

Reciprocity and Debt in Marriage Traditions in Jambi: An Inheritance Calculation Analysis from The Perspective of Maqāṣid al-Sharī'ah

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Abstract

The tradition of calculating inheritance in walimatul 'ursy of Jambi Malay community is a social practice that regulates the recording of wedding donations as a form of debt that must be returned in the future. This tradition reflects a reciprocity system that aims to maintain the family's economic balance, but also creates a financial burden for the next generation. This study aims to analyse the tradition of inheritance calculation from the perspective of Maqāṣid al-Syarī'ah, to assess whether this practice is in accordance with the principles of justice and benefit in Islamic law. This research uses a qualitative approach with the method of sociology of Islamic law. Data were collected through in-depth interviews with traditional leaders, scholars, and people involved in this tradition, as well as participatory observation of the practice of calculating inheritance in weddings. Data analysis techniques included data reduction, data presentation, and conclusion drawing based on Maqāṣid al-Syarī'ah theory and Islamic economic principles related to qardh (debt and credit) and sadd al-dharī'ah (prevention of harm). The results show that although the tradition of calculating inheritance has positive aspects in strengthening social relations and helping to finance

weddings, this practice also has the potential to create economic pressures that are not in accordance with the principles of *Maqāṣid al-Syarī'ah*, especially in the aspects of *ḥifẓ al-māl* (protection of property) and *ḥifẓ al-nafs* (protection of the soul). This tradition can cause intergenerational financial burden if it is not regulated with a more flexible and transparent mechanism. Therefore, it is necessary to reformulate the practice of inheritance calculation in order to maintain its social values without causing excessive economic burden for individuals and families.

Keywords: Debt and Credit, Inheritance Calculation, *Maqāṣid al-Syarī'ah*, Reciprocity, *Walimatul 'Urs*

Introduction

The tradition of *bitung waris* (inheritance calculation) in the *walimatul 'ursy* (wedding celebration) among the Jambi Malay community is a social tradition that has long been rooted in society. In this tradition, financial contributions given by guests to the host during a wedding ceremony are not viewed as pure gifts but rather as a form of debt that must be reciprocated in equal value when the contributor organizes a similar event in the future. This practice is meticulously recorded in an inheritance ledger, which serves as a reference for families to settle or reclaim the funds previously given. This tradition is believed to alleviate the financial burden on the bride and groom's families and strengthen social bonds through the principle of reciprocity. However, over time, this practice has presented new challenges, particularly in terms of economic pressure on less affluent families to fulfill their obligations of returning such contributions.

From the perspective of Islamic law, the concept of debt has clearly defined rules, particularly within the context of *qardh* (debt and credit).¹ Islam emphasizes that all debt-related transactions must be conducted transparently, fairly, and without burdening any party.² Yet, in the inheritance calculation tradition, there is an ambiguity in the concept of debt. On one side, the tradition reflects Islamic values of mutual assistance and generosity. On the other, if mismanaged, it may become a financial burden that contradicts the Islamic principle of justice. The potential for economic hardship to be inherited across generations raises a critical question: does this tradition still align with the objectives of *Maqāṣid al-Syarī'ah*, which emphasize public welfare?

¹ Arum Prabaningrum et al., "Konsep Hutang Piutang Dalam Sudut Pandang Islam," *Jurnal Religion: Jurnal Agama, Sosial, Dan Budaya* 1 (2023): 205–17.

² Azwar Azwar, "Akuntabilitas Dalam Transaksi Keuangan Perspektif Islam," *AL-QIBLAH: Jurnal Studi Islam Dan Bahasa Arab* 2, no. 6 (2023): 706–22, <https://doi.org/10.36701/qiblah.v2i6.1592>.

Academically, this phenomenon warrants analysis within the framework of *Maqāṣid al-Syari'ah*, the objectives of Islamic law designed to ensure welfare and social justice. *Maqāṣid al-Syari'ah* encompasses five core aspects: *hifẓ al-dīn* (protection of religion), *hifẓ al-nafs* (protection of soul), *hifẓ al-'aql* (protection of intellect), *hifẓ al-nasl* (protection of lineage), and *hifẓ al-māl* (protection of property). In the context of the inheritance calculation tradition, *hifẓ al-māl* is a primary concern due to the potential impact of this practice on the economic sustainability of families and communities. If wedding contributions are perceived as debts that must be repaid in equal measure, this could impose economic stress, contradicting Islamic principles of equity. Moreover, *hifẓ al-nafs* must also be considered, as the financial pressure may lead to emotional distress and familial conflict.

