

THE INCLUSION OF ULEMA IN THE APPLICATION OF ISLAM NUSANTARA LAW FOR THE ACEH COMMUNITY

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DOI: [10.30631/alrisalah.v23i2.1428](https://doi.org/10.30631/alrisalah.v23i2.1428)

Submitted: August 17, 2023; Revised: December 12, 2023; Accepted: December 21, 2023

Abstract: Islam Nusantara is recognized as an ideology that advocates the application of fiqh law while accommodating cultural and traditional values. In the contemporary evolution of religious comprehension, particularly in Aceh, the local community perceives cultural manifestations in worship as misguided. Therefore, the introduction of Islam Nusantara concept aims to rectify these misconceptions through cultural adjustment with Sharia, commonly referred to as Islamization. Considering these challenges, the role of ulemas should be examined by implementing and practicing fiqh law in the Aceh community. Furthermore, this study adopts qualitative and descriptive normative methods. Data are derived from a comprehensive literature review, interviews, and observations, and subjected to qualitative data analysis methods. The results show that fiqh practices in Aceh are always based on the fatwa of ulemas to provide legality of carrying out these practices. The inclusion of ulemas is indispensable to ensure the conformity of new cultural teachings with the established legal framework.

Keywords: Ulema, Nusantara Islamic Law, Aceh Community

Abstrak: Penelitian ini bertujuan untuk mengkaji keterlibatan ulama dalam praktik hukum fikih Islam Nusantara bagi masyarakat di Aceh. Islam nusantara dikenal sebagai sebuah gagasan dalam mengamalkan hukum fikih yang mentolerir nilai budaya atau tradisi. Pemahaman keagamaan dewasa ini khususnya di Aceh, masyarakat menganggap praktik budaya ke dalam bentuk ibadah merupakan sebuah kesesatan yang harus dihindari. Maka kedatangan gagasan Islam nusantara bertujuan untuk meluruskan pemahaman-pemahaman yang melenceng tersebut dalam bentuk penyesuaian budaya dengan syariat atau yang sering disebut dengan istilah Islamisasi. Berangkat dari permasalahan tersebut perlu sebuah kajian tentang keterlibatan ulama dalam penerapan atau praktik hukum fikih bagi masyarakat Aceh. Kajian ini menggunakan metode penelitian kualitatif dengan jenis penelitian yuridis empiris. Sumber data berdasarkan dokumen, wawancara dan observasi yang kemudian dianalisis dengan menggunakan metode analisis data kualitatif. Hasil

penelitian membuktikan bahwa praktik amalan fikih dalam masyarakat Aceh selalu berdasarkan fatwa ulama untuk memberikan legalitas bahwa amalan tersebut boleh dikerjakan. Dengan demikian keterlibatan ulama dalam penerapan atau praktik fikih bagi masyarakat Aceh merupakan sebuah keharusan sehingga sebuah ajaran budaya atau ajaran baru tidak akan dipraktikkan oleh masyarakat Aceh sebelum mendapatkan legalitas dari ulama.

Keywords: Ulama, Hukum Islam Nusantara, Masyarakat Aceh

Introduction

Islam is a universal religion designed to benefit all human beings, transcending the confines of specific individuals, groups, communities, or nations. This religion is a source of mercy for the entirety of humanity¹ and one of the controversies in contemporary fiqh dynamics ² is the concept of Islam Nusantara. The discourse was developed in the context of Indonesian advancing history after the fall of the New Order government, marked by right-wing, left-wing, radical, and liberal movements. Under the leadership of President BJ Habib, an era of freedom has been inaugurated, leading to the development of diverse Islamic movements. These movements, originating from the nation's youth, showed a spectrum of creativity and capabilities.³

The discourse of Islam Nusantara has become a focal point for Muslims in Indonesia, attracting global attention from academic circles, prominent ulemas, and religious figures. This idea gained prominence following its formal articulation

and promotion during the 33rd Congress of Nahdlatul Ulama (NU) in Jombang, East Java, held from August 1 to 5, 2015, themed "Strengthening Islam Nusantara for the peace of Indonesia and the world." Despite originating from the largest organization, debates persist from non-Nahdlatul Ulama entities and in the organization.⁴

Ahmad Baso states that Islam Nusantara is not a passive entity but accepts influences from Arab, Persian, Indian, and European sources. In this context, Nusantara society possesses the capacity to assimilate knowledge from Arab, Persian, and Indian civilizations to European nations actively. This transformative ability is positioned as a dynamic force capable of influencing societies.⁵ Therefore, the role of active and passive scholars is important, significant, and relevant in academic studies and community service.

Under the guidance of ulemas and intellectuals, NU has conducted significant considerations for the substantial implementation of Islam. To actualize Islam Nusantara, several strategies have been formulated, including the indigenization of Islam Nusantara as a methodology, the reinforcement of initiatives, and the fortification of Islamic boarding schools. The

¹ Muhammad Khairan Arif, "Islam Rahmatan Lil Alamin From Social and Cultural Perspective," *Al-Risalah* 12, no. 2 (2021): 169-86, <https://doi.org/10.34005/alrisalah.v12i2.1376>.

