



Jember Fashion Carnival (JFC) as a National Culture Viewed from Islamic Law Perspective

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Abstract

The purposes of this research were to (1) describe the practice of the Jember Fashion Carnival (JFC), which is held in Jember, Indonesia, and (2) explain how the practice of the Jember Fashion Carnival (JFC) is regarded from the perspective of Islamic law. This research is included in the qualitative-descriptive and literature research category. In conclusion, (1) the Jember Fashion Carnival (JFC) is a cultural event as well as a carnival that is held every year with a specific theme; this spectacular activity attracts foreign tourists and helps to boost the economy, among other things; and (2) the entire event contained in the Jember Fashion Carnival (JFC) is a good culture that does not conflict with Islamic law. As a result, it is feasible and may be implemented as a normal culture within the local community. No action taken at the Jember Fashion Carnival (JFC) activity violates Islam, nor does it ban something permissible, nor does it cancel something compulsory, invalidate the meaning of benefit, nor does it foster the growth of evil.

Keywords: *Anthropology Approach, Carnival, Culture, Islamic Law, Jember Fashion Carnival (JFC)*

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Penelitian ini adalah untuk (1) mendeskripsikan Jember Fashion Carnival (JFC) di kabupaten Jember; (2) dan tinjauan hukum Islam dalam praktek kegiatan Jember Fashion Carnival (JFC). Penelitian ini termasuk dalam jenis penelitian kualitatif, deskriptif dan pustaka. Hasil dalam penelitian ini adalah (1) Jember Fashion Carnival (JFC) merupakan budaya sekaligus karnaval yang dilaksanakan setiap tahunnya dengan tema tertentu, kegiatan spektakuler ini menarik para wisatawan manca negara dan menaikkan

ekonomi serta aspek lainnya; (2) keseluruhan acara yang terdapat pada Jember Fashion Carnival (JFC) sebagai budaya yang baik dan tidak bertentangan dengan hukum Islam. Sehingga, boleh dilakukan dan dapat dijadikan budaya rutin bagi masyarakat setempat. Di dalam kegiatan Jember Fashion Carnival (JFC) pun tidak ada hal yang bertentangan dengan Islam, tidak mengharamkan sesuatu yang halal, tidak membatalkan sesuatu yang wajib, tidak menggugurkan makna kemaslahatan, serta tidak mendorong timbulnya kemafsadatan.

Kata Kunci: Budaya, Hukum Islam, Karnaval, Pendekatan Antropologi, Karnaval Jember Fashion (JCF)

A. INTRODUCTION

Indonesia is famous for its diverse and unique culture, one of which is the ongoing carnival applied according to a particular place's traditions. Javanese traditional cultural traditions are a very distinctive part of human life, and this bond affects the people's personality in the area. In East Java, especially in the Jember area, there is a Jember Fashion Carnival (JFC) culture held openly every year with a certain theme, only during the pandemic this Jember Fashion Carnival (JFC) activity was carried out in a closed room. Jember Fashion Carnival (JFC) was first initiated by Dynand Fariz in 2003 and had an international scale. So far, studies using the Jember Fashion Carnival (JFC) have not discussed it from an Islamic perspective.

Most of what is studied are the development of management and cultural fashion only. First, discuss the tourism industry, management, and promotion strategies (Permata, 2017, p. 25; Proborini, 2017, p. 32). Second, uncovering economic challenges (Dewi & Farida, 2018, pp. 293–294). Third, examine the Jember Fashion Carnival (JFC) using semiotic analysis (Adibah, 2006). Several previous studies discuss Jember Fashion Carnival (JFC) with modern analysis. This research is different from existing research because the research analyzes in detail how the Jember Fashion Carnival (JFC) is viewed using an Islamic perspective. This paper is written with the assumption that first, the Jember Fashion Carnival (JFC) is a regional culture that raises the name of Indonesia to the international level so that it has a significant impact on the world. Second, the Jember Fashion Carnival (JFC) changes the community's mindset and the surrounding economy and adds to the existence of the city and tourism in Jember. Third, the Islamic perspective is an effective way to solve people's presumptions about Islamic law.

