

From Taboo to Negotiated Tradition: Marriage During Muharram in Gunungkidul within Islamic Family Law Context

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Abstract

This study addresses the gap between normative Islamic legal perspectives, which deny any prohibition of marriage in certain months, and socio-cultural practices that maintain marriage taboos in Javanese society. It aims to explain how Javanese traditions interpret marriage during the month of Muharram and to identify the factors that drive the negotiation of this taboo. This research is a field study with a qualitative socio-legal approach conducted in Gunungkidul Regency. Data were collected through in-depth interviews with ten informants, including six individuals who married during Muharram, two marriage guardians, and two officials from the Office of Religious Affairs. Data were analyzed using the Miles and Huberman model and interpreted through Bronfenbrenner's ecological systems theory. The findings reveal that decisions to marry during Muharram are influenced by practical family considerations, religious understanding, and institutional legitimacy. These factors indicate that the Muharram marriage taboo has not disappeared but has been reinterpreted as a negotiable cultural practice. Theoretically, this study contributes to Islamic family law by demonstrating that legal norms interact dynamically with social and cultural systems, in which local traditions may function as 'urf that is continuously negotiated within the framework of Islamic law. Therefore, this study recommends strengthening context-based Islamic legal education grounded in maqāsid al-sharī'ah to distinguish between normative religious teachings and culturally constructed beliefs.

Keywords: *Marriage Taboo; Muharram Marriage; Socio-Ecological System; Javanese Tradition; Cultural Transformation.*

Abstrak

Penelitian ini berangkat dari adanya kesenjangan antara perspektif normatif hukum Islam yang tidak mengenal larangan perkawinan pada bulan tertentu dan praktik sosial budaya masyarakat Jawa yang mempertahankan tabu perkawinan pada bulan Muharam. Penelitian ini bertujuan untuk menjelaskan bagaimana tradisi adat Jawa memaknai perkawinan pada bulan Muharam serta mengidentifikasi faktor-faktor yang mendorong terjadinya negosiasi terhadap tabu tersebut. Penelitian ini merupakan studi lapangan dengan pendekatan kualitatif sosio-legal yang dilakukan di Kabupaten Gunungkidul. Data diperoleh melalui wawancara mendalam terhadap sepuluh informan yang terdiri dari enam individu yang

menikah pada bulan Muharam, dua wali nikah, dan dua pejabat Kantor Urusan Agama. Analisis data menggunakan model Miles dan Huberman yang diinterpretasikan melalui Teori Sistem Ekologis Bronfenbrenner. Hasil penelitian menunjukkan bahwa keputusan untuk melangsungkan perkawinan pada bulan Muharam dipengaruhi oleh pertimbangan praktis keluarga, pemahaman keagamaan, serta legitimasi kelembagaan. Temuan ini menunjukkan bahwa tabu perkawinan Muharam tidak sepenuhnya hilang, tetapi mengalami reinterpretasi sebagai praktik budaya yang bersifat negosiatif. Secara teoritis, penelitian ini berkontribusi dalam pengembangan hukum keluarga Islam dengan menunjukkan bahwa norma hukum tidak bersifat statis, melainkan berinteraksi secara dinamis dengan sistem sosial dan budaya, di mana tradisi lokal dapat berfungsi sebagai 'urf yang terus dinegosiasikan dalam kerangka hukum Islam. Oleh karena itu, penelitian ini merekomendasikan penguatan edukasi hukum Islam yang kontekstual berbasis maqāsid al-sharī'ah agar masyarakat mampu membedakan antara ajaran agama yang normatif dan kepercayaan budaya yang tidak memiliki dasar hukum.

Kata Kunci: Tabu Perkawinan; Perkawinan Bulan Muharam; Sistem Ekologi Sosial; Tradisi Jawa; Transformasi Tradisi.

INTRODUCTION

Marriage practices in various cultures around the world are often governed by value systems that combine spiritual, moral, and cosmological aspects. Traditional societies still believe that certain times in the calendar have an influence on luck and domestic harmony. For example, in the Hindu tradition in China, there is a process of calculating dates to determine the time of marriage,¹ meanwhile, in India, there is a *muhurta* calculation that determines the sacred moment for marriage.² Such beliefs serve not only as cultural heritage, but also as a social mechanism that help sustain harmony between humans, nature, and metaphysical forces.³ However, globalisation and modernisation, which emphasise rationality and empiricism, have begun to change perspectives on these traditional beliefs. This shift is also evident in Indonesia, particularly in Java, where the taboo against marriage during the month of Muharram or Suro has been reinterpreted amid the tide of modernity, which demands that old values be adapted to the new social context.

¹ Yi-Long Huang, 'Marriage Auspiciousness and Inauspiciousness in Selection Techniques', in *Discovering Heavenly Mandate*, by Yi-Long Huang (Springer Nature Singapore, 2025), https://doi.org/10.1007/978-981-96-3800-0_8.

² Dr. Nabin Thakur et al., 'Beyond Belief: A Scientific Inquiry into the Myths and Looms of Hindu Rituals', *Educational Administration: Theory and Practice*, ahead of print, 2024, <https://doi.org/10.53555/kuey.v30i5.3393>.

³ Thilagavathi Shanmuganathan, 'Cultural Conceptualization of Tamil Hindu Marriages', *International Journal of Language and Culture* 8, no. 2 (2021): 323–45, <https://doi.org/10.1075/ijolc.18010.sha>.