² Ismail Pane; Hasan Syazali; Syaflin Halim; Karimuddin; Imam Asrofi; Muhammad Fadlan; Kartini; Muhammad Saleh, "Fiqh Mu'amalah Kontemporer," ed. Muannif Ridwan (Sigli Pidie: Yayasan Penerbit Muhammad Zaini, 2022).

³ Abdul Rahman, Mubarak Dahlan, and Dimas Ario Sumilih, "Kebangkitan Politik Islam Pasca Orde Baru, 1999-2001," *KAIS Kajian Ilmu Sosial* 1, no. Volume 1 No. 2 (2020): 107-18.

⁴ Khabibi Muhammad Luthfi, "Islam Nusantara: Relasi Islam Dan Budaya Lokal," *SHAHIH: Journal of Islamicate Multidisciplinary* 1, no. 1 (2016): 1-12, <https://doi.org/10.22515/shahih.v1i1.53>.

⁵ Nawir Yuslem Januddin Muhammad Yusuf, "Acehnese Dayah Ulama's Response to the Use of 'Urf in Istibath of Fiqh Law from Islam Nusantara," *Al-Istinbath* 8, no. 1 (2023): 291-306.

concept of indigenizing Islam, championed by Gus Dur, plays an important role in reinforcing the presence and relevance of Islam Nusantara. The methodology (*manhaj*), as elaborated by Ahmad Baso, includes *al Muhafadzah* and *al-Akhdzu*, as well as *Maqasid al-Shari'ah*.⁶

The application of Islam Nusantara teachings based on *manhaj* and *maqashid Sharia*⁷ is practiced by all NU members in Indonesia, including those in Aceh, a region granted the right to implement Islamic law comprehensively. Many cultural practices are suspected to have connections with the implementation of Islam Nusantara to Islamize cultural practices in the community.

The Aceh community does not accept Islamization since certain members view cultural practices as ancestral heritage incompatible with the oneness of Allah. This perspective is rooted in concerns about practices that may reflect polytheistic elements. In this context, ulemas assume a crucial role in rectifying misconceptions and guiding the community towards practices in line with moderate Islamic teachings, correcting perceived deviations from orthodox practices.^{8,9}

Previous studies considered the participation of ulemas in the application of Islam Nusantara in Aceh. The implementation of fiqh, particularly concerning punitive measures, is connected with cultural and traditional customs.¹⁰ The analysis of various articles,¹¹ as discussed by Rizki Dian Nursita,¹² provides a comprehensive perspective on the multifaceted dimensions of Islam Nusantara.¹³ Based on the explanation, there is a need for a study to understand the inclusion of ulemas in implementing Islam Nusantara for the Aceh community. Therefore, this study is crucial to provide insights into applying Islamic practices and integrating cultural values. Based on the description, the differences in perspectives on these two issues are clear. There is questioning of the truth in the practice of Islam Nusantara, leading to a reluctance to follow the patterns formulated. Therefore, a study related to Islam Nusantara fiqh in Aceh should be conducted, specifically in cultural practices maintained as a form of worship to draw closer to Allah.

Method

This study used qualitative method¹⁴ with juridical empirical type related to the community behavior. Meanwhile, data collection methods included documentation,

⁶ Kasjim Salenda, "Hukum Islam Indonesia Sebagai Role Model Islam Nusantara," *Al-Ulum* 16, no. 1 (2016): 229–45.

⁷ Zaenudin Mansyur, "Implementasi Teori Maqashid Syari'Ah Asy-Syatibi Dalam Muamalah Kontemporer," *Jurisdictie* 11, no. 1 (2020): 67, <https://doi.org/10.18860/j.v11i1.7675>.

⁸ Syafieh Syafieh, Muhaini Muhaini, and Suhaili Syufyan, "Authority and Ulama In Aceh: The Role of Dayah Ulama In Contemporary Aceh Religious Practices," *Jurnal Theologia* 33, no. 2 (2022): 151–78, <https://doi.org/10.21580/teo.2022.33.2.13455>.

⁹ S Mulasi, S Hamdi, and M Riza, "Religious Moderation in Aceh: A Strategy for Implementing Islam Washatiah Values in Acehnese Society," *Al-Adyan: Journal of Religious ...*, no. Query date: 2023-08-15 01:53:33 (2023): 1–13, <http://ejournal.uinib.ac.id/jurnal/index.php/aladyan/article/view/6067>.

¹⁰ Karimuddin Abdullah Lawang et al., "MARRIAGE PROCESSES OF KHALWAT PERPETRATORS IN CUSTOMARY LAW IN ACEH" XI, no. 3 (2023): 542–49.

¹¹ Al Ma'arif, "Islam Nusantara: Studi Epistemologis Dan Kritis," *ANALISIS: Jurnal Studi Keislaman* 15, no. 2 (2015): 265–92.

¹² Mujamil Qomar, "Islam Nusantara Sebagai Subject Dalam Islamic Studies: Lintas Diskursus Dan Metodologis," *Islam Nusantara: Sebuah Alternatif Model Pemikiran, Pemahaman, Dan Pengamalan Islam* 17, no. 2 (2015): 198–217.

¹³ Rizki Dian Nursita, "Critical Discourse Analysis on Islam Nusantara in Indonesia ' s Foreign Policy," *Hasanuddin Journal of International Affairs* 3, no. 1 (2023): 44–54, <https://journal.unhas.ac.id/index.php/hujia/article/view/25611>.