In this study, the researcher uses a literary, anthropological approach, because according to the researcher, this approach is very relevant to rely on objects of regional traditional traditions that the researchers will study later. Some experts' opinions regarding literary anthropology, namely; According to Koentjaraningrat (2015, p. 9), Anthropology means "the science of humans" and is an ancient term. Anthropology can be the broadest science because it studies all things related to humans. Anthropology can be described as a science that discusses almost all human problems, ranging from the distribution of humans on earth, existing racial differences, politics, conflict, power, marriage, birth, death, tradition, religion, etc. Anthropology is the study of humans from a socio-cultural perspective. The use of anthropology as a practical science to collect data about people's lives and cultures from various ethnic groups, which we then exhibit so that mutual understanding arises between the ethnic groups (Sari, 2017, p. 1).

As far as is known, the issue of literary anthropology first appeared in the congress "Folklore and Literary Anthropology" (Poyatos, 1988: xi—xv), which took place in

Calcutta (1978), initiated by Kahyani University and the Indian Museum. Therefore, it is not coincidental that the first published book was given the subtitle "a New Interdisciplinary Approach to People, Signs, and Literature." Nevertheless, Poyatos admits that as a term, literary anthropology was first put forward in an article published in *Semiotica* (21:3/4, 1977) entitled "Form and Functions of Nonverbal Communication in the Novel: a New Perspective of the Author. -Character-Reader Relationship". This connection is worth mentioning in a brief article entitled "Towards an Anthropology of Literature" (Rippere, 1970). It explains the role of language in literary works, namely language, which is more related to its context to reality so that the meaning of language is much broader than that.

The birth of the literary, anthropological approach is based on the fact that: (a) both literature and anthropology regard language as an important object; (b) both literature and anthropology question the relevance of humans to culture, and (c) both anthropology and literature both question oral traditions or oral literature, such as myths, fairy tales, and legends being the object of their research (Ratna, 2009, p. 352). Ratna (2011, p. 6) says that literary anthropology consists of two words, namely anthropology and literature. In short, anthropology (Anthropos + logos) means the science of humans, while literature (as + tra) means a tool for teaching. The word group has not shown the meaning as intended in the real sense. But broadly, what is meant by literary anthropology is science in this connection literary works that are analyzed about anthropological problems.

Endraswara (2003, p. 109) argues that literary anthropology belongs to the archetypal approach, namely the study of literary works that emphasize the past's cultural heritage. This cultural heritage can be reflected in classical and modern literary works. According to Ratna (Ratna, 2011, p. 6), literary anthropology is an analysis of literary works which contain anthropological elements. In this connection, it is clear that literary works occupy a dominant position; on the other hand, anthropological elements are complementary. Because anthropology is very broad, its relation to literature is limited to the cultural elements that exist in literary works. This is by the nature of literature itself, namely literature resulting from cultural activity. Rahmat (2019, p. 90) said that literary anthropology research, as proposed by Endaswara (Endraswara, 2013, p. 19), is a study of literary structures (novels, short stories, poetry, dramas, folk tales) and then relates them to the concept or context of the socio-cultural situation. Related to literary works in which there are characters and characterizations, in line with what Endaswara said above, literary anthropology research is research that describes the behavior and attitudes of the characters (characters) in the literary work to reveal the culture of a particular society.

Anthropology is divided into physical anthropology and cultural anthropology, a cultural study about literature; cultural anthropology is divided into two fields, namely anthropology with verbal and nonverbal objects. The literary anthropological approach is more related to verbal objects (Ratna, 2009, p. 63). According to Ratna (2011, p. 90), three reasons support the sustainability of literary anthropology. The three reasons are, (a) anthropology, especially cultural and literary anthropology, issues the symbol system intensely, especially the language symbol system; (b) questioning the relevance of humans as cultural people; and (c) questioning and at the same time claiming the oral tradition as their respective research. This means that anthropology and literature have three characteristics: the symbol system, cultured humans, and oral traditions.

