



USE OF PUBLIC ROADS FOR WEDDINGS IN THE PERSPECTIVE OF ISLAMIC LAW AND POSITIVE LAW

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Abstract:

Public roads are shared facilities passed by the community to support their mobility. Islamic teachings stipulate that public roads are a basic human right that no one may hinder. However, some people have taken advantage of public roads for the benefit of weddings and other private events, thereby disrupting and hindering community activities. This paper aims to examine the use of public roads in weddings from the perspective of Islamic law and positive law by focusing on two questions: First, what is the view of Islamic law on the use of public roads for weddings in society? Second, what are the regulations for using public roads for people holding wedding events in the community based on the Police Chief Regulation No. 10 of 2012 concerning road use other than for traffic activities? This type of research is library research with a qualitative approach. Data collection was carried out by reading news, books and articles related to the research problem and then analyzed using the deductive method. The results of the study show that weddings are included as road use for personal gain. The use of roads that are private, among others, for weddings, funerals, or other activities. Roads that can be used for private purposes are regency roads, city roads and village roads. If the use of the road results in road closure, a road use permit must be issued by the Indonesian National Police ("Polri"). Based on Article 17 of the Police Headquarters Number 10 of 2012, which contains how to obtain a road use permit.

Keywords: *Use of Public Roads, Marriage, Islamic Law and Positive Law*

INTRODUCTION

Public roads are public facilities provided for everyone, while Walimatul 'Urs is included as the use of roads for personal gain. The use of roads that are private, among others, for weddings, funerals, or other activities. The roads used for private purposes are regency roads, city roads, and village roads (Akmal et al., 2019; Devy et al., 2020).

Limited land is a crucial problem that often occurs in both rural and urban communities. One of the reasons is the increasing number of developments taking place in rural and urban areas, due to limited land, people have difficulty holding weddings or other events that require a large location to accommodate invited guests. For rich people, of course this is not a problem, they can just rent a building or hotel to hold their child's wedding (Busyro, 2018).

So the application of a law really needs to be emphasized so that people do not use the road as they please without considering other road users, in positive law the author uses three laws that explain procedures for using roads for private activities, in this case the Regulations of the Head of the National Police Republic of Indonesia Number 10 of 2012 concerning Traffic Regulations in Certain Conditions and Road Use Other Than Traffic Activities, Law Number 22 of 2009 concerning Road Use, and Law Number 38 of 2004 concerning Roads (Hanif, 2022).

In Islamic law, disturbing the peace of others is an act that is also not justified in

the Qur'an, this is in accordance with the word of God contained in QS Al-Ahzab/33: 58;

It means :

"And those who disturb those who are believers and believers without the mistakes they have made, then in fact they have borne a lie and a real sin.

God's Word:

"And those who disturb people who are believers and mu'minat without any mistakes they have made." Namely those who accuse the believers with accusations that they never did. "So verily they have borne a lie and a real sin."

This is a big lie (al-bukhtul kabir) that is telling or spreading bad news which is never done by believers with the aim of exposing their badness and shortcomings. Those most affected by this threat are those who disbelieve in Allah and His Messenger, after that the ya fidhah group, namely those who always reveal the bad things of the Prophet's Companions and reveal their disgrace, even though Allah has freed them from this evil. They describe the characteristics of the Companions with a picture that is different from that presented by Allah (Fauzan, 2021).

Indeed, Allah Himself has described that He is pleased with the Muhajirin and Ansar groups. Even Allah praises their qualities. Those stupid people cursed their friends, mentioned their shortcomings and said something about them that they had never done and would never do forever. In essence, such humans have a hard heart. They denounce the praiseworthy and praise the blameworthy (Hamdani, 2020).

Even though the law was formed as a means of control for society so that people do not violate the rules or norms that apply in society, so as to achieve a sense of security and comfort in society. These road sections are very vital parts for road users. If that part of the road is disturbed by the community organizing events for their personal interests, of course the function of the road will not be achieved optimally. This will also cause chaos for passing road users (Hafizah, 2022).