In Javanese tradition, the month of Muharram has been believed for generations to be an inauspicious time for weddings. This belief is rooted in the cosmological views found in the *primbon* book,⁴ who interpret that month as a period of bad luck for married couples.⁵ Such customary rules not only serve as ethical guidelines, but also function as a social control system that maintains order and harmony between humans and the universe.⁶ However, the tide of modernisation and the tendency to prioritise rationality have triggered a reinterpretation of this belief. Empirical data from the Ministry of Religious Affairs of Gunungkidul Regency indicate that between 2023 and 2025, twelve couples officially registered and conducted their marriage ceremonies during the month of Muharram.⁷ Although the number remains relatively limited, the occurrence itself reflects an ongoing shift in customary interpretation. What was once perceived as a rigid prohibition is increasingly understood as part of a cultural legacy whose meaning can be reconsidered and adapted to contemporary social conditions.

Academically, studies on marriage taboos in Muslim societies tend to fall into two main approaches. The normative approach within Islamic law asserts that there is no textual prohibition against marriage in a specific month; consequently, such taboos are viewed as cultural constructs lacking a legal basis.⁸ Conversely, sociological and anthropological approaches

⁴ Primbon contains information about various events that occur in the lives of Javanese people. Javanese people, both related to daily activities and ritual ceremonies. See Ami Arfianti et al., 'Primbon: Representation of Kraton Yogyakarta', *Interiority* 5, no. 1 (2022), <https://doi.org/10.7454/in.v5i1.177>.

⁵ Raden Gunasasmita, *Kitab Primbon Jawa Serbaguna* (Narasi, 2024); Kanjeng Pangeran Harya Tjakraningrat, *Kitab Primbon Betaljemur Adammakna* (Narasi, 2025).

⁶ Ali Jafar, 'Cosmology of Time and The Spiritual of Life in Javanese-Islamic Tradition', *Al-A'raf: Jurnal Pemikiran Islam Dan Filsafat* 19, no. 1 (2022), <https://doi.org/10.22515/ajpif.v19i1.4377>.

⁷ 'Marriage Data 2023-2025 Kementerian Agama Gunungkidul', KUA Wonosari & KUA Playen, n.d.

⁸ Zein Firdaus et al., 'Banjar Cultural Marriage Taboos and Analysis of the Prohibition of Marriage in Kitabun Nikah by Sheikh Muhammad Arsyad Al-Banjari', *El-Usrah: Jurnal Hukum Keluarga* 6, no. 1 (2023): 183, <https://doi.org/10.22373/ujhk.v6i1.18961>; Anwar Sadat et al., 'Determination of Auspicious Days in Wedding Traditions in Mandar, West Sulawesi: Perspective of Islamic Law', *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (2023): 1422, <https://doi.org/10.22373/sjhk.v7i3.17864>; Amri Saputra, 'Analisis Scientometric Tren Riset Penelitian Hukum Keluarga Islam: Studi Bibliometrik Dengan Menggunakan R Biblioshiny 2015-2025', *Familierecht: Jurnal Hukum Keluarga Dan Ilmu Syari'ah* 1, no. 1 (2025): 1–13, <https://doi.org/10.69879/familierecht.v1.i1.103>.

position these taboos as part of local symbolic systems and cosmologies.⁹ Although both approaches make important contributions, the normative perspective often stops at textual legitimacy and overlooks social practice, whereas the cultural perspective tends to neglect the normative dimension of Islamic law. Consequently, the relationship between legal norms and social practices has not yet been comprehensively analysed.

Building on these limitations, this study aims to strengthen the analysis of Islamic family law by introducing an ecological systems perspective as a framework for interpreting the practice of Muharram marriage taboos. Accordingly, it examines how Javanese customary traditions interpret marriage during the month of Muharram and identifies the factors driving the negotiation of this taboo. This study argues that the transformation of the Muharram marriage taboo does not represent the loss of tradition, but rather a process of value reconfiguration shaped by dynamic interactions between religious norms, cultural practices, and social structures. To explain these dynamics, the study employs Bronfenbrenner's Ecological Systems Theory, which conceptualizes human behaviour as the result of layered interactions across multiple social systems.¹⁰ Thus, this study contributes to the development of Islamic family law by demonstrating that legal norms are not static, but are continuously negotiated within social practice.

RESEARCH METHODS

This study adopts a qualitative field research design aimed at developing an in-depth understanding of the transformation in the meaning of traditional Javanese marriage, particularly regarding the taboo associated with the month of Muharram. A qualitative was selected because it allows the researcher to directly observe social dynamics and to explore the meanings, considerations, and values that shape marriage practices within the broader context of social change and modernity. Accordingly, the research does not emphasize quantitative measurement but instead focuses on tracing the processes through which norms are rationalized, negotiated, and interpreted within the community. The study was conducted in

⁹ Alfalachu Indiantoro et al., 'Suro Month Wedding Prohibition: Islamic Perspective Customary Law Debate', *Al-Hayat: Journal of Islamic Education* 6, no. 2 (2022): 174, <https://doi.org/10.35723/ajie.v6i2.320>; Sugeng Priyadi, 'The Symbolic Meaning of Marriage Taboo in Purbalingga and Banyumas Villages', *Proceedings Series on Social Sciences & Humanities* 8 (January 2023): 1–10, <https://doi.org/10.30595/pssh.v8i.601>.

¹⁰ Marcus Crawford, 'Ecological Systems Theory: Exploring the Development of the Theoretical Framework as Conceived by Bronfenbrenner', *Journal of Public Health Issues and Practices* 4, no. 2 (2020), <https://doi.org/10.33790/jphip1100170>.

Gunungkidul Regency, Special Region of Yogyakarta, Indonesia. This location was chosen because the local community continues to maintain strong Javanese cultural traditions that have historically been influenced by the cultural heritage of the Mataram Yogyakarta Palace as well as traces of the Majapahit civilization, making the region a relevant setting for examining shifts in traditional values in a contemporary social context.