¹⁴ Hadari Nawawi dan Nini Martini, *Penelitian Terapan* (Yogyakarta: Gadjah Mada, 2006), p. 174.

observation, and interviews. Information sources for interviews were drawn from key figures considered representative of Aceh's charismatic ulemas such as Abu Syeikh H. Hasanoel Basry HG (Abu Mudi), Tgk. H. Muhammad Yusuf A. Wahab (Ayah Sop), Tgk. H. Faisal Ali (Abu Lem Faisal), Tgk. Rasyidin Ahmad (Waled Nura), Tgk. H. Tu Bulqaini (Tu Bulqaini). Tgk. Zulfadli Ismail (Waled Landeng), and Dr. Tgk. Karimuddin Abdullah Lawang, MA (Abi Karim). The collected data was analyzed using content analysis method, stating explicit and implicit meanings from the conducted interviews.

Result and Discussion

1. The Urgency of Ulemas in the Life of the Aceh Community

Islam in Aceh has a unique history that differs from other regions in the world. According to Hasbi Amiruddin, Aceh is often referred to as the "Veranda of Mecca" due to the historical significance. Since the inception, the region has been the subject of persistent struggles and defenses against diverse external threats. This protracted history of resilience has resulted in the profound integration of Islam into the fabric of the local community way of life. The region is distinct from some other regions in Islamic world that later transformed into non-Muslim lands. The profound integration of Islam into the Aceh community is a crucial topic that demands thoughtful consideration and discussion.¹⁵ This is inseparable from the role of ulemas who consistently educate the community since the inception of Islam up to the present. Additionally, religious boarding schools known as *dayah* were established as places where ulemas teach religious sciences.¹⁶ *Dayah Awe Geutah*, located in the hinterlands,

was once famous and attracted many seekers of knowledge from all over Aceh. Subsequently, the graduates opened *dayahs* in their respective regions. During the period of Aceh kingdoms, *dayah* as an educational institution experienced significant progress and there were also ulemas from abroad, specifically in the Middle East.¹⁷

Ulemas occupy a distinctive and revered position in the societal fabric of Aceh. This veneration appears to be an inherent process, stemming from its historical significance as the region in the archipelago adopted Islam. The community is characterized by a profound religiosity, with a level of devotion and enthusiasm towards Islam.¹⁸ The high religious intensity places religious institutions in a prominent position and ulemas are the bearers of the prophetic mission. In the capacity of *warasatul-anbiya* (successors to the prophets), the prophetic mission should be implemented and preserved. The roles of *tabligh*, *tabyin*, *tahkim*, and *uswah* need to be fulfilled in their lives.¹⁹ Ulemas have accepted these religious and political roles (*siyasa*)²⁰ as observed in the history of Aceh from their existence.²¹

The spirit of *Teungku* (Islamic ulemas) to oversee the religion of the Aceh community was revived by MPU (Ulema Consultative Council) in the early days of the establishment

¹⁵ Hasbi Amiruddin, *Aceh Dan Serambi Mekkah* (Banda Aceh: Yayasan Pena, 2006).

¹⁶ Azmi Yudha Zulfikar, *Transformasi Sosial Dan Perubahan Dayah Di Aceh*. (Sigli Pidie: Yayasan Penerbit Muhammad Zaini., 2022).

¹⁷ Hasbi Amiruddin, *Aceh Dan Serambi Mekkah*.

¹⁸ Zulfikar Arahman, *Gerakan Dakwah Ulama Dayah Aceh* (Yogyakarta: Yayasan Sahabat Alam Rafflesia, 2023).

¹⁹ Yumna, "Ulama Sebagai Warasatul Anbiya: Pergeseran Nilai Ulama Di Mata Masyarakat Aceh," *Syifa Al-Qulub* 3, no. 1 (2018): 22.

²⁰ Nurlaila Nurlaila and Zulihafnani Zulihafnani, "Pengaruh Fatwa Ulama Dayah Dalam Masyarakat Aceh," *Substantia: Jurnal Ilmu-Ilmu Ushuluddin* 21, no. 2 (2019): 93, <https://doi.org/10.22373/substantia.v21i2.3742>.

²¹ Hasan, R. (2013). PERANAN DAN SIKAP TRANSFORMASI POLITIK ULAMA DALAM MENGHADAPI PEMILU 2014 DI ACEH. *Millah: Journal of Religious Studies*, 12(2), 503–521. <https://doi.org/10.20885/millah.volxii.iss2.art10>.

of the New Order government.²² The establishment of this organization was not only a requisite for the community but also held significant importance for the government. During the period, there was no institution tasked with issuing religious edicts (*fatwa*) and offering thoughtful considerations to the government.

Regarding the inclusion of ulemas in guiding the community, ulemas need to strengthen their presence in organizational or institutional frameworks as government partners.²³ The establishment of MPU institution did not satisfy *Teungku dayah* (Islamic ulemas in Aceh Islamic boarding schools) since some members of MPU leadership were not from *dayah*. Based on the chronological events, *Teungku* agreed to establish another organization capable of gathering the strength of *Teungku dayah*. In 1999, HUDA (Association of *Dayah* Ulemas in Aceh) was established as a new organization of *Teungku dayah*. According to interview with Abu Syekh H. Hasanoel Basry HG, this organization became an important partner for the Aceh government in determining regional policies, following MPU as a formal government organization.