From the explanation above, the author wants to examine more deeply the issue of using the road in carrying out the walimatul 'urs event so that the results obtained will be linked to the rules of Islamic law, so that it can be conveyed to the public about the procedures for carrying out the walimatul 'urs event by using the road so that does not repeat mistakes that are often made, so the author chooses the title "Use of Public Roads for Walimatul 'urs Events from the Perspective of Islamic Law, which raises the problem What are the causes and how are the perspectives of Islamic law towards the use of public roads for Walimatul 'urs events. This paper aims to find out why people use public roads for the Walimatul 'urs event from the perspective of Islamic law (Jamali, 2019).

RESEARCH METHODS

In writing this article the author uses a type of library research (Library Research), which is research by studying and examining data originating from literary sources, whether in the form of books, papers, magazines, and journals related to the use of public roads for Walimatul' events. urs Perspective of Islamic Law. The approach that the author uses in this article is the normative syar'i approach (Mahfudin et al., 2020).

From the research conducted, there will be two sources of data, namely, primary data and secondary data. While for data management techniques, namely by collecting data through reference sources (books, journals, magazines, and papers) then from these data, the author analyzes using inductive thinking methods and analyzes qualitatively (Maula, 2019).

RESULTS AND DISCUSSION

The use of public roads are facilities provided by the government for land transportation infrastructure to pass through, both underground and on water, which have various administrative rules and sanctions for users who violate them (Regulation of the Head of the National Police of the Republic of Indonesia Number 10 of 2012

Concerning Traffic Management Under Certain Conditions and Road Use Other than Traffic Activities) (Murtiani, 2019).

Walimah literally means meeting, derived from the word Alwalamu. This is because the bride and groom have a meeting. Meanwhile, according to the term, namely the dish / meal served at a wedding. The meaning is food that is specially prepared for weddings (Walima Al-Ursy). In the dictionary it is said that walimah is wedding food or all food to be eaten by invited guests (Nizaruddin, 2018).

Walimatul Urs is a celebration in order to give thanks for the gifts that God has given because the marriage contract has been carried out by serving food or it can also be interpreted as a wedding celebration accompanied by the provision of a banquet (Nofialdi, 2021).

Walimatul urs aims to announce the marriage to the public so as to avoid negative perspectives from the public who think that the person who has done the marriage contract has committed an act that deviates from the syara' or has committed adultery because his marital status is not known. Where adultery is a dirty and heinous act that is prohibited by all religions and cannot be accepted by reason (Nella Sumika, 2021). An event to convey to the public that this couple is married and abstains from adultery is the purpose of holding the wedding ceremony.

Walimah can also be interpreted by the word walm which means association, because married couples gather. Walimatul'urs is a special dish at a wedding which in the Arabic dictionary means walimatul'urs is food for weddings, or any food made for other invitations (Rajab, 2020). So the walimatul 'urs event is a wedding party held by the community to inform other members of the public that their children have entered into a marriage contract in accordance with Islamic teachings and are legal as husband and wife.

The basic law of walimah is mustahaab, which is recommended. However, according to some scholars it is obligatory. This is considering the benefits and harms that will arise if the walimah is not carried out after the wedding (Rasid, 2022).

Kinds of Walimah (Ravel, 2020).

- a Walimah'Urs: Walimah which is held in gratitude for marriage.
- b Walimah Aqiqah: Walimah which is held to celebrate the birth of a child.
- c Walimah Khurs: Walimah which is held to be grateful for the safety of the wife from divorce.
- d Walimah Naqi'ah: Walimah which is held to welcome the arrival of travelers, namely people who have just arrived from traveling.
- e Walimah Wakirah: Walimah which is held to give thanks for the renovation of the house.
- f Walimah Wadimah: Walimah which is held when disaster strikes.
- g Walimah Ma'dubah: Walimah held without any particular reason.
- h Walimah I'dzar/Walimatul Khitan: Walimah which is held to give thanks for the circumcision of a child.

The law on attending Walimah is in the opinion of jumhur jurists and the Maliki, Shafi'i, Hambali and some Hanafi schools of thought that it is obligatory to attend a walimah. There is a limit to the obligation to attend, namely for people who are invited to be specific, whether the invitation is a messenger or writing according to the Maliki, Syafi'i and Hambali schools of thought (Ridho, 2018).