The data in this study consist of primary and secondary sources. Primary data were obtained through in-depth interviews with ten informants, purposively selected based on their direct involvement and the relevance of their experiences to the phenomenon under study. The informants comprised six individuals who married during the month of Muharram, two marriage guardians, and two officials from the Office of Religious Affairs. The number of informants was determined based on the principle of data saturation, whereby data collection was discontinued once recurring patterns emerged and no new significant themes were identified. Secondary data were drawn from academic literature, Islamic legal documents, and regulations related to marriage. Data were collected through interviews, documentation, and field notes. To ensure validity, this study employed both source and methodological triangulation by comparing information across informants and verifying findings through multiple data sources. Additionally, to uphold research ethics and protect participants' privacy, each informant was assigned a unique code to ensure anonymity.

Data analysis in this study employed the Miles and Huberman model, which includes data reduction, data display, and conclusion drawing and verification. The analysis was conducted thematically by categorising data into key themes, such as the meaning of taboos, negotiation factors, and the relationship between custom and Islamic law. The findings were then interpreted using Bronfenbrenner's Ecological Systems Theory to explain interactions across social levels, alongside the concept of 'urf in Islamic law to assess the normative position of these practices. In this process, the researcher applied reflexivity by acknowledging their positionality as both an insider and an outsider—maintaining cultural proximity as part of the Muslim community while preserving analytical distance in interpreting the phenomena. To ensure credibility, the researcher engaged in continuous self-reflection on initial assumptions, compared interpretations with empirical data, and verified findings through triangulation of sources and methods, thereby ensuring that the analysis remains transparent, critical, and contextual.

RESULTS AND DISCUSSION

Marriage Taboos in Muharram: Between Islamic Law and Javanese Customs

From the perspective of Islamic law, marriage (an-nikāh) serves as the foundation for family formation, aiming to achieve *sakinah*, *mawaddah*, and *rahmah*.¹¹ It is not merely a social contract, but also an act of worship and a means of fulfilling religious obligations.¹² Within this framework, prohibitions on marriage in Islam are substantive in nature—such as marrying a *mahram*,¹³ interfaith marriage,¹⁴ marriage during a woman's 'iddah.¹⁵ Therefore, there is no normative basis in Islamic law prohibiting marriage in a specific month, including Muharram. Consequently, the validity of marriage is determined more by compliance with the principles of Islamic law than by the selection of a particular time.¹⁶

From the perspective of Islamic law, the taboo against marriage during the month of Muharram can be understood through the concept of

¹¹ Muhammad bin Qasim bin Muhammad Abu Abdullah Syamsuddin Gazi, *Fath Al Qarib Al-Mujib Fi Syarh Alfaz at-Taqrīb* (Dar Ibn Hazm, 2005), 224; Ismail Siti Zubaidah and Awang Mat Muhamad Zahiri, 'The Concepts of *Sakinah*, *Mawaddah* and *Rahmah* as Foundation for Marital Happiness According to the Holy Qur'an: An Analysis Based on Ayat 21', *Al-Bayān – Journal of Qur'an and Hadith Studies* 14, no. 2 (2016): 206–22, <https://doi.org/10.1163/22321969-12340039>.

¹² Dri Santoso et al., 'Harmony of Religion and Culture: Fiqh Munākahat Perspective on the Gayo Marriage Custom', *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 22, no. 2 (2022): 199–218, <https://doi.org/10.18326/ijtihad.v22i2.199-218>.

¹³ Arifah Millati Agustina, 'Protecting Women's Rights in Exogamous Society: *Mahram* in Minangkabau Customs', *Al-Ahwal: Jurnal Hukum Keluarga Islam* 17, no. 2 (2024): 205–20, <https://doi.org/10.14421/ahwal.2024.17204>; Jane Khatib-Chahidi, 'Milk Kinship in Shi'ite Islamic Iran', in *Anthropology of Breast-Feeding*, 1st edn, by Vanessa Maher (Routledge, 2024), <https://doi.org/10.4324/9781003575290-5>; Ricy Fatkhurrohman et al., 'Covering Shame, Sacrificing Rights: A Maqāṣid al-Shari'ah Perspective on Child Protection in Incestuous Marriage Practices', *International Journal of Social Science and Religion (IJSSR)*, 22 November 2025, 347–448, <https://doi.org/10.53639/ijssr.v6i3.380>.

¹⁴ Mochammad Rizky Eka Aditya et al., 'The Problem of Interfaith Marriage in Indonesia: A Juridical-Normative Approach', *El-Ussrah: Jurnal Hukum Keluarga* 6, no. 2 (2023): 456, <https://doi.org/10.22373/ujhk.v6i2.20059>; Mohamad Abdun Nasir, 'Negotiating Muslim Interfaith Marriage in Indonesia: Integration and Conflict in Islamic Law', *Mazahib* 21, no. 2 (2022): 155–86, <https://doi.org/10.21093/mj.v21i2.5436>.

¹⁵ Gamal Achyar and Hayatun Hasanah, 'Penyimpangan 'Iddah Perceraian Pada Masyarakat Gunung Meriah Aceh Singkil (Analisis Menurut Perspektif Islam)', *SAMARAH: Jurnal Hukum Keluarga Dan Hukum Islam* 3, no. 2 (2019): 462, <https://doi.org/10.22373/sjhk.v3i2.4395>.