Research on the inheritance calculation tradition in Jambi Malay weddings remains limited in academic literature, especially from the standpoint of Islamic law. Existing studies have largely focused on the sociocultural dimensions of this practice, without deeply exploring its implications for economic welfare and Islamic justice. For instance, some studies highlight the strong sense of communal cooperation embedded in the tradition, suggesting it assists families in covering wedding expenses. However, research that explicitly connects this tradition with the framework of *Maqāṣid al-Syari'ah* and Islamic economic principles is scarce. Therefore, this study aims to fill this academic gap by analyzing whether the practice remains compatible with the principles of *Maqāṣid al-Syari'ah* or whether it needs to be reconstructed to better reflect Islamic values of justice.

In Islamic law, debt practices are strictly regulated, particularly in avoiding elements of *gharar* (uncertainty) and *ẓulm* (injustice).³ The tradition of requiring the return of contributions in equivalent value may result in injustice, particularly for economically disadvantaged families. In some cases, the financial burden resulting from the obligation to repay contributions may even be inherited by descendants, adding further complexity to the Islamic inheritance system. This raises a critical legal question: should this practice be considered part of *tirkab* (the estate left by the deceased), or does it conflict with the fundamental principles of Islamic inheritance law?

The relevance of this research increases alongside ongoing socioeconomic changes in society. In modern contexts, where social mobility is higher and economic pressure more intense, the rigid application of this tradition may no longer be feasible like it used to. Therefore, a new approach is needed to preserve the tradition's positive values while minimizing its negative impacts. One such

³ Nora Maulana Zufahmi, "Batasan Riba, Gharar, Dan Maisir (Isu Kontemporer Dalam Hukum Bisnis Syariah)," *SYARAH: JURNAL HUKUM ISLAM DAN EKONOMI* 11, no. 2 (2022): 134–50.

approach is reconstructing the practice to make it more flexible and in line with Islamic justice principles.

Based on this background, this study aims to analyze the inheritance calculation practice in *walimatul 'ury* ceremonies among the Jambi Malay community from the perspective of *Maqāṣid al-Syari'ah*. Furthermore, this research also aims to identify the positive and negative impacts of this practice on the economic welfare of the family and to offer Islamic law solutions that are more in line with the values of justice and benefit. Using a qualitative method rooted in the sociology of Islamic law, this study seeks to uncover a deep understanding of how this tradition has evolved and how communities are responding to the emerging challenges.

Through this research, it is expected to find a more balanced implementation model of inheritance calculation tradition between customary values and Islamic law principles. The findings may serve as a valuable reference for academics, Islamic law practitioners, and policymakers in developing regulations more attuned to the needs of Muslim communities in Indonesia. Furthermore, the study contributes to the broader Islamic law literature, particularly in understanding the interaction between customary practices and Islamic law in daily life.

This study adopts a qualitative approach using the methodology of Islamic law sociology, aiming to understand how the tradition of inheritance calculation in *walimatul 'ury* has developed in the Jambi Malay community and how it can be analyzed through the lens of *Maqāṣid al-Syari'ah*. The legal sociology approach is appropriate because the study not only focuses on written legal norms but also examines how Islamic law is applied within the social practices of the community. This descriptive qualitative research seeks to systematically and thoroughly describe the phenomenon from the perspective of the community practicing it, along with Islamic law analysis. The sociological approach of Islamic law is used to understand how the interaction between Islamic law and local traditions takes place in daily life practices.

Data collection was conducted through three main methods: in-depth interviews, participant observation, and documentation. In-depth interviews involved various categories of informants, including traditional figures, religious scholars, and community members who have practiced the inheritance calculation, both as contributors and recipients. Traditional figures provided insights into the cultural values and social meanings of the tradition, while Islamic scholars and jurists offered perspectives on its legal validity. Additionally, interviews with families involved in the tradition were conducted to explore their experiences regarding the benefits and drawbacks of the practice

Observation is carried out by attending *walimatul 'ury* events and directly observing the practice of inheritance calculation within the Jambi Malay

community. This allowed the researcher to observe how contributions were given, how they were recorded in the inheritance ledger, and how the repayment system was implemented within the community. The observation also sought to understand the social interactions shaped by the tradition, including community responses to the obligation of repaying wedding contributions.

The documentation method was used to collect secondary data supporting the research findings. This included entries in inheritance ledgers, family archives, and existing literature discussing similar practices in other regions. This documentation served to complement the information gathered through interviews and observation, while also identifying historical patterns in the tradition's development. The data analysis process involved three main stages: data reduction, data presentation, and conclusion drawing. Data reduction entailed selecting relevant information in accordance with the research focus, while unrelated data were excluded to maintain analytical focus.