This research uses a descriptive qualitative research method. Qualitative research methods are research that is characteristic or has characteristics, that the data is stated in

a reasonable condition or as it is, without changing it into the form of symbols or numbers. The object of qualitative research is in all fields/aspects of human life, namely humans and everything that is influenced by humans (Irina, 2017, p. 234). In contrast, descriptive research is research that explains the description of the characteristics of a phenomenon under study to reveal a problem and situation as it is (Marjayati & Juju Suryawati, 2006, p.104). This qualitative research aims to (1) describe the Jember Fashion Carnival (JFC) culture in Jember Regency; (2) and review Islamic law in the practice of Jember Fashion Carnival (JFC) cultural activities in the district of Jember.

Sources of data obtained by research are primary data sources and secondary data sources. Primary data is data collected based on direct interaction between collectors and data sources; the techniques used by collectors can be in surveys, observations, or experiments (Bungin, n.d., p. 132). The primary data source of this research is the observation of the people of Jember Regency. Secondary data sources are data collected from printed sources, and these data have been collected by previous researchers (Chuchill, n.d., p. 215). Researcher of books, articles, and journals as secondary data sources. The data analyzed in this study are from history, procession, and legal review from an Islamic perspective, using literary anthropology. The data collection technique used is the library technique; the literature study technique is an activity in research relating to library data collection, reading and recording, and processing research materials (Mahsun, 2014, p. 233).

B. DISCUSSION

In society, culture and tradition cannot be separated because both apply from generation to generation and for a long time. If you look at both of them, they almost have the same definition, but one of them has significant characteristics. Culture refers to a lifestyle, while tradition refers to customary and sacred laws, but many equate them in certain contexts.

1. Definition of Carnival

Carnival is essentially a celebration that takes place before Lent, which Christian Catholics often carry out in the Americas and the European continent. According to experts, the word carnival comes from the Latin *Carne*, which means meat. Because in general, this carnival celebration is identical to a celebration that involves many people eating large meals in the form of the meat of game animals that have been caught before the carnival event. The definition of carnival is a procession or parade activity carried out in celebrating, which usually unites various kinds of interesting patterns to celebrate. So it can be concluded that this carnival is a celebration carried out by the community using a procession; this carnival celebration can certainly be carried out once a year which is found in many parts of the world, even in Indonesia (Denissa et al., 2016, pp. 431–443).

2. Jember Fashion Carnival (JFC) Celebration

In Indonesia, many carnival celebrations are carried out for the public's gratitude for the goals that have been achieved. And nowadays it is done because of the traditions of their respective regions. Various examples of carnival celebrations in Indonesia that are well known to an international scale are the Jember Fashion Carnival (JFC); Jember Fashion Carnival (JFC) is a homemade fashion show that is the creativity of the participants from the Jember area, carried out outdoors and packaged in the form of an impromptu carnival once a year. Participants are required to design their clothes/costumes that will be presented and make up their faces and bodies. Participants also become

models of their clothes on the 3.5 km long street with dance moves according to the chosen theme (Khotimah, 2016, p. 47).

This carnival festival was originally initiated by a male fashion designer from the Jember region named Dynand Fariz. As a creator, he tries to organize a fashion exhibition event made by the male and female participants from the Jember area, not on stage, but along city streets in the form of a carnival. The first time this carnival was held was in 2003, precisely at the beginning of the year in January. And the chosen route starts from the square to the Kaliwates Sports Center in Jember City, which is 3.5 km away.

Seeing the event's success, the local government, in this case, the Jember Regency Tourism Office, really appreciates and supports the implementation of this carnival festival. This support is evidenced by the provision of facilities and licensing of performances. Therefore, in the same year, the local government held the 2nd Jember Fashion Carnival (JFC) event to teach the Indonesian Independence Day together with the Tajemtra Road Movement (Traditional Jember Embankment). And what's great is that in this second performance, it turns out that it gets more attention from the community, even from outside the area and media journalists, so that the local government has scheduled the Jember Fashion Carnival (JFC) to be held every year in the annual cultural tourism agenda.

From the perspective of cultural creativity, Jember Fashion Carnival (JFC) is the pioneer of modern carnivals for regions and cities in Indonesia. In 14 years, JFC has received various awards from within and outside the country. One of JFC's achievements is winning the title of the best carnival in Indonesia to be ranked fourth for the most unique and hottest carnival in the world, after Mardi Grass in the United States, Rio de Janeiro in Brazil, and The Fastnacht in Germany. Through Jember Fashion Carnival (JFC), which has high popularity on an international scale, of course, it can prove that this performing arts genre has a quality that deserves to be appreciated. Foreign mass media do not want to lose participation in covering the cultural performances. Various uniqueness, beauty, and splendor of Jember Fashion Carnival (JFC) are uniquely packaged and reported in an interesting, amazing, and spectacular way.