¹⁶ Affa Mohammed Saeed Osman and Mohamed Ibrahim Nagasi, 'التجربة الماليزية في وسائل استقرار الأسرة وإصلاحها في ضوء الشريعة الإسلامية: The Malaysian Experience in Means Of

‘urf as a socially embedded custom. ‘Urf may acquire legal legitimacy provided it does not conflict with textual sources (naṣṣ) and the objectives of Islamic law (maqāṣid al-sharī‘ah).¹⁷ Normatively, it is classified into ‘urf ṣaḥīḥ, which is consistent with Sharia principles, and ‘urf fāsid, which contradicts them. In this context, the taboo against marriage during Muharram tends to fall under ‘urf fāsid, as it imposes restrictions on what is fundamentally permissible in Islamic law without a valid normative basis. Therefore, such a practice does not possess legal validity within Islamic law.¹⁸

In contrast to the normative approach in Islamic law, Javanese tradition interprets marriage within a cosmological framework rich in spiritual values.¹⁹ Marriage is not merely understood as the union of two individuals, but also as an effort to maintain harmony between humans, nature, and ancestral forces. Within this belief system, the month of Muharram is regarded as a sacred period more appropriate for reflection and spiritual practice,²⁰ and is therefore avoided for celebratory events such as weddings.²¹ This belief is reinforced by the primbon system, which

Family Stability And Reform In The Light Of Islamic Law’, *Journal of Fatwa Management and Research* 27, no. 2 (2022): 121–38, <https://doi.org/10.33102/jfatwa.vol27no2.441>.

¹⁷ Bambang Tri Bawono et al., ‘Human Trafficking and the Relevance of Hifz Al-Nafs and Hifz al-‘ird in Contemporary Islamic Legal Ethics’, *MILRev: Metro Islamic Law Review* 4, no. 1 (2025): 597–618, <https://doi.org/10.32332/milrev.v4i1.10694>; Muhammad Royhan Assaiq et al., ‘Aktualisasi Maqāṣid Al-Syarī‘ah Dalam Peran Ganda Istri Di Dusun Ngrancang, Yogyakarta’, *The Indonesian Journal of Islamic Law and Civil Law* 6, no. 2 (2025): 138–57, <https://doi.org/10.51675/jaksya.v6i2.1111>.

¹⁸ Agus Moh Najib, ‘Reestablishing Indonesian Madhhab: ‘Urf and the Contribution of Intellectualism’, *Al-Jami‘ah: Journal of Islamic Studies* 58, no. 1 (2020): 171–208, <https://doi.org/10.14421/ajis.2020.581.171-208>.

¹⁹ Kholis Bidayati et al., ‘Tradition and Fortune: The Anthropology of Javanese Marriage’, paper presented at Proceedings of the 2nd International Colloquium on Interdisciplinary Islamic Studies (ICIIS) in Conjunction with the 3rd International Conference on Quran and Hadith Studies (ICONQUHAS), *Proceedings of the Proceedings of the 2nd International Colloquium on Interdisciplinary Islamic Studies (ICIIS) in Conjunction with the 3rd International Conference on Quran and Hadith Studies (ICONQUHAS)*, 2020, <https://doi.org/10.4108/eai.7-11-2019.2294542>.

²⁰ Ahmad Choirul Rofiq, ‘Continuity and Change Process to Sanctify the Holy Month of Muharram in the Suroan Tradition’, *Cogent Arts & Humanities* 11, no. 1 (2024): 2335779, <https://doi.org/10.1080/23311983.2024.2335779>.

²¹ Torsten Tschacher, ‘The Idea of Religion and the Criminalisation of Muharram in the Straits Settlements, 1830–1870’, in *Non-Shia Practices of Muharram in South Asia and the Diaspora*, 1st edn, by Pushkar Sohoni and Torsten Tschacher (Routledge, 2021), <https://doi.org/10.4324/9781003018612-5>.

associates time with the balance of life, as well as by various rituals that function as means of harmonisation prior to marriage.²²

This discrepancy highlights a tension between Islamic legal norms and prevailing social practices. While Islamic law, in normative terms, imposes no temporal restrictions on marriage, customary practices continue to uphold prohibitions based on culturally constructed beliefs about specific times.²³ This tension indicates that law does not operate in isolation or as the sole authoritative force, but rather interacts with social value systems that possess their own forms of authority. Thus, the taboo against marriage during the month of Muharram reflects a divergence between legal and social normativity, whereby cultural practices may exert collective binding force despite lacking normative legitimacy within Islamic law.

Negotiating Tradition: The Practice of Marriage During Muharram in Gunungkidul

The practice of marriage during Muharram continues to occur in Gunungkidul Regency despite the presence of traditional beliefs that regard this month as inauspicious for weddings. Administrative records from the Offices of Religious Affairs (KUA) in Wonosari and Playen show that between 2023 and 2025 several couples still conducted their marriage ceremonies during this period. In 2023, six couples were recorded as marrying in Muharram, followed by three couples in 2024 and four couples in 2025. Although the numbers remain lower than in other months, these data indicate that marriages during Muharram are gradually taking place within the community, as illustrated in Figure 1.

²² Tarsisius Renald Suganda et al., 'Superstitious Behavior and Stock Returns: The Case of Javanese Traditional Calendar', *Kasetsart Journal of Social Sciences*, September 2018, S2452315118301280, <https://doi.org/10.1016/j.kjss.2018.08.008>; Rajnaara C. Akhtar, 'Modern Traditions in Muslim Marriage Practices, Exploring English Narratives', *Oxford Journal of Law and Religion* 7, no. 3 (2018): 427–54, <https://doi.org/10.1093/ojlr/rwy030>.

²³ Agung Prasetyo and Habibi Al Amin, 'Perkawinan Pada Bulan Muharram Di Desa Kedungpanji Magetan Dalam Konteks Hukum Adat Dan Hukum Islam.', *JUSTITIA Jurnal Ilmu Hukum Dan Humaniora* 6, no. 2 (2023): 556, <https://doi.org/10.31604/justitia.v6i2.556-570>.