The data were presented in narrative descriptions to map the patterns in inheritance calculation practices from social, economic, and Islamic law perspectives. The final stage is the conclusion drawing, where the findings were analyzed using *Maqāṣid al-Syarī'ah* theory, particularly the aspects of *hifẓ al-māl* (protection of property) and *hifẓ al-nafs* (protection of soul). To ensure data validity, the study employed triangulation techniques, including source triangulation, method triangulation, and theoretical triangulation. Source triangulation was done by comparing interview results from different informants—traditional leaders, scholars, and community members. Method triangulation involved comparing data from interviews, observations, and documentation to achieve a more comprehensive understanding. Theoretical triangulation was used by comparing research findings with Islamic law theory and *Maqāṣid al-Syarī'ah*, ensuring that the analysis was grounded in a strong academic foundation.

Research on the inheritance calculation tradition in *walimatul 'ursy* and its analysis through the perspective of *Maqāṣid al-Syarī'ah* remains underexplored. Previous studies have addressed aspects of customary inheritance law and its interaction with Islamic law in various Malay and Minangkabau communities. For example, Jamil et al. (2024) explored the customary inheritance system in the Riau Lingga Malay society, which remains influenced by a patrilineal structure, highlighting the challenges of applying Islamic inheritance law amid strong customary traditions.⁴ Their findings reveal a gap between customary law

⁴ R. Jamil et al., "Eksistensi Sistem Hukum Waris Adat Dengan Sistem Hukum Waris Islam Di Masyarakat Adat Melayu Riau Lingga," ... : *Jurnal Ilmu Hukum* 1, no. 3 (2024): 85–92, <http://jurnalistiqaomah.org/index.php/syariah/article/view/1380%0Ahttp://jurnalistiqaomah.org/index.php/syariah/article/view/1380/1146>.

practices and Islamic teachings, underlining the need to enhance community understanding of Islamic inheritance principles.

Another study by Hidayati and Ahsan (2023) examined inheritance distribution in the Minangkabau tradition of West Pasaman Regency, which follows a matrilineal system where women are the primary heirs.⁵ This study found that the contrast between customary and Islamic inheritance systems creates tensions, especially among families attempting to apply both simultaneously. Oktaviarni et al. (2022) also studied inheritance distribution under Jambi Malay customary law, which is implemented in three ways: peacefully and by mutual consent, by traditional authorities, or through customary courts within villages. However, these studies do not specifically address the inheritance calculation tradition within the context of *walimatul 'ursy* or its analysis based on *Maqāṣid al-Syarī'ah*.

The research gap lies in the lack of studies integrating the analysis of inheritance calculation in *walimatul 'ursy* among the Jambi Malay community with the perspective of *Maqāṣid al-Syarī'ah*. Previous research has primarily focused on general inheritance systems within Malay or Minangkabau traditions without emphasizing the reciprocal and debt-related aspects occurring within marriage contexts. Furthermore, no studies have evaluated this tradition within the framework of Islamic law objectives, such as the protection of property (*hifẓ al-māl*) and life (*hifẓ al-nafs*). This study seeks to address this gap by exploring how the inheritance calculation tradition is practiced in the Jambi Malay community's *walimatul 'ursy* and analyzing it from the perspective of *Maqāṣid al-Syarī'ah*. It is hoped that this research will provide a more comprehensive understanding of the interaction between local tradition and Islamic law principles, as well as offer recommendations for harmonizing the two to achieve justice and societal welfare.

Discussion

Maqāṣid al-Syarī'ah in the Inheritance calculation Tradition

Maqāṣid al-Syarī'ah is a concept in Islamic law that seeks to understand the overarching purposes behind the implementation of the Shari'ah in regulating human life. This concept emphasizes that Islamic law is not merely textual but must ultimately serve the higher objectives of the Shari'ah, those are to achieve public welfare (*maslahah*) and prevent harm (*mafsadah*). Generally, *Maqāṣid al-Syarī'ah* is categorized into five essential elements known as *al-darūrdiyyāt al-khamsah*, or the five fundamental protections: protection of religion (*hifẓ al-dīn*), life (*hifẓ al-nafs*), intellect (*hifẓ al-'aql*), lineage (*hifẓ al-nasl*), and property (*hifẓ al-*

⁵ Mira Hidayati et al., "MASYARAKAT MINANGKABAU KABUPATEN PASAMAN BARAT," n.d., 307–25.

māl).⁶ In the context of the inheritance calculation tradition practiced in the Jambi Malay community, this concept is highly relevant in assessing whether the tradition remains in alignment with Islamic law principles or whether it requires reformulation to ensure it continues to provide communal benefit without imposing undue burden.