3. The Impact of the Implementation of the Jember Fashion Carnival (JFC)

The Jember Fashion Carnival (JFC) in the district of Jemkasih has had a significant influence and impact in several sectors, including the economic sector. With this event, the impact of the people's economy turned out to have extraordinary potential in the scope of activities of the creative economy, which involved many aspects. According to the Ministry of Tourism and Creative Economy, it identified at least 14 sectors included in the creative economy, namely: advertising, architecture, art market, handicrafts, design, fashion, film, video and photography, interactive games, music, performing arts, publishing and printing, computer and software services, radio and television, research and development.

The research survey results show other facts found in the field on 26-30 August 2015. That quantitative empirical data shows the empowerment patterns that emerged with JFC activities, including traveling traders, self-help parking, gift centers, hotels, and culinary delights. Jember Fashion Carnival (JFC) has a high creative economic value in increasing the empowerment of creative entrepreneurial communities, including the expansion of the creative economy in advertising, handicrafts, design, fashion, films, videos, interactive games, music, performing arts that have a carnival taste. The business opportunity of this Jember Fashion Carnival activity can be developed in the form of making handicraft souvenirs (key chains, pins, glasses, necklaces, stickers, t-shirts, hats,

replica Carnival dolls), cafes, travel agents, hotels, workshops, and indoor contest theaters.

Not only from the economic sector, but Jember Fashion Carnival (JFC) influences the socio-cultural sector. In the socio-cultural sector of the people of Jember, Jember Fashion Carnival (JFC) can change the paradigm of people regarding the identity of Jember, which was originally Jember as a Religious City, turned into Jember, a City of Fashion/Fashion or at least Jember has experienced three changes in cultural identity, namely Jember, the City of Tobacco, Jember, the City of Santri and finally Jember. City of Fashion/Fashion (Cahyani, 2014, p. 144).

The Jember Fashion Carnival (JFC) cultural festival is the identity and pride of the City of Jember, East Java, Indonesia, and the world, which has essential characteristics, such as being religious, kinship, living in harmony, populist so that there is a form of socio-cultural resilience which is reflected in living conditions. The social culture of the nation is imbued with a national personality. In addition, Jember Fashion Carnival (JFC) contains the ability to shape and develop the socio-cultural life of humans and Indonesian people who believe and fear God Almighty, unite, love the homeland, quality, progress, and prosper in a life that is completely harmonious, harmonious and balanced as well as the ability to prevent cultural penetration. Foreign countries that are not by the national culture (Cahyani, 2014, p. 145).

From a social perspective, religion also has an impact, in which it has basic concepts regarding kinship and society. This concept provides an overview of religious teachings regarding human relations with humans or social teachings. For example, every religious teaching teaches help to fellow human beings. Society has a very big role in preserving culture. The participation of various levels of society and interfaith in enlivening the Jember Fashion Carnival cultural festival will form a harmonious life in nurturing and maintaining culture so that the State does not recognize it.

4. The Uniqueness of Jember Fashion Carnival (JFC)

Jember Fashion Carnival (JFC) is a culture that combines elements of art, including musical arts such as drumming because it cannot be completed without musical accompaniment in the form of a carnival. The reason is, the participants of the Jember Fashion Carnival (JFC) danced to entertain the audience with various costumes. Carnivals usually include public celebrations and parades, including some elements such as masks, circuses, and parades for people who dress up frequently or during ceremonies.

The Jember Fashion Carnival (JFC) culture has its charm because of its uniqueness, in the carnival, various fashion displays throughout the archipelago were held and attended by thousands of participants, even several countries participated in the event such as the Aztecs (Mexico), Mongols (Mongolia), Karen (Thailand), Vikings (Norway), Zulu (South Africa)) and several other countries. Every year the Jember Fashion Carnival (JFC) raises a different theme, thus indirectly attracting tourists, public figures, important state officials from within the country and abroad. Due to several factors, the Jember Fashion Carnival (JFC) was appointed the best carnival in Indonesia as well as an international label. Jember fashion carnival (JFC) is considered a unifying icon between countries, apart from the interesting events, this event raises the economic and tourism aspects of Indonesia as well as the longest catwalk in the world with a runway of 3.6 km.