According to interview with Dr. Karimuddin Abdullah Lawang, MA, after the peace process in Aceh, one of the entities of ulemas' organizations was developed, namely MUNA (Nanggroe Aceh Ulema Council). Politically, this organization is affiliated with one of the local political parties in Aceh.

MUNA was established in 2006 after the Helsinki MoU or peace agreement between the Indonesian government and GAM (Free Aceh Movement). According to the Aceh Political Party (PA) officials, this institution aimed to become an official state institution when Aceh succeeded in becoming an independent region. In the absence of achieving independence, this institution persisted as an organization led by ulemas, where politicians obtained diverse religious edicts. The membership of MUNA consisted of ulemas with backgrounds from Islamic boarding schools, sharing a similar vision with the PA party. Ulemas in this organization have no connection with HUDA, RTA, or Insafuddin.

Based on the description, ulemas in Aceh are highly needed by the community as a reference in all fields, specifically in matters of fiqh, as a guide for daily worship practices. A crucial role has been played in various aspects, and the guidance of the law is highly anticipated by the community.

2. Involvement of Ulemas in the Implementation of Islam Nusantara Fiqh for the Aceh Community

As previously explained, the urgency of ulemas is to guide the community by providing correct Islamic understanding in the form of worship practices or fiqh, as well as ideology or creed, and the socio-cultural aspects. Furthermore, the role also serves as an example to practice Islamic cultures and safeguard local wisdom in the form of values. There are many cultural practices in Aceh, such as the tradition of *turun tanah anak*, which is practiced as a form of *tafaul* for the well-being of children in the future.²⁴

The inclusion of ulemas in the implementation of Islam Nusantara fiqh for the Aceh community pertains to fiqh related to cultural practices. Furthermore, a practice

²² Muhammad Riski, "Peran Majelis Permusyawaratan Ulama (MPU) Aceh Dalam Menerbitkan Qanun Jinayat Dalam Sistem Hukum Tata Negara," *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial* 7, no. 1 (2022): 147, <https://doi.org/10.22373/justisia.v7i1.12763>.

²³ Amiruddin Abdullah Zulfikar, Lahmuddin Lubis, Abdurrahman, "Ulama and Umara Communication Patterns in Fostering Islamic Dayah Education in Aceh: Methods and Barriers Zulfikar," *Edukasi Islami: Jurnal Pendidikan Islam* 11, no. 03 (2022): 611, <https://doi.org/10.30868/ei.v11i03.2914>.

²⁴ Karimuddin Abdullah, "Pendampingan Masyarakat Dalam Prosesi Tradisi Menginjak Tanah Pertama Bagi Bayi," *PENGMASKU* 2, no. 1 (2022): 43–47.

cannot be separated from the recommendation or approval of the ulemas in Aceh. This is explained by several sources during the data collection process.

The cultural tradition of *khanduri blang* is one form of the practice of Islam Nusantara fiqh in Aceh. *Khanduri blang* means a rice field feast, a celebration accompanied by prayers and communal meals held by farmers when the rice planting season begins. This tradition has been carried out through generations to obtain blessings through gratitude (food charity) and supplicate to Allah for the fields to be free from pests. The following are the results of an interview with Tgk H. Tu Bulqaini:

“*Khanduri blang* process is carried out near the rice fields. The cooking utensils are brought from home, including pots, knives, machetes, rice, spices, and chickens, which are slaughtered on-site. In this procedure, all residents collaborate in cooking the chicken and preparing rice, with a particular emphasis on the active participation of men, often accompanied by children, as observed in Samalanga. It is important to state that there are variations in the ceremonial process in other regions, where women play a significant role. A collective prayer is performed, led by the village chief's *teungku imum* before sharing the meal. Subsequently, the *teungku imum* announces when the plowing of the fields and seeding will begin with the ritual of *peusijuk bijeh* (sprinkling rice flour on the seeds). This aims to ensure uniformity in starting the rice planting, intended to minimize pests.”

The cultural fiqh regarding the tradition of *khanduri blang* clearly shows the inclusion of ulemas as a deviant performed at a burial region. However, *khanduri blang* is a form of food charity for the poor and is performed at a noble place, namely the graveyard of ulemas with spiritual significance. Therefore, this act is not contradictory to fiqh since the process

falls under the worship of providing food to the poor. The ritual, regularly performed by the Aceh community, is not detached from religious understanding and is supported by the behavior of past ulemas who did not object and even attended the feast during *khanduri blang*. This practice is integral to local wisdom, enduring through time, even though the methods or processes may change, leading to variations across different regions. This is because *khanduri* is a form of gratitude to Allah through the act of giving food to others (Interview with Dr. Tgk. Karimuddin Abdullah Lawang, MA). Based on the interview, the inclusion of ulemas in the practice of Islam Nusantara fiqh that tolerates *khanduri blang* culture as a form of the community charity practice is evident. The direct presence of ulemas in the activity is an inclusion that cannot be denied. This serves as proof of recognition or validation that the practice is correct and can be carried out for subsequent activities. The purpose of *khanduri blang* is to foster camaraderie among fellow citizens and create unity. After *khanduri blang*, a three-day prohibition period ensues, during which no activities are permitted. This marks the lead-up to the synchronized field activities as part of a communal practice, including the cleaning of water channels, plowing the fields, seeding, planting, *meu umpoe* (fertilizer application), and rice harvesting. A customary practice occurs when the rice is around forty days old, locally referred to as *beuteung*. At this point, a special flour offering, *tepung tawari*, is prepared. In response to a young woman specific food cravings, the community initiates the preparation of a porridge (*ie bu*). The nourishing dish is cooked by the mothers and then transported to the fields for communal consumption. This ritual is carried out with the anticipation that rats and caterpillars, posing a threat to the rice, will vanish and the belief has been passed down through generations (Interview with Tgk. H. Muhammad Yusuf A. Wahab).