Within the scope of *hifẓ al-māl* (protection of property), Islam advocates that all financial transactions and obligations be carried out with fairness and without causing hardship to any party. The inheritance calculation tradition in *walimatul ‘ursy* has an inherently positive economic value, as it facilitates the distribution of wedding expenses through a system of reciprocity. However, when this system evolves into a financial obligation requiring exact or even greater repayment, it risks becoming burdensome and thus contradicting the principles of *hifẓ al-māl*. Islam underscores that debt should not exceed an individual’s capacity to repay, as stated in the Qur’an: “Allah does not burden a soul beyond its capacity” (Qur’an, Al-Baqarah: 286).⁷ Consequently, if the practice leads to economic pressure for individuals or families, a more flexible approach is warranted to maintain compliance with Islamic law principles.

In addition, from the perspective of *hifẓ al-nafs* (protection of soul), Islamic teachings emphasize that societal laws and traditions should not result in undue hardship or psychological stress.⁸ If the inheritance calculation in *walimatul ‘ursy* creates emotional strain due to the obligation to return monetary contributions in equal value, especially during times of financial difficulty, then the practice must be critically re-evaluated. Islam upholds a balance between rights and responsibilities in social life; therefore, traditions that impose disproportionate burdens merit reassessment to ensure they do not compromise the objectives of the *shari‘ah* in safeguarding communal well-being.

From the standpoint of *hifẓ al-nasl* (protection of lineage), the inheritance calculation tradition can also be examined in terms of the social and economic burdens passed on to subsequent generations. If the obligation to repay wedding contributions, as recorded in inheritance ledgers, becomes a legacy of debt transferred from parents to children, it may contribute to economic imbalance within the family structure. Islam regulates inheritance with the principle of justice, ensuring no individual or family is unfairly burdened by financial liabilities

⁶ Nasruddin Yusuf et al., “The Difficulty of Finding Halal Food for Muslim Minorities: Analysis of Maqasid Sharia,” *Al-Istinbath: Jurnal Hukum Islam* 8, no. 2 (2023): 325–46, <https://doi.org/10.29240/jhi.v8i2.8182>.

⁷ Annisaul Fadilah and Tumirin Tumirin, “Jejaling Tali Silaturahmi: Makna Hutang Pada Budaya Dan Tradisi Buwahan Di Desa Slempit, Dusun Lingsir, Kecamatan Kedamean,” *Journal of Culture Accounting and Auditing* 3, no. 1 (2024): 53, <https://doi.org/10.30587/jcaa.v3i1.7697>.

⁸ Universitas Islam et al., “TINJAUAN KEHU JAHAN ‘URF TERHADAP IJAB QABUL DALAM PERSPEKTIF HUKUM ISLAM Azni, Wahidin, Rahmad Kurniawan, Ahmad Jupendri,” n.d., 69–81.

inherited from previous generations. Therefore, if the inheritance calculation tradition in the Jambi Malay community results in economic injustice within family units, a reformulation of the practice would be necessary to better reflect the principles of *Maqāṣid al-Syari‘ah*.

Using the *Maqāṣid al-Syari‘ah* framework, this study proposes that the inheritance calculation tradition in *walimatul ‘ursy* should be transformed from a debt-based system into one grounded in voluntary giving or charitable donations (*hibah*). This transformation can be initiated by educating the community on the Islamic virtue of sincerity, wherein financial assistance at weddings should ideally be offered without the expectation of equal repayment. Furthermore, the use of inheritance ledgers could be modified to introduce more flexibility—for instance, by distinguishing between contributions classified as *qardh* (debt and credit) and those as *hibah* (gift)—thereby preventing excessive financial burdens in the future.

By situating the tradition within the framework of *Maqāṣid al-Syari‘ah*, it is hoped that the community can continue to uphold the spirit of mutual cooperation and solidarity in marriage customs without experiencing the negative repercussions of practices misaligned with Islamic justice. Reformulating the tradition would not only help preserve social balance within the community but also ensure that local customs evolve within the boundaries of Islamic law, one that is more equitable and oriented toward the broader welfare (*maslahah*) of the ummah

The Theory of Reciprocity and Debt in Marriage Practices

The theory of reciprocity is a fundamental concept in sociology that explains how individuals or groups engage in mutual exchanges with the expectation of receiving something in return at a later time.⁹ In traditional societies, reciprocity forms an integral part of the social system, regulating relationships between individuals and the broader community. According to this theory, the act of giving is not merely altruistic but also creates a social obligation for the recipient to reciprocate the gesture in the future. Marcel Mauss (1925), in his seminal work *The Gift*, emphasizes that gift-giving in traditional societies is not solely an economic transaction but also carries social and symbolic meanings that strengthen social cohesion within certain communities. In this context, the inheritance calculation tradition in *walimatul ‘ursy* within the Jambi Malay community can be analyzed as a form of reciprocity that regulates social relations through the recording of wedding contributions, which are expected to be returned when the original giver holds a similar event.