5. Jember Fashion Carnival (JFC) as a city identity project

Jember is a city with a semi-capital class because of its function as a service center for the Besuki residence area with several modern facilities. Viewed from agricultural

products produced, Jember is known as the city of tobacco. Many local entrepreneurs invest in packaging and storage, then they are sent between provinces, domestically and abroad. As an area at the tip of East Java, access to Jember is relatively difficult. This is because land transportation to Jember via Surabaya takes about 45 hours, whereas Air freight has an airport but it doesn't operate. Besides, the fact makes it difficult for the city of Jember to develop tourism compared to Malang and Surabaya which are easy to reach. However, this did not dampen the desire of the Jember City Government to develop its territory. This is done, for example, by organizing tourism promotion activities for a month, including many interesting activities that show the benefits of the city of Jember.

The most important part of designing a creative city is the creative participation of all elements of the city's actors. Economic development that only relies on agriculture and agribusiness is not enough to meet the needs of the city in the future. The birth of Jember Fashion Carnival (JFC) in 2003 can be described as the emergence of creative ideas and the desire of the founders and funders to develop the creative city in Jember. They managed to launch a fashion carnival that caught the attention of the media, but Jember Fashion Carnival (JFC) has a big problem in dealing with the socio-cultural realm Jember. Even in, the founders of Jember Fashion Carnival (JFC) were pessimistic that Jember was probably not a good place for a Jember Fashion Carnival (JFC) project. Based on objective conditions, JFC will eventually warn the citizens of Jember about efforts to develop Carnival City as a creative city to develop and develop the tourism industry. By creating a carnival together, we see the challenge as strength.

According to Castells in Giddens that the increasing interconnection between the two extreme points i. Extensionality and intentionality where globalization influences on the one hand and personal disposition on the other, then tradition loses its grip and everyday life dissolve in dialectical interaction between the local and the global (Giddens, 1984, p. 98). This interpreting the Jember fashion carnival (JFC) can be in line with the hypothesis expressed by Castells that anyone who constructs an identity for any purpose is often eaten with the symbolic identity that exists in that identity. This Jember Fashion Carnival (JFC) phenomenon could be an effort to project identity, Jember as a socio-cultural space that allows Dinand Fariz as an actor in the Jember fashion carnival (JFC) to negotiate a new identity and re-show their position in society (Jannah, 2012, pp. 140–142).

The emergence of the Jember Fashion Carnival (JFC) can show the multicultural side of the city of Jember, the entry of the Jember Fashion Carnival (JFC) into this area is understandable because Jember is difficult to find its original cultural form. When viewed from the history of the formation of the city of Jember, the people of Jember can be immigrants who then mix and form a *pendalungan* culture. *Pendalungan* alone is a culture that was formed because of the mixing of two cultures, namely the Madurese and Javanese cultures, therefore, Jember does not have a truly dominant culture, the Jember people are also easy to accept innovation (Habib, 1971).

In the course of Jember, the fashion carnival (JFC) is more dominant to the archipelago than Jember itself. because the purpose of the Jember fashion carnival (JFC) is not to introduce Jember to Indonesia but to introduce Indonesia to the world. This shows that the Jember fashion carnival (JFC) is slowly but surely entering the Jember area. Although the Jember Fashion Carnival (JFC) is displayed in the middle of the city, the participants of the Jember Fashion Carnival (JFC) are mostly from remote areas or the outskirts of Jember. Seeing this process in the end, it is not impossible to make Jember Fashion Carnival (JFC) a world carnival city, this will be realized where the process of

socialization and internalization of meaning and interest is ongoing, maybe not for the current generation, but for the younger generation who are currently participating in Jember. fashion carnival (JFC). Over time, the Jember Fashion Carnival (JFC) will become a collective memory for many young people, both participants and observers of the Jember Fashion Carnival (JFC)(Jannah, 2012, p. 144).

