and Roy Chowdhury, "Natural Shocks and Marriage Markets"; I. Pandang, Abdul Rahman, and Sitti Halimang, "Delayed Mahar: The Perspective of Islamic and Customary Law," *IOP Conference Series: Earth and Environmental Science* 175, no. 1 (2018).

place him in a noble degree. By obliging this dowry, Islam directs that women are creatures that deserve respect and have the right to own property. Likewise, the rules of the Hadith of the Prophet SAW,

انْظُرْ وَلَوْ خَاتَمًا مِنْ حَدِيدٍ

Meaning: "Look for even if it is only an iron ring." (Narrated by Bukhari and Muslim).

The Shari'a does not determine the amount of the dowry. Dowries may be of low value and may be of high importance as long as they are mutually pleased. An-Nawawi explained,

في هذا الحديث أنه يجوز أن يكون الصداق. لأن خاتم الحديد في نهاية من القلة, وهذا مذهب الشافعي وهو مذهب جماهير العلماء من السلف والخلف

Means: "This hadith showed that the dowry was allowed a little (low value) and maybe a lot (high value) if both partners are happy with each other because the iron ring shows a mean dowry value. This is the opinion in the Shafi'i school and the opinions of the *Salaf* and *Khalaf* scholars. " (Sharh Sahih Muslim 9/190).

There have been several kinds of research on dowry and the arrangement of marriage in Islam. Kalwant Bhopal⁸ Studying the phenomenon of dowry in Britain contributes to South Asian women's patriarchal oppression in the household. The research examined the intersection of gender and ethnicity with particular reference to South Asian women in the UK. The findings showed that dowries were used to sell women as property in matchmaking. Education and religion made a significant difference in women's responses to dowries. Highly educated women can live together with their partners or be single and say dowries are degrading. Women with lower education levels say the dowry is part of the traditions, customs, and identities of the South Asian people; these women are mated and given a dowry. When South Asian women became highly educated, they rejected matchmaking and dowry (private patriarchy) and entered the labour market (into public patriarchy).

⁸ Kalwant Bhopal, "South Asian Women in East London: Motherhood and Social Support," in *Women's Studies International Forum* 21, no. 5 (Elsevier, 1998): pp. 485-492.

Religion in Malaysia is the primary motive of marriage in Jamiah 's study. With the defence of human dignity from desire and evil, union empowers the spiritual dimension. To fulfill biological and psychological needs by meeting human nature's condition to live together in a stable family, marriage is also essential. Thus, in Malay culture, marriage institutions are still common and seen as a new life stage, a happy relationship, and religious achievement.

Today, despite the high number of divorce rates and constant marriage problems, many people still want to get married.⁹ Indeed, many couples live happily in the marriage relationship as well. In a stable connection, they share the same factors: confidence, engagement, communication, personal relationship, problem-solving together, collaboration in the education of children, sharing shared values, and expressing their love for each other. In terms of economics, if their anticipated marriage benefits fall short of their anticipated usefulness outside of the current marriage, individuals divorce, and children reflect a marriage-specific form of investment that typically increases marriage benefits for the spouses. However, children can also threaten marital stability because they will provoke drastic changes in the household's allocation of money and time.

This research differs from previous researchers by assuming that dowries are sometimes considered part of women's sales.¹⁰ Even if you look at the traditions in Southeast Asia, Indonesia has a different tradition that also uses money,¹¹ Namely the giving of *jujuran*.¹² Unlike the dowry, the determination of *jujuran* in the Banjar

⁹ Anwar Hafidzi and Norwahdah Rezky Amalia, "Marriage Problems Because of Disgrace (Study of Book Fiqh Islam Wa Adilâtuḥ and Kitâb al-Nikâḥ)," *Al-Ihkam: Jurnal Hukum Dan Pranata Sosial* 13, no. 2 (2018): pp. 273–90.

¹⁰ Nadia G. Diamond-Smith Et Al., "Semi-Arranged Marriages And Dowry Ambivalence: Tensions In The Changing Landscape Of Marriage Formation In South Asia," *Culture, Health & Sexuality* 22, no. 9 (2020): pp. 971–986.