The majority of Hanafi mahab scholars, some Shafi'i and Hambali say that it is sunnah to attend walimatul 'urs. Because the essence of walimah is to acquire wealth and demand food. While this is not mandatory. Some scholars of the Shafi'i and Hambali schools state that it is legal to attend walimah fardu kifayah. So it is a sin for people who are not invited not to be present at the walimah. However, for others, if one of the invited people attends the walimah (Rosman, 2018).

In order for the walimah to be held as expected in Islamic teachings, the manners or procedures for walimah have been expressed by Sheikh Abdul Aziz bin Fathi as-Sayyid

Nada in Mausuu'atul Aadaab al-Islaamiyyah, namely as follows (Saputra, 2020) :

- a A walimah should be carried out with the right intention.
- b Serving dishes based on ability.
- c A Muslim who holds a walimah should invite close relatives, neighbors and fellow believers.
- d Inviting righteous people, It is hoped that blessings will come from the prayers offered by inviting righteous people.
- e Do not organize walimah in an excessive way and waste money.
- f Respecting the prayer time, when the call to prayer has been sounded, you should notify and invite guests to pray in congregation even though the walimah is still being carried out because if Allah involves all matters then the blessings will continue to flow.
- g Always avoid shirk and khufarat, as a Muslim, you should not believe in things that lead to shirk and khufarat. Such as trusting the rain handler as a protector when it rains when walimah is carried out and believing that there are good days to carry out walimah events.

Walimah is sunnah starting from the contract and there is no end of time. However, walimah is more important to be held after intimate relations between husband and wife. This is in accordance with the practice of Rasulullah SAW, namely that he is reluctant to carry out walimah unless he has had intercourse. According to some scholars, it is customary to carry out walimah for 7 days for virgins and 3 days for widows, after which the law is qada (Danel Aditia, 2018).

It is sunnah to do walimah twice for someone who has been married twice to hold a separate walimah is the main thing, but if it is intended to hold two marriage contracts with walimah once then this is considered sufficient. Some of the wisdom of holding walimah, among others, are as follows (Nanang, 2021) :

- a. As an expression of gratitude to Allah SWT.
- b. As a sign that both parents have handed over their daughter to her husband.
- c. As a sign to open a new page in the bond of husband and wife.
- d. As a sign that the process of marriage contract has been realized.
- e. As an announcement to the community about the official marriage.

The Islamic religion has prescribed to all of us to announce a marriage. It aims to distinguish it from secret marriages which are prohibited by Islam. Apart from that, the announcement also aims to show happiness in something that is permitted by Allah SWT for a believer, because in marriage the impulse of lust becomes lawful. and in that bond too, all negative prejudices from other parties will be swept away (Sofyan, 2018). No one will suspect, a man is walking alone with a woman, that is why Allah SWT orders Muslims to broadcast the marriage contract or hold a walimatul 'urs to announce the wedding ceremony in the walimatul 'urs process to the general public (Soleh, 2018).

According to Sayyid Sabiq, "Walimah can also be interpreted by the word walm which means association, because husband and wife meet together. Walimatul'ursy is a special dish at a wedding which in the Arabic dictionary means walimatul'ursy is food for weddings, or any food made for other invitations (Suryana, 2018).

From the various explanations above, what is meant by walimatul 'urs is the celebration of the bride and groom as an expression of gratitude for the marriage, by inviting relatives and the community to be happy and witness the inauguration of the marriage, so that they can participate in maintaining the preservation of the family they foster and so that they do not raises suspicion from the public regarding their marriage, so that they are considered to have committed an act that is not permitted by syara' (adultery) because their marital status is unknown, also as gratitude for a very happy moment in one's life, it is recommended to hold a wedding celebration party and share that happiness to others. So, basically walimatul 'urs is an announcement of marriage to the community (Tantini, 2021).

Islam also allows both parties to enliven their marriage by holding entertainment, but still in reasonable conditions and in accordance with the demands of Islamic law. Entertainment that promotes lust or that can stimulate people's sexual desires is not allowed. Likewise with other provisions relating to the conception that must always be considered in the walimatul 'urs event, such as not allowing men and women to mix in one place, or prohibitions regarding the appearance of female genitalia (Wirabakti, 2022).