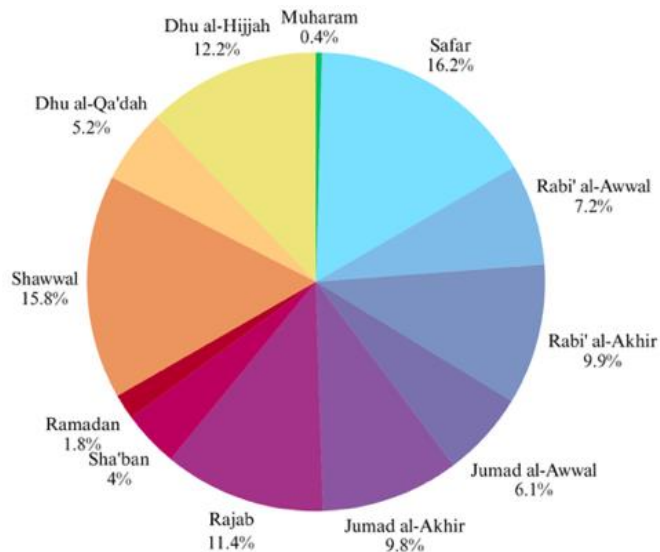


Figure 1. Gunungkidul Marriage Data based on the Hijri calendar. Source: Kementerian Agama Gunungkidul

The couples' decisions to proceed with marriage during the month of Muharram were largely shaped by practical considerations within the family. The timing of the ceremony was associated with family readiness, a declining belief in traditional myths, and schedules that had been arranged in advance. Informants 1 and 2 explained that all wedding preparations had been agreed upon and organized earlier through discussions with their extended families.²⁴ Meanwhile, informants 3 and 4 stated that the chosen date coincided with informant 3's birthday as well as a public holiday, which made the arrangement more convenient despite falling in Muharram. In a different case, informant 5 intentionally selected that period as a way of challenging the social stigma that had developed within the community.

"I intentionally chose the month of Muharram for my wedding as a way of challenging the myths that have long circulated within the community. I am aware that this decision goes against Javanese traditions that have been transmitted across generations. Indeed, my choice drew considerable responses, including criticism and warnings from neighbours and residents who disagreed with the plan. Nevertheless, I remained firm in my

²⁴ Interview Informant 1, 'Bride', 20 July 2025; Informant 2, 'Groom', 20 July 2025.

decision to demonstrate that the fears surrounding this cultural taboo are not necessarily justified.”²⁵

Under these circumstances, practical considerations within the family emerged as one of the key factors shaping the decision to proceed with the wedding during the month of Muharram.

In addition to practical considerations, religious understanding also plays an important role in couples’ decisions to marry during the month of Muharram. All informants expressed the view that Islamic teachings do not prohibit marriage in any specific month. They also understood that, within Islamic law, marriage may be conducted at any time if the required conditions and provisions are fulfilled. Informant 6, for instance, explained that the decision to marry in Muharram was grounded in the belief that no religious restriction limits marriage during that period. Accordingly, religious understanding becomes a significant factor shaping couples’ attitudes toward the traditional taboo associated with marriage in the month of Muharram.

A similar perspective also guided guardians in deciding to marry off their children during the month of Muharram. Informant 7 explained:

“I married my child off in the month of Muharram because, as far as I understand, marriage is permitted in any month except when it concerns the iddah period. Although I was initially doubtful because of the myths that circulate in society, I eventually chose to follow the teachings of my religion. At the same time, I still respect these traditions as part of Javanese cultural heritage, even though I do not personally follow them.”²⁶

In a similar vein, informant 8 expressed that, in his view, every month is equally good for marriage. He also noted that the decision to hold the wedding in Muharram was made collectively by the extended family and was carried out without hesitation. These accounts suggest that while traditional beliefs remain influential within the community, the final decision regarding the timing of marriage tends to be guided primarily by religious considerations and supported by family consensus.

From an administrative perspective, there are no restrictions on conducting marriages during the month of Muharram. This relates to the marriage registration procedures administered by the Office of Religious

²⁵ Interview Informant 5, ‘Bride’, 9 May 2025.

²⁶ Interview Informant 7, ‘Marriage Guardian’, 20 July 2025.

Affairs (KUA), where the validity of a marriage is not determined by the month in which it takes place. As explained by informant 10:

“In essence, services at the KUA follow both state regulations and Islamic law. If the required conditions and legal requirements for marriage are fulfilled, the marriage may be conducted.”²⁷

Similarly, informant 9 noted:

“Once the bride and groom have fulfilled all the required conditions, the marriage ceremony may be conducted at any time, and the officiant must be prepared to provide services whenever needed. This is part of serving the community.”²⁸

These statements indicate that, from an administrative standpoint, marriages conducted during the month of Muharram are treated in the same manner as those performed in other months.

In addition to practical considerations, religious understanding and administrative legitimacy also play important roles in shaping marriage decisions. Additional factors contributing to the weakening of the marriage taboo during the month of Muharram include media exposure and support from the surrounding community. In terms of media influence, advances in technology have enabled the public to access digital information more easily and rapidly, which in turn affects perceptions of traditional taboos. Informants 1 and 3 explained that through social media they were able to observe other couples who had married during Muharram and continued to live harmoniously. Such examples strengthened their confidence to proceed with their own marriages despite the perception within the wider community that the practice remained taboo.²⁹

Regarding community support, although many people still adhere to the tradition that discourages marriage during the month of Muharram, others express support for couples who choose to marry during this period. For example, couple’s informant 1 and 2 reported that members of their community continued to assist with the wedding preparations through mutual cooperation (*rewang*) and attended the reception without questioning the timing of the marriage. Similar support was also experienced by couple’s informant 3 and 4, suggesting that positive community attitudes were more influential than traditional pressure. In contrast, the situation surrounding couple’s informant 5 and 6 reflected a more divided response, with some community members expressing support

²⁷ Interview Informant 10, ‘Office of Religious Affairs’, 7 November 2025.