¹¹ Anwar Hafidzi, "Prasyarat Poligami Dalam Kitab Fiqih Islam Dan Kompilasi Hukum Islam Perspektif Masalah Mursalah," *Al-Daulab: Jurnal Hukum Dan Perundangan Islam* 7, no. 2 (2017): pp. 366–392.

¹² Anwar Hafidzi, "Urang Banjar Philosophy: Education And The Social Affairs Of The Community," *Al-Insyirob: Jurnal Studi Keislaman* 6, no. 2 (2020): pp. 85–90; Muhammad Ekha Nazaruddin, "Pandangan Masyarakat Terhadap Tradisi

tradition in Indonesia is determined in advance as part of the marriage plan's approval or rejection (proposal).¹³ This research will ask about the idea of *jujuran* in the Banjar community of South Kalimantan against the marriage system since there is an inference that the demand for nominal money is considered a “sale” of his daughter's evidence of marriage acceptance to boost the economy of the family. This makes this research interesting that women are evaluated whether they are used as a thing that can be sold according to the rate set by their parents or women to be honoured.

The method used in this research was qualitative with a phenomenological approach by looking at the various activities and marriage systems in the Banjar tradition, Indonesia.¹⁴ Researchers performed data reduction and data triangulation to represent the actual phenomenon accurately. In this study, Respondents were 20 women and 20 men aged 19 to 25 who live in Eastern Indonesia. The subjects were chosen because the Banjarese tend to use traditional, religious, and state approaches in carrying out their marriages. The information was collected using semi-structured interviews until the data was complete. Written interviews were also conducted online because there is still a Covid-19 outbreak in Indonesia with current conditions.

Participation was voluntary, and the participants who met the requirements for inclusion received informed consent. The following large data-Participants replied in complete detail, requiring little further investigation or explanation. The interviews were conducted by reviewing data simultaneously. After data saturation, each interview was coded, and the process was continued until no other

Maantar Jujuran (Studi Kasus Di Desa Pematang Panjang Kecamatan Sungai Tabuk Kabupaten Banjar Provinsi Kalimantan Selatan).” *Thesis* (IAIN Kediri, 2019); Dwi Condro Wulan, “Pandangan Hukum Islam Terhadap Tradisi Jujuran dalam Prosesi Perkawinan Adat Banjar di Kelurahan Sungai Malang Kecamatan Amuntai Tengah Kabupaten Hulu Sungai Utara,” 2018.

¹³ Gusti Muzainah, “Baantar Jujuran Dalam Perkawinan Adat Masyarakat Banjar,” *Al-Insyiroh: Jurnal Studi Keislaman* 5, no. 2 (2019): p. 10.

¹⁴ Theresia Anita Christiani, “Normative and Empirical Research Methods: Their Usefulness And Relevance In The Study Of Law As An Object,” *Procedia-Social And Behavioral Sciences* 219 (2016): pp. 201–207.

results were obtained. To identify common themes, the researchers read through all the transcribed data.

Marital Contentment and Equity

The global measurement of a person's marital partnership applies to marital satisfaction.¹⁵ The concept of marital satisfaction refers to the subjective evaluation of a person's particular component.¹⁶ Garcia (1999) stated that happiness is perceived on three levels: a) a partner's happiness, b) a family's satisfaction, c) a general lifelong satisfaction. In marriage security, marital satisfaction plays a significant role.¹⁷ Some researchers have been interested in the relationship between a) prosperity and marital fulfillment and b) equity and marital enjoyment.¹⁸ *Jujuran* and dowry are the most significant and complicated aspects.

¹⁵ Abbas Ali Hosseinkhanzadeh and Eilaman niyazi, "Investigate Relationships between Religious Orientation with Public Health and Marital Satisfaction among Married Students of University of Tehran," *Procedia - Social and Behavioral Sciences*, 3rd World Conference on Educational Sciences - 2011, 15 (January 1, 2011): p. 505, doi:10.1016/j.sbspro.2011.03.131.