⁹ Kosmas Sobon and Timoteus Ata Leu Ehaq, “Implikasi Etika Solidaritas Knud Ejler Løgstrup Terhadap Korban Virus Covid-19 Di Indonesia,” *Jurnal Filsafat* 31, no. 1 (2021): 105, <https://doi.org/10.22146/jf.57830>.

From the perspective of Islamic law sociology, the system of reciprocity in marriage presents two contrasting dimensions.¹⁰ On one hand, this tradition reflects the spirit of mutual assistance and social solidarity within the community. When a family hosts a wedding celebration, they are not solely responsible for covering all the expenses, as guests contribute financially with the understanding that their support will be reciprocated in the future. This aligns with the Islamic concept of *ta'awun*, or mutual assistance in righteousness and piety, as mentioned in the Qur'an: "And cooperate in righteousness and piety, but do not cooperate in sin and aggression" (Qur'an, Al-Mā'idah: 2). Normatively, this practice thus holds positive value in reinforcing social bonds and alleviating the economic burden on the bride and groom's family.

On the other hand, the system of reciprocity in marriage can evolve into a form of debt that burdens individuals or families. When the contributions recorded in inheritance ledgers become obligatory to repay in equal or even greater amounts, the tradition shifts from mutual aid to financial obligation, potentially exerting economic pressure on recipients. In Islamic law, the concept of *qardh* (debt and credit) is permissible provided it adheres to the principles of fairness and is free from exploitation. Islam teaches that debts must be repaid, but they must not become an unbearable burden for the debtor. The Prophet Muhammad (peace be upon him) stated, "Whoever takes the wealth of people intending to repay it, Allah will repay it on his behalf; but whoever takes it intending to destroy it, Allah will destroy him" (Hadith, Bukhari, No. 2387). Thus, if the inheritance calculation system in marriage causes financial strain for less well-off individuals or families, it requires critical evaluation to remain aligned with the principles of justice in Islam.

Reciprocity theory also suggests that social relationships based on mutual exchange can become transactional when the value received must be returned in kind.¹¹ In the context of inheritance calculation, this shift may lead to psychological stress for families who feel obligated to repay contributions in equal or greater amounts, even when their economic circumstances do not allow for it. This aligns with findings from various studies indicating that reciprocity systems in marriage practices often evolve into rigid social obligations that are difficult to avoid. For instance, Azizah's research on *bunub* in Javanese traditional weddings shows that although the system was initially intended to ease the economic burden

¹⁰ M. Suharto et al., "Tinjauan Historis Sosiologis Terhadap Tradisi Kondangan Pernikahan Sebagai Akad Hutang," *AKSELERASI: Jurnal Ilmiah Nasional* 5, no. 3 (2023): 117–30, <https://doi.org/10.54783/jin.v5i3.867>.

¹¹ Amirul Syah, *Pengaruh Kepemimpinan Spiritual, Kualitas Kehidupan Kerja, Etos Kerja Islami Terhadap Kinerja Pegawai Melalui Organizational Citizenship Behavior (Studi Kasus Pegawai Bank SUMUT Syariah Di Kota Medan)*, Disertasi, 2020, <http://repository.uinsu.ac.id/9114/1/Disertasi.pdf>.

of wedding expenses, in practice it can become a financial strain, trapping individuals in a cycle of long-term indebtedness.¹²

Therefore, reciprocity theory highlights that while the inheritance calculation practice in marriage carries important social value, it also holds the potential for negative consequences if not managed properly. Accordingly, there is a need to reformulate this system to preserve the spirit of mutual aid without creating excessive financial burdens for the bride and groom's families. One possible solution is to educate communities on the distinction between *hibah* (unconditional gifts) and *qardh* (debt and credit) in Islam so that the practice can be carried out more flexibly and without becoming an obligation that burdens future generations. Through such reform, the reciprocity system in marriage can continue to function in line with Islamic values that emphasize justice, balance, and collective welfare.

Living Law Theory and the Transformation of Customary Law

The theory of *Living Law*, developed by Eugen Ehrlich, posits that law does not solely originate from codified statutes enacted by the state, but also emerges organically within society as norms that are socially acknowledged and adhered to.¹³ This theory underscores that the true essence of law lies not only in formal legal texts but also in the lived norms and practices that function within the daily lives of communities. In the context of traditional societies, such as the Jambi Malay community, customary law often holds greater authority than formal law due to its hereditary transmission and integration into collective social practices. One manifestation of living law in the Jambi Malay context is the inheritance calculation tradition within *walimatul 'ursy*, which functions as a reciprocity-based economic mechanism embedded in wedding customs.