The performance of *khanduri blang* has become a customary obligation for farmers before commencing the work in the fields and there is a sense of incompleteness when the practice is neglected. In reality, fulfilling *khanduri blang* carries the same significance as meeting the obligation of zakat, and this is considered obligatory. However, the practices are two different things, where zakat is part of a religious obligation, while *khanduri blang* is not a mandated practice. Ulemas in Aceh derive jurisprudential reasoning for the tradition, specifically when the concept is not found in the literature of ulemas' writings. Tgk. Zulfadli Ismail provided the following explanation:

"The tradition of *khanduri blang* falls under customs (*adat* or '*urf*') that does not contradict Sharia due to the inclusion of a communal meal (*khanduri*) and collective prayers, asking Allah for fertility, protection from pests, and a good harvest. Moreover, the practice is also an expression of gratitude to Allah for the previous harvest."

The implementation of the tradition has been Islamized since the process includes communal prayers and meals. However, there are still regions that incorporate rituals bordering on *shirk* associating partners with Allah, as explained by Tgk. H. Faisal Ali:

"Some regions still perform the tradition by creating various offerings placed in a *takee'* or *teumalang* (a container made from *situek* or the petiole of the betel palm). In this container, a combination of offerings including meat (chicken/duck), yellow sticky rice/white rice, and cigarettes is arranged. Furthermore, the offerings are suspended on the doors of every community's rice field. By this placement, the community aspires to safeguard the fields, believing that the act of consuming the food serves as a protective measure."

The rituals described in the interview with Dr. Tgk. Imran Abu Bakar are starting to fade

away. This is due to the presence of study groups (*majlis ta'lim*) spreading even to the villages and Tgk. Rasyidin Ahmad expressed that:

"Previously, many traditions of the Aceh community deviated from Islamic teachings, approaching acts of polytheism, such as *khanduri blang* performed by slaughtering a buffalo and eating together. Historically, the head of a buffalo was ceremoniously floated in the river and adorned with a red cloth. This ritual symbolized a sacrificial offering to the river, believed to appease and secure its benevolence in providing water for the rice fields. Through the guidance of ulemas in Aceh or those directly related to rural communities, these practices were subjected to a gradual transformation. The ritual replaced the traditional methods with the act of floating the buffalo head accompanied by recitations of *dhikr* and communal prayers conducted with the intent of obtaining Allah's blessings. Therefore, *khanduri blang* became a charitable event for orphans and a communal meal for farmers."

The tradition becomes a necessity for the Aceh community when the planting season begins. Ulemas in Aceh refrain from prohibiting *khanduri blang* tradition for several reasons. The following insights are derived from an interview with Tgk. H. Tu Bulqaini:

"Aceh ulemas permit *khanduri blang* because the tradition does not contradict Sharia law. There is a fiqh principle stating *al-adatu muhakkamaton*, meaning that customs become laws and do not include the acts of polytheism in *khanduri blang* tradition."

Based on historical considerations, the origin and initiator of *khanduri blang* (field feast) ritual cannot be definitively ascertained, given the antiquity dating back to the inception of the Earth. This ritual is consistent with religious doctrines since the process has

been subject to censure by authorities, and no fatwa has been issued declaring *khanduri blang* as deviant. This has evolved into a venerable local tradition deserving of preservation, a repository of ancestral practices passed down through generations. The essence of this ritual is conducted by its religious significance manifested through communal food sharing and collective prayers. Despite procedural modifications, the foundational values remain steadfast and unaltered.

Based on several interviews with ulemas in Aceh, '*urf* (local custom) was used as a method for deducing Islamic legal rulings regarding *khanduri blang*. The permissibility of the practice is a manifestation of Islam Nusantara, a distinctive form of Islam prevalent in the region. This custom is absent in the regions where Islam initially took root. In using '*urf* as a methodology for deriving fiqh, adherence to the established criteria and conditions outlined by Wahbah al-Zuhailiy, a prominent scholar in the Shafi'i school of thought, is important.

The universal applicability of *khanduri blang* is evidenced by its relevance in addressing a wide range of situations in the community. The validity is widely acknowledged and accepted by the majority of the population, with the entire region of Aceh recognizing and actively participating in this ritual.

- a. *Khanduri blang* has become ingrained in the community when issues requiring legal determination arise. Furthermore, this tradition has existed and continues to exist until the legal determination is established.
- b. *Khanduri blang* does not contradict what is clearly expressed in a transaction. This is because there are no conditions that render the tradition inapplicable according to the provisions.