¹⁶ Javad Khalatbari et al., "The Relationship between Marital Satisfaction (Based on Religious Criteria) and Emotional Stability," *Procedia - Social and Behavioral Sciences*, The 3rd World Conference on Psychology, Counseling and Guidance, WCPCG-2012, 84 (July 9, 2013): p. 869, doi:10.1016/j.sbspro.2013.06.664; Julian Xie, Zhiqing E. Zhou, and Yanping Gong, "Relationship between Proactive Personality and Marital Satisfaction: A Spillover-Crossover Perspective," *Personality and Individual Differences* 128 (July 1, 2018): p. 75, doi:10.1016/j.paid.2018.02.011.

¹⁷ Mohammad H. Asoodeh Et Al., "Factors Of Successful Marriage: Accounts From Self Described Happy Couples," *Procedia - Social And Behavioral Sciences*, Wcpcg 2010, 5 (January 1, 2010): pp. 2042–2046, Doi:10.1016/J.Sbspro.2010.07.410.

¹⁸ Allendorf And Ghimire, "Determinants Of Marital Quality In An Arranged Marriage Society," p. 49; Mary Anne Fitzpatrick, "A Typological Approach To Marital Interaction: Recent Theory And Research," In *Advances In Experimental Social Psychology*, Ed. Leonard Berkowitz 18 (Academic Press, 1984): pp. 1–47, Doi:10.1016/S0065-2601(08)60141-0; Khalatbari Et Al., "The Relationship Between Marital Satisfaction (Based On Religious Criteria) And Emotional Stability," p. 869; Menon, "The Effect Of Marital Endowments On Domestic Violence In India," p. 143.

Wong and Goodwin (2009) found that continued relationship and co-operation, marriage support, and financial stability in the family in the United Kingdom, Hong Kong, and China are the main factors in marital satisfaction.¹⁹ However, very few studies have focused on the nuances of how societies are affected by marital satisfaction perceptions and experiences. The cultural values influence the ideas and opinions of the person about himself.

The theory of equity focuses on equity gains and contributions balance. Equity could not be worth everyone reasonably.²⁰ McKenzie (2003) indicated that inequity has a lower degree of satisfaction in close relationships. When ties were inequitable, people felt under-benefited or over-profit. Under-benefited injustice existed if people receive fewer benefits compared to their parents than contributions.²¹

However, if individuals receive more profit than their wives due to contributions, there are extreme inequities. Many studies indicate that women are less vulnerable than men. Under the theory of justice, people should be comfortable with unequal marriages, and people should be distressed in unfair unions, and with the extent of injustice, suffering increases. Pillemer et al. (2008) analyzed and found (85 percent) that their marriages have been fair and equal for the satisfaction of older women's marriages in the USA.²² Likewise, the

¹⁹ Sowan Wong And Robin Goodwin, "The Impact Of Work On Marriage In Three Cultures: A Qualitative Study," *Community, Work & Family* 12, No. 2 (2009): p. 213; Sowan Wong And Robin Goodwin, "Experiencing Marital Satisfaction Across Three Cultures: A Qualitative Study," *Journal Of Social And Personal Relationships* 26, no. 8 (2009): p. 1011.

²⁰ Asoodeh Et Al., "Factors Of Successful Marriage," p. 2043.

²¹ Ismail Celik Et Al., "Research On Views About Male University Students' Marriage And Future Family Role Expectation," *Procedia - Social And Behavioral Sciences*, 4th World Conference On Educational Sciences (Wces-2012) 02-05 February 2012 Barcelona, Spain, 46 (January 1, 2012): p. 3277, Doi:10.1016/J.Sbspro.2012.06.050.

²² Asoodeh Et Al., "Factors Of Successful Marriage," 2043. Michael A. Melton Et Al., "Parameters Of Marriage In Older Adults: A Review Of The Literature," *Clinical Psychology Review* 15, no. 8 (January 1, 1995): p. 891, Doi:10.1016/0272-7358(95)00051-8.

nurturing theory involves disparities in the socio-cultural structure that lead to different roles and tasks between men and women.²³ The gap always puts women's roles and contributions in personal, social, national, and state lives behind them and overlooks them. Women who get married because of arranged marriages in Indonesia do things like this too.