6. Jember Fashion Carnival (JFC) in Islamic View

In general, in every environment that has been entered into by Islamic teachings, some norms regulate the community's life concerned with Islamic law, although in an unwritten form called adat. Adat in language means habit, and stars are defined by what is known and practiced by humans, both in the form of words and deeds (Khallāf, 1978, p. 86). Customs can be accepted if the following conditions are met (Dahlan, 2010, p. 212),

1. Customs does not conflict with the text
2. Customs are valid and have developed into consistent guidelines in the community
3. Customs are general customs because specific customs cannot determine general customs

According to the people of Jeber district, the Jember Fashion Carnival (JFC) activity, if adjusted to Islamic law itself, is still controversial among (the Jember village community), some say it is not by Islam, and some think it's okay, as long as it doesn't violate Islamic law. From the perspective of Islam, it is seen that a traditional custom can be tolerated as long as it does not conflict with Islamic law. The Jember Fashion Carnival (JFC) activity is carried out by the local community when viewed from the terms and pillars of the Shari'a; then this tradition is considered not an obligation that becomes a barrier to the validity of a marriage that must be fulfilled. But in Islamic law, there is also no prohibition against implementing this tradition.

According to the ulema in the rules of usual fiqh, they argue that custom can be used as a basis for initiating laws when there is no evidence from *syar'i*. Customs can be used as law (العادة) which means customs or traditions can be used as law, meaning that customs and traditions that live in the community can be used as a legal basis for certain regional communities (Tamrin, 2010, p. 203). Based on the opinion of *ushul fiqh* scholars, it is agreed that '*urf al-sahih*, namely customs that do not conflict with *syara'*, both those involving speech and deed customs, can be used as evidence in determining sharia law'. The scholars of *madzhab*, according to Imam Al Syathibi, namely Maliki *ushul fiqh* experts, and Ibn Qayyim Al Jauziyah, Hanbali *ushul fiqh* experts, accept and use customs as *syara'* arguments in determining the law, if no verse or hadith explains the law of a problem faced, including customary marriages (Yahya & Rahman, 1993, p. 124).

Therefore, according to the researchers, the Jember Fashion Carnival (JFC) activities carried out by the people of Jember from generation to generation can become the prevailing culture in the village. According to Islamic law, the tradition of Jember Fashion Carnival (JFC) activities in Jember Regency does not occupy the law as an obligation or emphasize something that must be done. According to the organizer of the Jember Fashion Carnival (JFC) activity in Jember Regency, it fulfills the requirements in the formation of a law adhering to the reasoning of *maslahah al-mursalah*, the Jember Fashion Carnival (JFC) activity in Jember Regency does not have any arguments in the Koran or Hadith. However, in the formation of activities and their implementation, they are not contradictory with the legal system or the basis of the provisions of *nas* and *ijma'*.

Based on the researcher's data analysis, all the Jember Fashion Carnival (JFC) Jember Regency events can be said to be a good tradition and do not conflict with Islamic Jember Fashion Carnival...(Husnul Yaqin, et al)

law. Therefore, the organizer concludes that the tradition that has been attached to the people of Jember Regency in organizing a carnival can be done and can be used as a culture for the local community. In the Jember Fashion Carnival (JFC) activity, nothing is contrary to Islam, does not forbid anything lawful, does not cancel something obligatory, does not invalidate the meaning of benefit, and does not encourage the emergence of evil.

C. CONCLUSION

Based on the explanation above, this paper concludes that the correlation between *tamadun Islam* and pre-Islamic civilization is a project to abolish *Aṣābiyyah* which is rooted in Arab society. It is indicated by; first, changing the tribal nature of *aṣābiyyah* into the unity of the people. Second, making the nature of *aṣābiyyah* as a means of supporting Islamic *da'wah*. Third, making the nature of *Aṣābiyyah* as the basis of a social contract to launch a political map of Muslims to build a new civilization. Fourth, shifting the values of *Aṣābiyyah* to form a high council that focuses on the legislative, executive and judicial domains. This conclusion is of course the pros and cons that can open up further studies, such as the concept of *Aṣābiyyah* that existed before and after Islam was born, what was its manifestation and how Islam views *Aṣābiyyah* when viewed from the successors of the Prophet who were also counted from the Quraysh tribe only.

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