In this regard, the Living Law theory provides a valuable framework for understanding how the inheritance calculation tradition has persisted despite the existence of Islamic law and national legislation governing inheritance and financial transactions. As a form of customary law deeply embedded in the local culture, this practice is perceived not merely as a social habit, but as a binding rule. In some cases, non-compliance with the inheritance calculation system can result in social sanctions or communal pressure. This demonstrates that although Islam has clearly defined principles regarding inheritance and debt, local communities may retain customary-based mechanisms because they are perceived as more

¹² Siti Nurhalimah, Tri Handayani, and Ayu Rakhma, "Praktik Akuntansi Tradisi Nggowo Masyarakat Jawa Wonosari Dalam Perspektif Interaksionisme Simbolik," *Jambura Accounting Review* 4, no. 2 (2024): 391–400, <https://jar.fe.ung.ac.id/index.php/jar/article/view/114>.

¹³ Indra Rahmatullah, "Filsafat Hukum Sosiologis (Sociological Jurisprudence); Konsep Dan Aktualisasinya Dalam Hukum Indonesia," *Adalah* 5, no. 2 (2021): 19–32, <https://doi.org/10.15408/adalah.v5i2.21394>.

compatible with prevailing social conditions. Thus, the presence of Living Law in the Jambi Malay community illustrates that law is not static but evolves in response to the needs and social transformations within the community.

This theory is also relevant in observing how customary law may undergo transformation in tandem with social change. In an increasingly complex modern society, the practice of inheritance calculation in Jambi Malay weddings now faces new challenges, particularly in relation to economic welfare and the growing awareness of Islamic law norms. While this tradition may have been previously accepted without much scrutiny, today there is a rising number of individuals who question whether recording wedding contributions in inheritance books aligns with the Islamic principle of justice. Some individuals and families have begun to adopt more flexible systems, in which wedding contributions are treated as voluntary aid rather than binding debts. This phenomenon reflects the dynamic nature of Living Law, which allows for adaptation in the face of social, economic, and religious shifts.¹⁴

From the perspective of customary law transformation, Living Law theory also enables a forward-looking analysis of how the inheritance calculation tradition may be adjusted to better align with Islamic values and contemporary economic realities. One possible form of transformation would be to reframe the documentation of wedding contributions into a more inclusive and voluntary system, wherein recipients have the freedom to repay based on their capacity, free from excessive social pressure. Furthermore, through a more educational approach rooted in Islamic law understanding, communities can be made aware that in Islam, financial transactions must be grounded in justice and must not impose hardship on either party.

Moreover, the transformation of customary law can be supported by more adaptive regulations from customary institutions and local religious scholars. In several communities across Indonesia, customary law has already been reformed to better reflect both Islamic and national law. For example, in certain regions of Java, the *bumuh* wedding contribution, which once considered obligatory, has evolved into a more flexible practice, with contributions no longer regarded as debts requiring equivalent repayment. If similar approach be adopted for the inheritance calculation tradition in the Jambi Malay community, the practice could continue without conflicting with Islamic principles of justice.

By understanding the theory of Living Law and the dynamics of customary law transformation, this study asserts that the inheritance calculation tradition in Jambi Malay matrimonial customs is not a rigid or immutable system. On the contrary, it is capable of evolving in accordance with contemporary

¹⁴ Laurensius Arliman, "Hukum Adat Di Indonesia Dalam Pandangan Para Ahli Dan Konsep Pemberlakuannya Di Indonesia," *Jurnal Selat* 5, no. 2 (2018): 177–90, <https://doi.org/10.31629/selat.v5i2.320>.

developments while remaining consistent with the principles of *Maqāṣid al-Syari'ah*. Therefore, a more contextual approach is needed to comprehend the interaction between Islamic law and customary law, enabling long-standing social practices to endure through modifications that are more justice-oriented and conducive to public welfare.

The Social and Economic Impacts of the Inheritance calculation Tradition from the Perspective of Maqāṣid al-Sharī'

The inheritance calculation tradition within the *walimatul 'uruy* of the Jambi Malay community has broad implications for the community's social and economic life. Socially, this practice plays a key role in maintaining interpersonal and communal relations through the principle of reciprocity, whereby gifts exchanged during weddings are regarded as social investments to be returned when the giver hosts a similar event. This reflects the spirit of mutual assistance and solidarity, which is deeply embedded in Jambi Malay culture. However, in some cases, the system can also generate social pressure, particularly for families who feel burdened by the obligation to reciprocate the exact or even greater amount. Those unable to meet such expectations may face social stigma or a decline in social status. From the perspective of *Maqāṣid al-Syari'ah*, such social pressure may conflict with the principle of *hifẓ al-nafs* (protection of soul), as it can lead to stress, anxiety, or even familial and social tensions.¹⁵

Economically, the inheritance calculation tradition can benefit the bride or groom's family by easing the financial burden associated with wedding expenses. In communities where the tradition is still actively practiced, the hosting family does not bear the full cost alone, as contributions from guests often cover a substantial portion of the event. This system also facilitates economic redistribution within the community, wherein financial responsibilities are shared collectively. In this regard, the practice aligns with the Islamic principle of *ta'awun*, as encouraged in the Qur'an: "And cooperate in righteousness and piety..." (Qur'an, al-Mā'idah: 2). However, when the documentation of these contributions in the inheritance ledger transforms into a financial obligation passed down through generations, the economic impact becomes more complex.