Mahar and jujuran: Islamic and local values in Banjar

Matchmaking for money causes an understanding that the family arranges their daughter's marriage and is trafficked to improve their economic situation.²⁴ Based on the data obtained, *jujuran* and dowry are part of the tradition and Islamic religious affairs. The dowry that is asked for is mostly not too high. Simultaneously, *jujuran* is enforced to ask for the prospective husband's eligibility to increase a woman's family's economic level.

Based on the research results on informants online, it was found that the motivation for marriage based on the choice of parents had different concepts based on classifications of parental demand, will of heart and self, education, and economic needs. Although in the end, the matchmaking was not known in the future, whether it would survive or end in divorce.

It is by the quote from the interview, which states:

"I chose yes, even though there was no love in the wedding plan" (Informant 1) "

"It is up to the parents, and the important thing is to be happy, sob ." (Informant 2)

²³ Roni Strier And Ilham Zidan, "Arranged Marriages: An Oppressed Emancipation?," *Women's Studies International Forum* 40 (September 1, 2013): pp. 203–211, Doi:10.1016/J.Wsif.2013.07.005.

²⁴ Nicolas G. Vaillant And Valérie Harrant, "Determinants Of The Likelihood Of Finding The Right Partner In An Arranged Marriage: Evidence From A French Matchmaking Agency," *The Journal Of Socio-Economics*, Special Issue On The Household Economy, 37, no. 2 (April 1, 2008): p. 657, Doi:10.1016/J.Soc.2006.12.055.

" It is better to marry at the request of their parents than to choose the wrong choice, and in the end divorce." (Informant 3)

Parents' concerns about adolescence at the age of 19-25 are sometimes considered vulnerable and are always curious about various problems, especially romance. Until in the end, if it is directed at the right thing, they are grateful. However, suppose the opposite happens because of the information that comes nowadays in the online era. In that case, they will worry that their children will fall into free sex. Of course, this will result in sexual activity before mental and spiritual maturity is reached. The choice of parents and family is one of the roles in solving these problems, as quoted from the interview:

"family support will also be part of a matchmaking marriage later" (informant 4)

"Factors due to family suggestions and requests are part of finding a marriage partner who does not exist. until now "(informant 5)

" economic factors are an essential part of this marriage, especially if the dowry requested with a high value is approved "(informant)

" The important thing is that the candidate is wealthy, then my future will be bright "(informant)

" yes, maybe because the father and mother support so that there is no dating "(Informant)

" The factor is due to parents' suggestions, and they are afraid of people's inadequate responses to be prospective brides. "(Informant)

Most of the time, choice based on education is part of the appropriate choice if you marry young or are arranged in marriage at a young age. It is also an encouragement for women to marry according to their parents' choices based on circumstances. The following is an excerpt from the interview:

"Getting married is based on needs according to their education, so follow what the parents say ..."

"When I am in college, if someone wants me through my parents, I will look at the prospective bride's education. The

man used to be.... At least have a bachelor's degree or have a permanent job.”

“... I got married because my parents arranged marriage, based on my family opinion and I just followed” (Informant)

In Indonesian society, a marriage based on parents and family's choice like the interviewee has become a habit. It is evidenced by several researchers who have seen that many people are married because they get arranged marriage on average when they finish high school (SMA) and have no work to do. However, if they continue their undergraduate education, the motivation in marriage and matchmaking is also different.

The culture of getting married at an early age based on matchmaking has long been a part of the tradition in Indonesia. Most of them do not continue their education to the bachelor's level and do not have jobs done as regular income.²⁵ Based on the percentage regarding the policy of parents getting married because of matchmaking, nearly 80% of those who are currently in the undergraduate study does not approve of getting married at a young age and have not yet finished college. For 10%, some agree that there are men who are considered stable in their economy. It is the parents' best choice and makes these choices useful for their families later.