²⁸ Interview Informant 9, ‘Office of Religious Affairs’, 6 April 2025.

²⁹ Interview Informant 1, ‘Bride’; Informant 3, ‘Bride’, 17 August 2025.

while others rejected the decision. This division was influenced by the community's perception of a series of events experienced by one of Informant 5's family members before the marriage ceremony. Informant 5 explained:

“The night before the wedding ceremony, my brother experienced a supernatural disturbance, and a week later, I6's grandfather passed away, which the community then associated with the consequences of holding a wedding during the month of Muharram. However, in my view, my brother's condition was caused by fatigue and lack of rest, while I6's grandfather passed away due to old age. Therefore, it is not appropriate to connect such events with my wedding, as they are part of the destiny that Allah has determined.”³⁰

These accounts indicate that positive social support can strengthen couples' confidence to proceed with their marriage, while negative perceptions from parts of the community are no longer considered decisive in shaping their final decision.

Another factor that contributes to marriages being conducted during the month of Muharram is the presence of urgent circumstances, particularly cases of unintended pregnancy before marriage. Informant 9 emphasized that such situations create an unavoidable condition that requires the couple to marry immediately to safeguard their social and familial responsibilities. In these circumstances, the urgency of the situation tends to take precedence over adherence to traditional taboos surrounding marriage in Muharram. Overall, the findings indicate that couples' decisions are shaped by a process of negotiating these traditional prohibitions through reinterpretation.³¹ This negotiation is influenced by practical family considerations, religious understandings of marriage regulations, the administrative legitimacy of state institutions that do not restrict such marriages, and support from several reinforcing factors, as illustrated in Figure 2.

³⁰ Interview Informant 5, 'Bride'.

³¹ Haura Salsabiela El Sabrina Nazar et al., 'Negotiating Gender Roles: The Shift of Wives Role as the Main Breadwinners in Wijirejo Village, Indonesia', *YUDISIA : Jurnal Pemikiran Hukum Dan Hukum Islam* 16, no. 2 (2025): 215, <https://doi.org/10.21043/yudisia.v16i2.28517>.

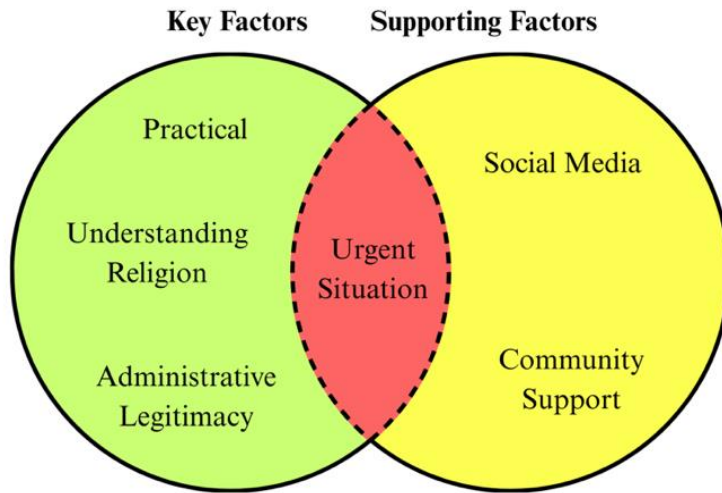


Figure 2. Factors Influencing the Decision to Marry in the Month of Muharram

Figure 2 illustrates that, beyond the various factors influencing marriages conducted during months traditionally considered inauspicious in Javanese culture, there are also urgent circumstances that prevent the postponement of the ceremony and require the marriage to be carried out without delay.

From Taboo to Negotiated Tradition: An Ecological Interpretation of Social Change

An analysis of the marriage taboo during the month of Muharram through Urie Bronfenbrenner's Ecological Systems Theory suggests that individual decisions are not formed in isolation,³² but emerge from multiple interactions between individuals and their surrounding environment. In the context of Javanese society, particularly in Gunungkidul Regency, the traditional restriction on marriage during Muharram reflects more than a simple adherence to inherited beliefs. Rather, it represents a dynamic interplay between tradition, religious understanding, modern influences,

³² Su Yeon Roh and Ik Young Chang, 'The Ecological System's Influence on Physical Activities of Older Adults: Comparison between Older Men and Women', *Aging Clinical and Experimental Research* 37, no. 1 (2024): 16, <https://doi.org/10.1007/s40520-024-02908-2>.

and socio-economic pressures that have been internalized and reproduced across generations.³³

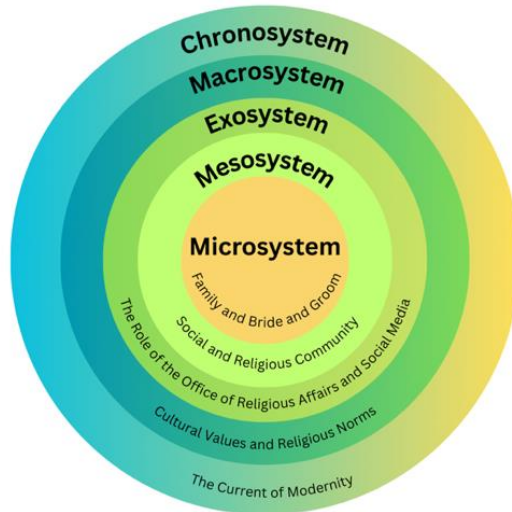


Figure 3. Bronfenbrenner's Ecological Systems Theory

Figure 3 illustrates the application of Bronfenbrenner's ecological systems theory,³⁴ showing that the five systems do not operate independently,³⁵ but interact with one another to construct meanings that shape couples' behaviour and decisions in responding to the marriage taboo.