Jumhur ulama' agree that holding walimatul 'urs is the law of sunnah mu'akkad. This is based on the hadith of Rasulullah SAW, which means: Has told us Ali Has told us Sufyan he said; Humaid has told me that he heard Anas radiallahu 'anhu say; The Prophet sallallahu 'alaihi wasallam once asked Abdurrahman bin Auf when he married an Anshriyah woman, "How much dowry did you give him?" he replied, "The size of a grain of gold." And from Humaid; I heard Anas say; When they arrived in the city of Medina, the Muhajirin stopped at the residence of the Ansar people. Then Abdurrahman bin Auf stayed at the residence of Sa'd bin Ar Rabi'. Sa'd bin Rabi' also said to him, "I will share my property with me and marry you to one of my wives." Abdurrahman said, "May Allah bless your family and wealth as well." Then he went out to the market and bought and sold until he got a profit in the form of cheese and ghee, and he, too, married. So the Prophet sallallahu 'alaihi wasallam said: "Have Walimah even if only with a goat." (HR. Al-bukhari and Muslim)

Some of the hadiths above show that walimatul 'urs can be held with any food according to ability. This was shown by the Prophet SAW, that the differences in holding walimatul 'urs does not differentiate or exaggerate one from the other, but solely adapted to the situation when it is difficult or spacious (Amir Syarifuddin, 2021). In walimatul 'urs, both parties who make hajjat are also advised to pay attention to the fate of the poor, because basically Islam does not allow neglect of the lives of the poor. The happiness that exists in the walimatul 'urs nikah will be seen as useless if the person having the hajjat in the ceremony ignores the poor (Syarif, 2020). There are also some scholars who argue that holding Walimah al'urs is fardhu kifayah. What is meant is if there is one or more people in one area who have implemented Walimah al-'urs, then it is considered sufficient (Ahmad, 2018). Based on the explanation above, a conclusion can be drawn that Rasulullah saw recommended holding Walimah al-'urs.

But in practice it is not mandatory, but sunnah. And it is carried out according to his ability and there is no limit to this in carrying out Walimah al-'urs. Even so, Walimah al-'urs does not affect whether the marriage is valid or not, meaning: "Muhammad bin Yusuf has told us. Sufyan has told us from Mansur bin Shafiyah from his mother Shafiyah bint Syaibah, he said: Rasulullah shallallahu 'alaihi wa sallam held Walimah for some from his wives, that is, with two Mud of wheat (Andi, 2019). Some of the hadiths above show that walimatul 'urs can be held with any food, according to ability. This was shown by the Prophet Muhammad SAW. That the differences in his walimatul 'urs do not distinguish or exaggerate one over the other, but are solely adapted to circumstances when it is difficult or easy (Nur Rochaeti, 2022). Walimatul 'urs is obligatory but does not mean that the validity of an event walimatul 'urs, for example, marriage depends on it. Marriage is considered valid if the conditions and pillars are met, even without a walimatul 'urs (Sobarna, 2021).

Roads provided by the State for the public to be used for public purposes and land transportation infrastructure covering all parts of the road, including auxiliary buildings and equipment intended for public traffic. So the road category is divided into several sections, such as (Revy Safitri, 2020) :

1. Road regulation is the activity of formulating planning policies, preparing general plans, and drafting road laws and regulations.
2. Road development is the activity of preparing technical guidelines and standards, services, empowering human resources, and road research and development.
3. Road development is an activity of programming and budgeting, technical

- planning, construction implementation, and road operation and maintenance.
4. Road supervision is an activity carried out to realize the orderly arrangement, guidance and development of roads.
 5. Road administrators are parties that carry out road regulations, guidance, construction and supervision in accordance with their authority.

Expressways are public roads for continuous traffic with full access control and without the presence of comparable intersections and equipped with road-owned space boards, Regulation of the Head of the National Police of the Republic of Indonesia Number 10 of 2012 Concerning Traffic Regulations Under Certain Circumstances and Road Use Other Than Traffic Activities (Edi, 2018).