Most choices in finding a partner based on matchmaking have a robust Islamic religion. Simultaneously, if there is a choice between economics and education, most informants answered that 80% chose men with a stable and robust economy, while 20% considered education necessary, but work is even more critical. The dowry that was given later, whether they agreed with the high dowry or not, almost 70% did not agree that marriage among teenagers, especially those with undergraduate education with a high dowry. It is considered to make it difficult for women to find their future husbands. Meanwhile, 30% agree that they are pleased to have a

²⁵ Erna Setiawati, “Hubungan Pengetahuan Remaja Tentang Resiko Pernikahan Dini dengan Keinginan Melakukan Pernikahan Dini,” *Jurnal Ilmiah Kesehatan Ar-Rum Salatiga* 2, no. 2 (2018): p. 47; Fathur Rahman Alfa, “Pernikahan Dini dan Perceraian di Indonesia,” *JAS: Jurnal Ahwal Syakshiyah* 1, no. 1 (June 15, 2019): p. 49, doi:10.33647/jas.v1i1.2740.

serious and high-income husband with a high dowry during the matchmaking.

Agreements made between parents without their knowledge when matchmaking also differed, as 80% of the matchmaking had to be known by the woman. In comparison, 20% followed the parents' choice, as long as the goal is good and gives happiness in the household later. It indicates that social norms control girls' behaviour and obey what their parents ask for, based on these interviews' evidence. This standard suggests that girls would marry according to their parents' preference based on better economic requirements. This motive is used to justify matchmaking marriages if the parents' choice is still pleasant. Although it is often believed that, based on a large dowry or integrity, the woman was sold. In general, studying would follow the marriage matchmaking scheme since there are no other choices. There are only a few pieces of girls that are harmful to them who practice "transformative" agency toward social norms. The primary aim of marriage is spiritual encouragement, and when the couple establishes a legal partnership, marriage is assumed to lead to perfection. When the male candidate is wealthy, most respondents follow this method of "forced" marriage.

Based on research results, 85% of women ready to get married agree with *jujuran* to determine a marriage match. 10% disagreed with the assumption that *adjudication* was like buying a woman and was considered burdensome to the prospective husband if it was too high. On the other hand, men also thought that 70% agreed to give money to a woman's family as a basis for agreeing to propose to her child later. 20% of men do not agree with *jujuran* because it is considered burdensome and as if it is bargaining for girls.

Nearly 90% of women are also against forced marriage on the assumption that it is for the girl's good and agree on her choice and her family. Meanwhile, 60% of men agreed to the marriage based on their parents' choice and were forced to marry their choice. While 20% do not agree if the parents only approve the woman's marriage, there is a mutual agreement between the family and the prospective bride.

When the bride and groom are still women or virgins, of course, researchers strongly oppose the forced marriage. The women interviewed opposed this marriage for reasons of religion, love, and

women's rights. In contrast to men, some opinions still agree because the right to marry a woman lies with her parents or father.

According to researchers, giving money to carry out this tradition is considered capable of influencing women's welfare and wealth distribution in their families. Although sometimes they are still considered selling their daughters. However, the prevalence and amount of *jujuran* payments vary from region to region, depending on economic conditions, community structure, institutions, and family characteristics. Payments to propose to girls have also developed in Banjar society and over time. However, there is a shift in women who are already widows (married and then divorced). It all depends on the mindset and understanding of the Banjar community and others in understanding the meaning of *jujuran* or giving money based on the woman's family's request.

However, the researchers saw that women were more sensitive to matchmaking based on little money, which was received if slightly rejected if high. Most women also expressed disagreement with pre-marriage bargaining practices because they considered violating rights and sometimes endangered disharmony in the household.