Khanduri blang is one of the customs ('*urf*) that can be a source for legal determination because there is no clear-cut text (*nash qath'i*) explicitly prohibiting customary actions in society. Furthermore, the adherence to other

specified criteria solidifies the standing as a legitimate legal source.

The application of Islam Nusantara fiqh is also evident in *Rabu abeh* tradition that has existed since the pre-Islamic era. This tradition is associated with warding off calamities. *Rabu abeh* is identified as a month characterized by hot weather and an increase in diseases such as coughs, fevers, and others. Regarding this topic, Tgk H. Tu Bulqaini explained that:

"*Rabu abeh* is a local tradition deeply rooted and continues to be practiced to this day in the coastal region of Sigli, Geunteng Barat village, Batee Sub-district, Pidie Regency, Aceh Province. Despite the abandonment of this tradition in certain regions, such as Samalanga, where Islamic boarding schools proliferate and the community engagement in *majelis ta'lim* is active, the observance of the ritual has waned. For the community of Geunteng Barat Village, this tradition is considered a must and is faithfully observed every year. This tradition occurs on the last Wednesday of the month of Safar. The process is carried out along the coastline of the village as the coastal region surrounded by the sea. *Rabu abeh* is an individualistic tradition because each family prepares *khanduri* separately according to the capabilities. The culmination of the tradition is celebrated collectively at a specific region. The event is led by the *teungku imum meunasah*, who is one of the leaders of Islamic boarding school in Geunteng Barat Village. Therefore, in the implementation, the tradition includes a mixture of Islamic values."

Local traditions are not eliminated but accommodated with Islamic values. Tgk Rasyidin Ahmad added that:

"The event starts with the sacrifice of an animal brought to the beach, and the blood is collected to make *alen*. This tradition is different from *alen* in *khanduri laot* tradition. However, the practice has decreased due to

guidance from the leader of this activity, stating that the process includes shirk. Some people still carry out *alen* individually, and others place it at the water edge as a formality. Following that, individuals engage in joint culinary activities along the shoreline. After completion, the entire assembly convenes at a predetermined region. In this region, a collective prayer is conducted to obtain protection from calamities and dangers through Allah. Subsequently, the community partakes in a communal meal and collectively participates in the Safar sea bath. This ritual is believed to possess healing properties for all ailments, and there is no prescribed time constraint for this process. Some residents immerse themselves until evening, while others observe it as a compulsory practice."

Prohibitions on certain rituals due to their association with shirk are explained by Dr. Tgk. Karimuddin Abdullah Lawang, MA:

"As observed in Geunteng Barat, Batee sub-district, this tradition is led by the Panglima Laot and *Teungku Imum Meunasah*, each having the respective roles. In every procession of a tradition, there are specific meanings or symbols believed by the local community, and that is why the tradition has been preserved until now. Among these meanings and symbols are the procession of buffaloes, the use of 9 colors in decorating the buffalo, the procession, the slaughter, and *alen* (offerings). This tradition typically lasts for 4 days, with the first 3 days dedicated to parading the decorated buffalo around the village and the coastal boundaries. The culmination is on the fourth day, which is *khanduri* event. After the procession for 3 days, the buffalo is slaughtered on the fourth day, the peak of *khanduri laot* tradition in the village. The meat will serve as a shared dish, with specific portions designated for release as offerings into the middle of the sea."

Ulemas in this region do not forbid *Rabu abeh* for the community but selectively approve which rituals are permissible, as explained by Tgk Rasyidin Ahmad:

"Several *dayahs* actively participate in reciting prayers and play an important role in traditions such as *Rabu Abeh*. In the fabric of daily life, *dayahs* contribute to the community affairs by engaging in village administration as *Teungku Imum Meunasah*, receiving support from others. The local traditions signify a distinct approach to community engagement to fortify relationships and unity. Contemporary practices of local traditions have evolved significantly from the original forms when *dayahs* were initially established. Transformations in the implementation process have ensued, guided by teachings related to Islamic law and correct beliefs. However, the evolution is not immediate since the process is gradual. The changes faced resistance within the community, particularly from elders who adhered to the original practices. However, a shift has transpired, and an increasing number of individuals adhere to the guidance provided by ulemas in the implementation of local traditions."

Based on the interviews, ulemas in the region have started to gradually change the procession that violates Islamic Sharia and beliefs. Due to the conservative nature of the community, it is challenging to accept reforms, specifically when there is no concrete evidence of the real impact. Therefore, ulemas took steps to participate in local traditions to change the existing habits of the people. The changes in *Rabu abeh* also include discussions and negotiations. Some suggestions or input have not been accepted, hence, certain practices continue until now. The entire procession of *Rabu abeh* is currently a result of a blend of old traditions and Islamic values incorporated into various parts of the processions, such as the recitation of prayers.

Additionally, ulemas' role as *teungku imum meunasah*, serving as a religious advisor in the village, facilitates the acceptance of local traditions since ulemas are respected and trusted.

Rabu abeh has been subjected to a significant shift from what was practiced by ancestors around the 1990s. Unlike *dayahs*, *Rabu abeh* is carried out on Wednesday of the Last Safar congregational Sunnah prayer for the *santri* (Islamic students). The practice is based on the teachings of Sayyid Muhammad Amin bin Idrus bin Abdullah, who believed that by performing this prayer, calamities in the next year could be averted. Therefore, it is highly recommended to perform a 4-*rakat* Sunnah prayer on the last Wednesday of Safar. This includes the recitation of Surah Al-Fatihah once, Surah Al-Kawthar 17 times, Surah Al-Ikhlâs 5 times, Surah Al-Falaq once, and Surah An-Nas once. After the prayer, a specific supplication found in the book should also be recited (Field Observation Results).