At the microsystem level, couples' decisions to marry during the month of Muharram are strongly shaped by interactions within the family. In Javanese tradition, families hold significant authority in determining the timing of a marriage. Consequently, the taboo surrounding marriage in Muharram is often first maintained, questioned, or negotiated within the family environment.³⁶

³³ Nnaemeka Nweze and Chibike O. Amucheazi, 'A Conflict of Laws Analysis of the Nigerian Same-Sex Marriage (Prohibition) Act (2013)', *Journal of African Law* 69, no. 2 (2025): 271–87, <https://doi.org/10.1017/S0021855325000075>.

³⁴ Salman Almughyiri, 'Influence of Bronfenbrenner Ecological Theory on Career Choices of Preservice Teachers of Students with Developmental Disabilities', *Scientific Reports* 15, no. 1 (2025): 29023, <https://doi.org/10.1038/s41598-025-14958-1>.

³⁵ Yu Peng et al., 'Promoting Equitable and High-Quality STEM Education in China from an Ecological Perspective', *Disciplinary and Interdisciplinary Science Education Research* 7, no. 1 (2025): 8, <https://doi.org/10.1186/s43031-025-00127-x>.

³⁶ Supardi Mursalin et al., 'Pecoah Kohon: The Restriction on Inter-Cousins Marriage in Indigenous the Rejang Society', *JURIS (Jurnal Ilmiah Syariah)* 22, no. 1 (2023): 69, <https://doi.org/10.31958/juris.v22i1.9025>.

The determination of the marriage date is generally made through discussions between the prospective couple and their family members. The findings of this study suggest that while some families continue to consider traditional taboos, the ultimate decision is frequently shaped by practical considerations concerning the couple and their family circumstances. This suggests that families no longer automatically reject marriages conducted during the month of Muharram, as was more common in earlier traditional practices.³⁷ Instead, tradition tends to be treated as a cultural reference that can be negotiated according to the needs and circumstances of the family.³⁸

Interactions between families and the broader social environment within the mesosystem also shape these marriage practices. In Javanese society, customary norms are typically maintained through social pressure and collective agreement within the community.³⁹ However, the findings of this study reveal that public perceptions of the marriage taboo during the month of Muharram are no longer homogeneous. While some individuals still view Muharram as an unfavorable time for marriage, others regard it merely as a cultural belief that does not need to be strictly followed. This diversity of opinion has created a social space in which couples are able to proceed with marriage without encountering strong opposition from their community.⁴⁰ In this sense, the mesosystem functions as a sphere of negotiation and social validation, where the interaction between religious legitimacy and cultural heritage influences whether the marriage taboo is maintained or gradually abandoned.⁴¹

Beyond family and community influences, formal institutions within the exosystem also play a role in shaping marriage practices in society. The Office of Religious Affairs, which is responsible for marriage registration, does not impose restrictions on marriages in specific months as long as the legal requirements and conditions for marriage are fulfilled. This administratively neutral stance toward local traditions indirectly provides

³⁷ Arfianti et al., 'Primbon'.

³⁸ Miftahul Huda et al., 'Tradition, Wisdom and Negotiating Marriage and Inheritance Disputes on Javanese Muslim', *Al-Istinbath: Jurnal Hukum Islam* 9, no. 1 (2024): 25, <https://doi.org/10.29240/jhi.v9i1.9887>.

³⁹ Fitri Rafianti et al., 'The Dialectics of Islamic Law and Customary Law on Marriage Concept of Javanese Muslim in Malaysia', *Justicia Islamica* 18, no. 2 (2021): 298–317, <https://doi.org/10.21154/justicia.v18i2.3126>.

⁴⁰ Arif Sugitanata et al., 'LIVING LAW AND WOMEN EMPOWERMENT: Weaving Skills as a Marriage Requirement in Sade, West Nusa Tenggara', *Al-Ahwal: Jurnal Hukum Keluarga Islam* 15, no. 1 (2022): 145–60, <https://doi.org/10.14421/ahwal.2022.15108>.

⁴¹ Agustina, 'Protecting Women's Rights in Exogamous Society'.

legitimacy for marriages conducted during the month of Muharram. Moreover, the expansion of digital technology and social media has broadened public access to religious knowledge and modern information, allowing people to reconsider Javanese customs through more rational perspectives.⁴² In this way, the exosystem reflects the influence of institutional structures and technological developments as catalysts for changing perceptions of marriage taboos.

At the macro level, the transformation of marriage practices is also associated with shifts in cultural values and religious understanding within society. In Javanese tradition, the restriction on marriage during the month of Muharram is rooted in a cultural cosmology that regards certain periods as sacred or inauspicious for carrying out particular activities.⁴³ However, the growing depth of religious knowledge within the community has gradually influenced attitudes toward this belief. Many families in Gunungkidul increasingly emphasize religious perspectives which affirm that every month in the Hijri calendar is equally permissible for marriage.⁴⁴

This tension has produced a dialectic between "custom as cultural heritage" and "religion as a transcendental norm." Over time, society has increasingly tended to prioritize religious teachings over customary rules, leading to a shift in the meaning of the taboo from an absolute prohibition to a symbolic cultural reference. In this sense, the macrosystem demonstrates that although traditional taboos continue to be respected, the growing authority of religious interpretation and the influence of modernity have gradually reduced their perceived sacredness.⁴⁵

Within the chronosystem perspective, this transformation is also closely connected to social changes unfolding over time. As social mobility increases, educational opportunities expand, and access to information becomes more widespread, communities have grown more open to reinterpreting traditions inherited across generations. Consequently, the taboo surrounding marriage during the month of Muharram is no longer widely perceived as an absolute prohibition but rather as a cultural legacy

⁴² Arief Hidayat et al., 'Grassroots Perspectives of Javanese Muslims on Local Kyai Figures versus Islamic Preachers in Religious Television Broadcasts', *Masyarakat, Kebudayaan Dan Politik* 38, no. 1 (2025): 72–89, <https://doi.org/10.20473/mkp.V38I12025.72-89>.