Deliberation on Marriages and The Remaining Practice of *Jujuran*:

The discussions between the bride's family concerning the nominal value of their *jujuran* and their abilities negatively affect, even if many have a positive influence on marriage. Since in the Banjar culture, the vital cornerstone of marriage is to achieve the purpose of marriage that a family will later prosper. At least this study has found that the market and affordability of *jujuran* issues have yielded two findings.

a. Empowering Women's Right to Marital economy

In East Indonesia, especially in the Banjar community of South Kalimantan province, the practice of marriage is inseparable from the role of tradition that has been carried out from generation to

generation.²⁶ This tradition makes it seem as if it is mandatory to carry out weddings between Banjar tribes or with other tribes.²⁷ Because it has become a custom, the practice of giving or determining a nominal value when proposing to his daughter is also an obligation. A motivation to marry is provided by economies of scale associated with living as a couple rather than in two separate households; problems with free-riding in collective household goods can lead to divorce. The most likely to be stable are relationships involving spouses, whose preferences or productivity are identical, where private goods are shared equally.²⁸ In comparison, marriages involving very different partners and an unequal share of market labour among their partners are much shorter and will end in divorce.²⁹

Based on the data found, the concept of *jujuran* is the giving of an amount of money given by the male family to the woman's family to be married.³⁰ Interestingly, this gift has been agreed upon by the two families who have bargained the *jujuran* price for the woman who will marry later.³¹ Although at first, it was assumed to be

²⁶ Rifqi Akbari, "Jujuran Dalam Adat Banjar (Kajian Etnografis Hukum Islam Dalam Perkawinan Adat Banjar)." *Thesis*, (UIN Syarif Hidayatullah Jakarta, 2018).

²⁷ Mochamad Rochman Firdian, "Tradisi 'Maantar Jujuran' Dalam Perkawinan Adat Banjar Kalimantan Selatan Perspektif Hukum Islam." *Thesis*, (UIN Sunan Ampel Surabaya, 2015).

²⁸ Vicky Barham, Rose Anne Devlin, And Jie Yang, "A Theory Of Rational Marriage And Divorce," *European Economic Review* 53, no. 1 (January 1, 2009): p. 93, Doi:10.1016/J.Euroecorev.2008.02.002; Yoram Weiss, "Family Theory: Economics Of Marriage And Divorce," In *International Encyclopedia Of The Social & Behavioral Sciences (Second Edition)*, Ed. James D. Wright (Oxford: Elsevier, 2015): p. 829, Doi:10.1016/B978-0-08-097086-8.31070-4.

²⁹ Barham, Devlin, And Yang, "A Theory Of Rational Marriage And Divorce," p. 93.

³⁰ Omer Aijazi And Erin Baines, "Relationality, Culpability And Consent In Wartime: Men's Experiences Of Forced Marriage," *International Journal Of Transitional Justice* 11, no. 3 (2017): p. 463.

³¹ Zobaida Akhter, "Girls Not Brides: Concern Of Distance Learning: Strategies To Prevent Child Marriage And Curse Of Dowry: Bangladesh Perspective," 2019.

for consumption purposes for weddings or household furniture later. This tradition is indeed fascinating to study because, in practice, parents use their daughters to accept or reject other people's proposals.³² If it is considered too cheap or unsuitable, the woman's family can look for someone else who wants her daughter. The amount of *jujuran* value also depends on several things. Like the bride's background, a woman's appearance, or indeed a pure agreement between the two brides.³³

b. Curbing Women's Right to Choice in Failure of Agreed Payment by Groom

Jujuran is different from dowry, where dowry is mentioned in the consent *qabul*, while *jujuran* itself is not mentioned. *Jujuran* is not entirely the bride's property because *jujuran* money is used to finance the wedding party and can also be used by the bride's parents to buy the woman's needs and as initial capital for a family.³⁴ Until now, this obligation to give has drawn the pros and cons of this system because this system is more like buying women or just giving, which ultimately became the cause of divorce.³⁵

Of course, the effect is sometimes burdensome for men if the money requested is considerable, even though this tradition is not recommended from the Islamic side. It could even be considered a subtle refusal so that the men would not be offended by the high demand for money. This effect is stated by some opinions only to

³² Mulki Al-Sharmani, "Marriage In Islamic Interpretive Tradition: Revisiting The Legal And The Ethical," *Journal Of Islamic Ethics* 2, no. 1–2 (2018): p. 76.