The community also does not engage in the rituals performed by the ancestors. Therefore, these rituals are gradually disappearing with the proliferation of *majelis ta'lim* in villages, as stated in the interview with Waled Nuruzzahri:

"In the past, the community performed *Rabu abeh* by going on a sea excursion (*jak meramien u laot*) while bringing food supplies. Considering the absence of food vendors along the coast, communal meals and baths became a shared activity. During these gatherings, men and women intermingled and in the *majelis ta'lim*, the need to abandon the practices was stated."

Tgk H. Tu Bulqaini further added:

"*Rabu abeh* began to fade during the conflict period in Aceh, hence, the community was afraid to visit the sea for communal meals and baths. There was also a prohibition from the National Armed Forces against gathering in secluded places or regions

without a population to avoid potential armed encounters."

Based on the interviews, there is a significant change in *Rabu abeh* in Aceh. This is observed in Pidie, precisely in Geunteng Barat, compared to *dayahs*. Similarly, the younger generation in Samalanga is not familiar with the tradition. The shift in the implementation of the tradition becomes necessary to search for criteria to fulfill the customary practices ('*urf*') used as law. In this case, the provisions in the Shafi'i school of thought developed by Sheikh Wahbah az-Zuhaili were used to meet the following criteria:

- a. '*Urf*' should be universally applicable to all cases in the community, and the validity must be followed.
- b. '*Urf*' should become a societal norm when the issue to be determined legally arises. This means the '*urf*' to be used as a legal foundation should exist before the case is determined legally.
- c. '*Urf*' should not contradict what is clearly stated in a transaction. Furthermore, there are no conditions that would render the '*urf*' inapplicable according to the provisions.
- d. '*Urf*' should not contradict *qath'i* texts (definitive texts) in Sharia.

Based on these four criteria, *Rabu abeh* tradition in Geunteng Barat, Batee Sub-district, does not meet the first criterion since the concept is no longer universally applied. The second criterion is met when determining the legality of *Rabu abeh* due to the implementation. The third criterion is met as the implementation is carried out based on the provisions, such as slaughtering a buffalo in the sea, communal bathing, and eating together. The fourth criterion is not met since *Rabu abeh* practiced in Geunteng Barat, Batee Sub-district, contradicts Sharia by including elements of polytheism. Therefore, *Rabu abeh* in Geunteng Barat does not meet the criteria of '*urf*'.

Rabu abeh and *dayahs* traditions in Geunteng Barat, Batee Sub-district, do not meet the criteria of '*urf*' used as law. The first criterion is not universally applicable since the concept is only implemented within the pesantren complex for *santri* and teachers. The second criterion is met when determining the legality of the implementation. Meanwhile, the third criterion is not met since the implementation does not follow the traditional provisions previously in place, such as slaughtering buffalo in the sea, communal bathing, and eating together to ward off disasters. The fourth criterion is fulfilled as the implementation does not contradict Sharia but includes voluntary prayers and communal supplications. Therefore, *Rabu abeh* practiced in *dayahs* cannot be considered as '*urf*'.

The presence and existence of ulemas in the Aceh community bring peace and tranquility. Moreover, ulemas provide guidance and pay attention to occurrences in the community to resolve different issues. Traditions including elements of polytheism are prevented through a good approach by accommodating the concept with Islamic values.

Conclusion

In conclusion, ulemas in Aceh used the method of *qawl* in the issuance of fatwas on a specific issue. This comprised a direct reference to the texts of previous ulemas, a meticulous examination of relevant texts related to the issue, and the subsequent issuance of a fatwa. Concerning the application of Islamic fiqh law or cultural practices such as *khanduri blang* and *Rabu abeh*, assessments were conducted by the ulemas. In this context, fatwas were provided to the community to determine the permissibility of the practices. For the community, the inclusion of ulemas in granting legal status to the permissibility of certain practices served as a precautionary measure against the spread of false teachings.