The use of the road for weddings is included as the use of the road for personal purposes. If the use of the road for personal purposes results in road closure, then road use can be permitted if there are alternative roads and a road use permit must be issued by the Indonesian National Police. Wedding parties by installing tents that block part of the highway including as road use other than for traffic activities based on Article 15 (2) and (3) based on Regulation of the Head of the Indonesian National Police Number 10 of 2012 concerning Traffic Management in Certain Conditions and Road Use Apart from Traffic Activities), which states (Stanly, 2020) :

- (2) The use of district roads, city roads and village roads as referred to in Article 13 letters c, d, and e may be permitted for public interests that are national, regional, and/or private interests.
- (3) Road use as referred to in paragraph (1) and paragraph (2) which results in road closure may be permitted, if there is an alternative road.

Road use other than for traffic activities is an activity that uses a part or all of a road section outside the main function of the road. The use of the road for weddings is included as the use of the road for personal purposes. The use of roads that are private, among others, for weddings, funerals, or other activities (Agus, 2020).

If the use of the road results in road closure, a road use permit must be issued by the Indonesian National Police. The National Police will later be responsible for placing officers on road sections to maintain security, safety, order and the smooth running of road traffic and transportation, based on what is contained in Article 17 (1), (2) and (3). Regulation of the Head of the National Police of the Republic of Indonesia Number 10 of 2012 Concerning Traffic Regulations Under Certain Circumstances and Road Use Other Than Traffic Activities (Lukman, 2020).

Roads are land transportation infrastructure which includes all parts of the road, including auxiliary buildings and equipment intended for traffic, which are at ground level, above ground level, below ground and water level, and above water level, except for railroads, lorry and cable way. Roads as part of the transportation infrastructure have an important role in the economic, social, cultural, environmental, political, defense and security fields, and are used for the greatest prosperity of the people (Ismatul, 2019).

With the existence of roads organized by the government, it is easier for people to carry out their daily activities. But besides that, there are many violations that result in disruption of road functions. One of them is organizing a wedding reception that uses part or all of the road's functions, which can interfere with the implementation of the function of the road in the road benefit space and road-owned space (Zain, 2019).

Of the many people who use roads for their personal interests, not a few do not have permission to use roads other than for traffic purposes. In fact, for this matter there are already binding regulations, as stated in Article 12 (1), (2), and (3) of Law Number 38 of 2004 which states (Annisa, 2022) :

- (1) Everyone is prohibited from committing acts that disrupt the function of the road in the road benefit space.
- (2) Everyone is prohibited from carrying out actions that disrupt the function of the

road in the space owned by the road.

- (3) Everyone is prohibited from committing acts that disrupt the function of roads in the road control room.

In addition to the sanctions given, a fine in the form of money will also be imposed on people who violate the rules for road use that have been stipulated by the Law on good roads, these rules are contained in police regulations as well as in Law Number 38 of 2004 concerning Roads. In addition to Law Number 38 of 2004 concerning Roads, people who violate the rules for using roads are also explained in Law Number 22 of 2009 concerning Traffic and Public Transportation, this matter is contained in article 274 (1) (Rafiqoh Lubis, 2022).

With the various rules above that have been set by the government, it is obligatory for the public to comply with them so that frequent violations can be reduced and not repeated again. Because in order to create a sense of security and comfort in the community, strict rules are needed for the community (Haerul, 2020).

The definition of Islamic law or Islamic law is a system of rules based on the revelation of Allah SWT, and the Sunnah of the Prophet regarding the behavior of a recognized and trusted person who can be burdened with obligations, which is binding on all adherents. And this refers to what the Apostle has done to carry it out totally. Shari'a according to the term means the laws commanded by Allah SWT, for His people brought by a Prophet, both those related to belief (aqidah) and those related to practice (Eva Iryani, 2020). So from Islamic Law is a law that must be upheld if social justice is to be achieved for all people both in Indonesia and the world.