From the perspective of *hifẓ al-māl* (protection of property), Islam emphasizes that economic systems must be based on justice and should not impose undue hardship on individuals.¹⁶ If the inheritance calculation practice

¹⁵ Bambang Irawan et al., "TINJAUAN HUKUM EKONOMI SYARIAH TENTANG PENGGUNAAN ROBO ADVISOR DALAM ISLAMIC WEALTH MANAGEMENT (Studi Pustaka Robo Advisor Di Indonesia Tahun 2022)," *AL-MANHAJ: Jurnal Hukum Dan Pranata Sosial Islam* 5, no. 2 (2023): 1157–74, <https://doi.org/10.37680/almanhaj.v5i2.3214>.

¹⁶ Wildanan Arsyad Darmawati, "Development Of Judicial Decisions On Marriage Dispensation At The Belopa Religious Court (Maqashid Sharia Perspective)," *Bustanul Fuqaha: Jurnal Bidang Hukum Islam* 5, no. 3 (2024): 514–43, <https://doi.org/10.36701/bustanul.v5i3.1791>.

traps individuals in a cycle of debt, it becomes inconsistent with the Islamic principle of property protection. For example, in some cases, families with limited economic means still feel obligated to reciprocate wedding gifts in full, even if it requires taking on debt or selling their assets. This contradicts Islamic teachings, which discourage individuals from taking on debt beyond their capacity to repay. As narrated in a hadith of the Prophet Muhammad (peace be upon him): “The soul of the believer is held hostage by his debt until it is paid” (Hadith, Tirmidhi, No. 1079). Therefore, while the tradition may offer short-term financial benefits, it risks creating long-term structural economic problems that run counter to the principles of justice in Islam.

Another consequence of the system is the potential for economic imbalance within the community. In some cases, individuals or families with higher social standing contribute significantly larger amounts, establishing a new standard of giving that other families feel compelled to match, regardless of their financial limitations. This can lead to social and economic disparities, where lower-income families feel pressured to adhere to unsustainable norms. From a *Maqāṣid al-Syarī‘ah* perspective, this situation conflicts with the principle of economic justice in Islam, as it generates *mafsadah* (harm) in the form of financial stress and social inequality. Hence, there is a need to reformulate the implementation of this tradition so it retains its social value without imposing excessive economic burdens.

One proposed solution is to reform the contribution recording system in the *buku waris* (inheritance ledger) to make it more flexible and non-binding. If wedding contributions are treated as *hibah* (gifts) or voluntary offerings rather than debts requiring equivalent repayment, the negative consequences of the practice can be mitigated. Furthermore, public education on Islamic economic principles, particularly regarding the concepts of *qardh* (debt and credit) and *hibah*, can help the community distinguish between financial obligations and mutual aid practices that are more aligned with Islamic values. Through such reform, the inheritance calculation tradition can continue to function as a social mechanism that fosters communal support, without causing financial harm to individuals or families.

In conclusion, from the perspective of *Maqāṣid al-Syarī‘ah*, the inheritance calculation tradition holds significant social value but also carries the potential for economic harm if not properly managed. Reformulation and adaptation in accordance with more inclusive Islamic principles offer a viable path forward, ensuring that the tradition remains in harmony with *sharī‘ah* values while benefiting all segments of society—free from injustice and undue financial burden.

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Reformulating Traditional Inheritance Calculations within the Framework of Islamic Law

The inheritance calculation tradition in the *walimatul 'ursy* of the Jambi Malay community has long been a cultural legacy passed down through generations. As a form of reciprocity, this system aims to ease the financial burden of the bride or groom's family by relying on contributions from guests, which are expected to be reciprocated in equal measure when those guests hold similar events. However, in practice, this tradition has evolved into a binding social obligation, where wedding contributions are recorded in a *buku waris* and treated as debts to be repaid. This condition has led to complex economic and social consequences, especially for families with limited financial means. Therefore, reformulating the inheritance calculation tradition is necessary to preserve its social value while ensuring alignment with the principles of justice in Islamic law.