³³ Nasaiy Aziz, "The Great Phenomenon Of Online Sirri Marriage For Male And Female," *Budapest International Research And Critics Institute (Birci-Journal): Humanities And Social Sciences* 1, no. 3 (2018): pp. 445–450.

³⁴ Aksar Aksar And Triwahyuni Lestari, "Praktek Perkawinan Adat Jujuran Di Kabupaten Rokan Hulu Riau Ditinjau dari Undang-undang No. 1 Tahun 1974," *Journal Equitable* 4, no. 2 (2019): pp. 37–58.

³⁵ Nataša Rijavec Klobučar And Barbara Simonič, "Causes Of Divorce From The Perspective Of Females In Slovenia," *Journal Of Divorce & Remarriage* 58, no. 4 (May 19, 2017): pp. 263–275, Doi:10.1080/10502556.2017.1300024.

ensure the prospective groom's seriousness to his daughter, who is getting married to be economically secure for some time.

Based on the results of the interview, it was known that there were several reasons put forward by the women's family in determining the number of agreed *jujuran*, including the women establishing a large number of *jujuran* with the intention of seeing the seriousness of the men to live with their daughters, ensuring that girls living happily with an established economy for some time, showing the high educational background of the family, the level of family status or family social status, a picture of the beauty of the woman, and even being used for subtle rejection. Based on the results of the interview, it was also known that women's rights which could not be fulfilled by men in some cases also resulted in the failure of the marriage by bringing about divorce or canceling the marriage.

In addition, from the results of the interview, it was also known that the lost and neglected rights of women in choosing a prospective life partner when *jujuran* could not be paid was that this young couple could not build a household life independently. Their new life still depends on the bride's parents. The woman must also give up her income to be used in preparing for the wedding celebration. The bride's parents prepare a larger fund to cover the shortage of costs for the wedding celebration, even *jujuran* and gifts that should be provided by the groom's family must be provided by the bride's family. This *jujuran* is understood by the people of Banjar Regency as an obligation of the groom to hand over gifts to his future wife, even most people say that *jujuran* must be of the best quality, maximum amount and in accordance with the wishes of the female family.

Such an effect on marriage continuation inevitably also affects women's rights when the potential bride cannot pay *jujuran*. It follows that women married with high dowries are generally disappointed at their families' decision because Banjarese marriage is not just a prospective partner, but a marriage between families. However, the female family considers that the *jujuran* is based upon the male candidate's advice, who recommends to her that the female's family raise the *jujuran* in a manner that cannot do so unless the female applies.

The interview results also revealed that the female candidates questioned earlier about how many *jujuran* they would hear from the male side before they encountered each other. It has been done in advance to ensure that unexpected things do not happen, so it is different from other views that women agree on their parents' decisions and obey their obligations, either out of love or affection—or married only by parental preference. They all argue because it has a good effect on the future when married, especially from an economic perspective.

Conclusion

Dowry and *jujuran* are gifts given by the male family to female candidates, which has changed according to the times. Dowry is a part that must be carried out during the marriage contract, while *jujuran* is given to pre-marriage as a sign of acceptance from the woman's family. The nominal value of *jujuran* depends on the bride; the higher the education and beauty, the higher the value of *jujuran* money based on understanding the Banjar community's traditions. The purpose of determining *jujuran* is to emphasize a man's seriousness when proposing to his daughter, not to be sold or made into a transaction. The biological motivation for marriage involves fulfilled human status, couples, and children's human patrimony continuity. Mutual love, friendship, and pleasure are, meanwhile, the primary socio-psychological factors for marriage.

The primary purpose of marriage is spiritual motivation. When the couple enters into a legal relationship, the marriage is thought to lead to perfection, even if it is coercing the daughter. In reality, this research has limitations, i.e., the assumption that parents push their children based on their culture or religion. Due to the limited amount of time in this analysis, researchers can not address this issue. It is because it has been recognized in Islamic law as the right to marriage consent.

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