⁴³ Indiantoro et al., 'Suro Month Wedding Prohibition'.

⁴⁴ Firdaus et al., 'Banjar Cultural Marriage Taboos and Analysis of the Prohibition of Marriage in Kitabun Nikah by Sheikh Muhammad Arsyad Al-Banjari'.

⁴⁵ Defel Fakhyadi and Muhammad Adib Samsudin, 'Islamic Law Meets Minangkabau Customs: Navigating Forbidden Marriages in Tanah Datar', *El-Mashlahah* 14, no. 1 (2024): 1–20, <https://doi.org/10.23971/el-mashlahah.v14i1.7364>.

that can be interpreted within specific contexts.⁴⁶ Thus, the chronosystem illustrates that traditional taboos have not entirely disappeared; instead, they are gradually being reconstructed in accordance with evolving societal perspectives.

This analysis indicates that the taboo surrounding marriage has not entirely disappeared but has instead been reconfigured into a more flexible cultural symbol one that is respected as part of ancestral heritage yet no longer regarded as absolutely binding.⁴⁷ Thus, Bronfenbrenner's ecological theory highlights that the transformation of marriage taboos is a multidimensional process shaped by interactions across different levels of the social system, ranging from family dynamics to broader societal change.

The findings of this study suggest that the transformation of the traditional taboo on marriage during the month of Muharram did not occur abruptly but developed gradually through a combination of evolving factors without formal planning. The decision of some couples to proceed with weddings during this period was primarily influenced by three main considerations: practical circumstances, religious legitimacy, and institutional support. From a practical standpoint, couples often prioritized factors such as birthdays, public holidays, and a desire to challenge the myth surrounding marriage taboos. From a religious perspective, many members of the community increasingly reject the traditional restriction by referring to Islamic teachings, which affirm that there is no prohibition against marriage in specific months.⁴⁸ At the same time, institutional factors also play an important role. The Office of Religious Affairs provides legal recognition for marriages conducted during Muharram, thereby reinforcing their legitimacy. In this sense, the institution functions as a form of “institutional protection,” offering reassurance to couples so that concerns about the potential negative consequences of violating customary taboos no longer dominate their decisions.

In addition, this shift has also been accelerated by urgent circumstances that cannot easily be postponed, such as cases of pregnancy

⁴⁶ Rafianti et al., ‘The Dialectics of Islamic Law and Customary Law on Marriage Concept of Javanese Muslim in Malaysia’.

⁴⁷ Agada Akogwu, ‘A Critical Interrogation of the Same Sex Marriage Prohibition Act 2013 Against the Backdrop of the Human Rights Provisions of the Nigerian Constitution’; in *Advances in Religious and Cultural Studies*, ed. Augustine Edobor Arimoro (IGI Global, 2022), <https://doi.org/10.4018/978-1-6684-2428-5.ch005>.

⁴⁸ Muhammad Solikhudin et al., *National Fiqh and Maqasid Based Ijtihad: Reassessing Ahmad Hasyim Muzadi through Jamal al-Din ‘Atiyyah*, 3, no. 1 (2025), <https://doi.org/https://doi.org/10.52496/mjhki.v3i2.38>.

before marriage. In such situations, customary rules are no longer treated as absolute prescriptions but are instead understood as cultural symbols that remain respected while still open to negotiation when confronted with social urgency or when they conflict with the principles of Islamic law.⁴⁹ Overall, the practice of marriage during the month of Muharram in Gunungkidul Regency illustrates an ongoing process of transformation in which tradition is not entirely abandoned but is gradually reinterpreted. This transformation occurs through interactions among individuals, families, social communities, formal institutions, and broader social changes unfolding over time. Consequently, the taboo on marriage during the month of Muharram in contemporary Javanese society is more appropriately understood as a cultural tradition that remains open to negotiation within everyday social practices.

CONCLUSION

This study concludes that the practice of marriage in the month of Muharram in Gunungkidul Regency is not just a violation of customary prohibitions, but the result of continuous negotiations between local traditions, religious understanding, and social dynamics. Cultural taboos related to Muharram have not completely disappeared, but have undergone a transformation from a binding prohibition to a more flexible and negotiable cultural practice in people's daily lives.

From the perspective of Islamic law, the practice of prohibiting marriage in the month of Muharram does not have a strong normative basis in *nash*, so it is more appropriately categorized as *'urf* which is not legally binding. This position emphasizes the important distinction between legal normativity and social normativity in Muslim societies, and shows how social constructs can influence religious practices without always being grounded in clear *fiqh* legitimacy.

Theoretically, this study shows that changes in legal practice do not occur in a linear manner, but rather are socio-ecological processes shaped by interactions between families, communities, and formal institutions. These findings enrich the study of Islamic family law by placing law as a negotiated practice in its social context. The practical implication is that the results of the study emphasize the urgency of strengthening the role of religious institutions in organizing contextual Islamic legal education based on *maqāsid al-sharī'ah*, so that people are able to distinguish more critically

⁴⁹ Dinda Bestari and Eka Kurnia Sari, 'Bridal Bath Prohibition as a Local Wisdom Among Lampung Communities on Islamic Law Perspective', *El-Mashlahah* 12, no. 1 (2022): 37–51, <https://doi.org/10.23971/elma.v12i1.3826>.

between normative religious teachings and cultural beliefs that do not have a valid legal basis.

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