Bibliography

Journals

- Abdullah, Karimuddin. "Pendampingan Masyarakat Dalam Prosesi Tradisi Menginjak Tanah Pertama Bagi Bayi." *PENGMASKU* 2, no. 1 (2022): 43–47.
- Arahman, Zulfikar. *Gerakan Dakwah Ulama Dayah Aceh*. Yogyakarta: Yayasan Sahabat Alam Rafflesia, 2023.
- Arif, Muhammad Khairan. "Islam Rahmatan Lil Alamin From Social and Cultural Perspective." *Al-Risalah* 12, no. 2 (2021): 169–86.
<https://doi.org/10.34005/alrisalah.v12i2.1376>.
- Hasan, R. (2013). PERANAN DAN SIKAP TRANSFORMASI POLITIK ULAMA DALAM MENGHADAPI PEMILU 2014 DI ACEH. *Millah: Journal of Religious Studies*, 12(2), 503–521.
<https://doi.org/10.20885/millah.volxii.iss2.art10>
- Hasbi Amiruddin. *Aceh Dan Serambi Mekkah*. Banda Aceh: Yayasan Pena, 2006.
- Ismail Pane; Hasan Syazali; Syaflin Halim; Karimuddin; Imam Asrofi; Muhammad Fadlan; Kartini; Muhammad Saleh. "Fiqh Mu'amalah Kontemporer." edited by Muannif Ridwan. Sigli Pidie: Yayasan Penerbit Muhammad Zaini, 2022.
- Januddin Muhammad Yusuf, Nawir Yuslem. "Acehnese Dayah Ulama's Response to the Use of 'Urf in Istimbath of Fiqh Law from Islam Nusantara." *Al-Istinbath* 8, no. 1 (2023): 291–306.
- Lawang, Karimuddin Abdullah, U Kamilah Mukhtar Ghaffar, Fika Andriana, Safrizal Mukhtar, M Jafar, and Syamsul Bahri. "MARRIAGE PROCESSES OF KHALWAT PERPETRATORSIN CUSTOMARY LAW IN ACEH" XI, no. 3 (2023): 542–49.
- Luthfi, Khabibi Muhammad. "Islam

- Nusantara: Relasi Islam Dan Budaya Lokal." *SHAHIH: Journal of Islamicate Multidisciplinary* 1, no. 1 (2016): 1-12. <https://doi.org/10.22515/shahih.v1i1.53>.
- Ma'arif, Al. "Islam Nusantara: Studi Epistemologis Dan Kritis." *ANALISIS: Jurnal Studi Keislaman* 15, no. 2 (2015): 265-92.
- Mansyur, Zaenudin. "Implementasi Teori Maqashid Syari'ah Asy-Syatibi Dalam Muamalah Kontemporer." *Jurisdictie* 11, no. 1 (2020): 67. <https://doi.org/10.18860/j.v11i1.7675>.
- Martini, Hadari Nawawi dan Nini. *Penelitian Terapan*. Yogyakarta: Gadjah Mada, 2006.
- Mulasi, S, S Hamdi, and M Riza. "Religious Moderation in Aceh: A Strategy for Implementing Islam Washatiah Values in Acehnese Society." *Al-Adyan: Journal of Religious ...*, no. Query date: 2023-08-15 01:53:33 (2023): 1-13. <http://ejournal.uinib.ac.id/jurnal/index.php/aladyan/article/view/6067>.
- Nurlaila, Nurlaila, and Zulihafnani Zulihafnani. "Pengaruh Fatwa Ulama Dayah Dalam Masyarakat Aceh." *Substantia: Jurnal Ilmu-Ilmu Ushuluddin* 21, no. 2 (2019): 93. <https://doi.org/10.22373/substantia.v21i2.3742>.
- Nursita, Rizki Dian. "Critical Discourse Analysis on Islam Nusantara in Indonesia's Foreign Policy." *Hasanuddin Journal of International Affairs* 3, no. 1 (2023): 44-54. <https://journal.unhas.ac.id/index.php/hujia/article/view/25611>.
- Qomar, Mujamil. "Islam Nusantara Sebagai Subject Dalam Islamic Studies: Lintas Diskursus Dan Metodologis." *Islam Nusantara: Sebuah Alternatif Model Pemikiran, Pemahaman, Dan Pengamalan Islam* 17, no. 2 (2015): 198-217.
- Rahman, Abdul, Mubarak Dahlan, and Dimas Ario Sumilih. "Kebangkitan Politik Islam Pasca Orde Baru, 1999-2001." *KAIS Kajian Ilmu Sosial* 1, no. Volume 1 No. 2 (2020): 107-18.
- Riski, Muhammad. "Peran Majelis Permusyawaratan Ulama (MPU) Aceh Dalam Menerbitkan Qanun Jinayat Dalam Sistem Hukum Tata Negara." *Jurnal Justisia: Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial* 7, no. 1 (2022): 147. <https://doi.org/10.22373/justisia.v7i1.12763>.
- Salenda, Kasjim. "Hukum Islam Indonesia Sebagai Role Model Islam Nusantara." *Al-Ulum* 16, no. 1 (2016): 229-45.
- Syafieh, Syafieh, Muhaini Muhaini, and Suhaili Syufyan. "Authority and Ulama In Aceh: The Role of Dayah Ulama In Contemporary Aceh Religious Practices." *Jurnal Theologia* 33, no. 2 (2022): 151-78. <https://doi.org/10.21580/teo.2022.33.2.13455>.
- Yumna. "Ulama Sebagai Waratsatul Anbiya: Pergeseran Nilai Ulama Di Mata Masyarakat Aceh." *Syifa Al-Qulub* 3, no. 1 (2018): 22.
- Zulfikar, Lahmuddin Lubis, Abdurrahman, Amiruddin Abdullah. "Ulama and Umara Communication Patterns in Fostering Islamic Dayah Education in Aceh: Methods and Barriers Zulfikar,." *Edukasi Islami: Jurnal Pendidikan Islam* 11, no. 03 (2022): 611. <https://doi.org/10.30868/ei.v11i03.2914>.
- Zulfikar, Azmi Yudha. *Transformasi Sosial Dan Perubahan Dayah Di Aceh*. Sigli Pidie: Yayasan Penerbit Muhammad Zaini., 2022.