From the perspective of Islamic law, reformulation can be achieved by emphasizing the principle of *hibah* (gifting) rather than *qardh* (debt and credit).¹⁷ Islam teaches that giving should be based on sincerity and should not impose a burden on the recipient. In this context, wedding contributions should no longer be regarded as debts to be repaid in full, but as voluntary gifts (*hibah*) given in goodwill. This aligns with Islamic teachings, which encourage mutual assistance without coercion or social pressure. The Qur'an states, "If you do good, you do good for yourselves..." (Qur'an, al-Isrā': 7), emphasizing that any form of charity or assistance should be driven by genuine goodwill, not an obligation that burdens others.

In addition to shifting the perspective from debt to *hibah*, reformulation can include adopting a more flexible record-keeping system. If the *buku waris* is retained for administrative purposes, the entries should no longer carry binding repayment obligations. Instead, they may serve merely as references for families who wish to reciprocate support in the future, but without creating enforceable duties. Such a system better reflects the objectives of *Maqāsid al-Syari'ah*, particularly with respect to *hifz al-māl* (protection of property) and *hifz al-nafs* (protection of soul), as it helps prevent potential economic stress or psychological burden on individuals and families.

¹⁷ Izomiddinn, *Falsafah SYariah Hukum Islam* (Jakarta: Kencana Prenada Media Group, 2023). h. 78.

Education on Islamic law and economic principles is also crucial in this reform effort. A broader understanding of concepts of Islamic economy such as *hibab*, *qardh*, and *sadd al-dhari'ah* (preventing harm) can help communities adopt systems more aligned with *shari'ah* values.¹⁸ Islamic scholars and customary leaders play a strategic role in informing the public that the inheritance calculation system must uphold justice and avoid imposing hardship, particularly on the economically disadvantaged. Similar reform efforts have succeeded in other parts of Indonesia, such as in the transformation of *bumuh* (Javanese wedding contributions), which were once mandatory but are now more flexible and adapted to families' socioeconomic conditions.

Furthermore, reform can be done by offering alternative, less burdensome models such as a community-based collective contribution system. In such a model, the hosting family may receive assistance in the form of donations or labor through communal effort, without the expectation of repayment in equal measure. This approach not only better aligns with the goals of *Maqāṣid al-Syari'ah*, but also strengthens social solidarity in a manner that is fairer and avoids long-term financial strain.

Through this reformulation, the inheritance calculation tradition can continue to serve as a social mechanism that supports community welfare while remaining consistent with Islamic law principles. By prioritizing the concept of *hibab*, improving the recording system, enhancing legal education, and adopting collective contribution models, the tradition can adapt to contemporary challenges without losing the spirit of mutual cooperation that defines the identity of the Jambi Malay people. Such reform efforts may also serve as a model for other communities facing similar challenges in reconciling customary practices with *shari'ah*-based norms in communal life.

Conclusion

This study reveals that the inheritance calculation tradition in the *walimatul 'ursy* of the Jambi Malay community is a social practice that has evolved into a reciprocal economic mechanism. The tradition allows families hosting a wedding to receive financial support from invited guests, with the expectation that the support will be returned when those guests host similar events in the future. From the perspective of *Maqāṣid al-Syari'ah*, this practice presents two sides: on one hand, it reflects a spirit of mutual assistance that strengthens social bonds and

¹⁸ Bakhrol Huda, "Rekonstruksi Akad Hutang Yang Diansuransikan Perspektif Sad Al-Dhara'ah," *MASADIR: Jurnal Hukum Islam* 1, no. 2 (2021): 222–46, <https://doi.org/10.33754/masadir.v1i2.374>.

eases the financial burden on the bride or groom's family. On the other hand, it can also create prolonged economic strain, particularly when the obligation to return contributions becomes an inherited duty passed down through generations. Based on these findings, it can be concluded that the inheritance calculation tradition should be reformulated to preserve its social value while avoiding conflict with the principle of *hifz al-māl* (protection of property) in Islam. As a form of *living law* rooted in customary norms, this practice requires adjustment to ensure that it does not impose undue hardship, especially on families with limited financial capacity. In some cases, the recording of debts in the *buku waris* (inheritance ledger) has led to psychological and economic pressures on those responsible for reciprocating contributions in equal measure, contradicting the ideal of sincerity that should form the foundation of Islamic mutual cooperation. As a follow-up, this study recommends the implementation of Islamic law education for the public, so that they may better understand the distinction between *hibab* (voluntary gift) and *qardh* (debt and credit) in the context of wedding customs. Customary leaders and Islamic scholars play a critical role in conveying broader awareness on how this tradition can continue to be practiced without causing negative impacts on recipient families. In addition, innovation is needed in the contribution-recording system to make it more flexible and less burdensome. Future research may expand the scope of this study to include other communities with similar practices in order to explore variations in the implementation of reciprocal wedding traditions.

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