Religion is a system that regulates faith and worship of Allah SWT as well as rules related to the association between humans and humans and their environment (Ali Hasan, Islamic Studies and As Sunnah, (Siti, 2021) In this case it is closely related to issues regarding the use of public roads for walimatul 'urs events in the community, because public roads may not be used for personal gain or anything that could disturb public order or the peace of others.

In this case it is contained in the word of Allah SWT, in QS. Yunus/10:23 : Meaning: "So when Allah saved them, suddenly they made injustice on earth without the right (reason). O mankind, verily your (disaster) injustice will befall yourselves; (the result of your injustice) is only the pleasures of worldly life, then to Us is your return, then We inform you of what you have done"(Muhammad Ali, 2020)

The verse above confirms that it is forbidden to do wrong and wrong one another. Disturbing or causing unrest in a place of public interest is considered to be wrongful to the rights of other people, so it is legal for people to disturb and cause unrest even if they are for the purpose of preaching or creating events that are disturbing to other people in public places such as on the highway.

Apart from the verses mentioned above, it is also found in the word of God, in QS. al-Ahzab/33:58, Meaning: "And those who hurt the believers and believers without any mistakes they do, then verily they have borne a lie and a real sin". Based on the paragraph above, the author can conclude that the relationship with the use of the road is that many people often use the road without notifying the authorities, so using the road as a venue for walimatul 'urs events can disrupt the community in carrying out their daily activities.

It is common for Muslims to carry out walimatul 'urs, be it weddings, circumcisions, aqiqah, even recitations on public roads. This is because there is not enough space to carry out these activities. Even though there are buildings that can be rented, not everyone can afford them. Maybe for those with abundant fortune, they can hold a private celebration in the building. So, what about those who are less well-off, can't they hold a walimatul 'urs just because they can't rent a building (Hasyim, 2019).

While the use of roads other than for traffic activities can also be used to carry out activities on road sections partly or wholly outside the main function of the road. What often happens in society is where the use of the road for weddings is part of the

use of the road for personal gain. There are several private road uses that need to be known, such as for weddings, funerals, or other activities. Sometimes the way to be the best solution can be used for personal gain (Hery Sasono, 2019).

As for the community's response related to closing the road used for the walimatul 'urs event, stating that the problem of closing the road for the walimatul 'urs event which will be carried out well has become a tradition in the community, because this is the main solution in carrying out the walimatul 'urs event in large scope so that it requires a wide location (Nella Sumika, 2021).

The same thing was also conveyed by some people that the closing of the road has become a tradition in the community, caused by increasingly dense development carried out by the government, so that the land to be used is less and less, in addition to the lack of capital owned by event organizers so that the road becomes a solution lastly so that the walimatul 'urs event can take place well.

The phenomenon of walimatul 'urs closing the road has become a tradition that is carried out by many people, even though some people understand the rules, they still carry out the walimatul 'urs event which closes road access because they do not have a strategic location to carry out the walimatul 'urs event (Muhammat, 2021).

According to the author, using public facilities, such as public roads, for certain activities and activities is permissible as long as there is a portion of the road that can be passed by other people or it can also provide alternative routes for people who will pass through that road. Limited land is a very crucial problem in the community, one of the reasons is that the land in the area is land owned by companies, factories or others, besides that development has also begun to develop, so due to limited land, the community has difficulty holding walimatul events. 'urs who need a large location to accommodate invited guests.

That's what happens in the community in carrying out the Walimatul 'urs event, public roads are the main alternative because due to the lack of land owned and the location of the buildings that can be rented are also too far from where they live, besides this, sometimes people don't understand the procedures for using public roads. for the walimatul 'urs event, in this case the community sometimes sets up tents for the walimatul 'urs event without asking permission from the local government, the transportation service and the police even though this must be submitted for safety and comfort in using public roads for the walimatul 'urs event so that the walimatul' event This urs can run well without any disturbance from the public who will object to the use of public roads that are not in accordance with existing procedures (Ahmad, 2018).

Notification to the local government and granting permits from the transportation service and from the police will provide comfort and security for the people who will use the road, while the expectation that occurs in the community is that sometimes there are people who do not report it to the local government and report it to the police or transportation agencies regarding the use of public roads as a result of a lack of understanding of the procedures that must be taken to request permission to use the road to be used for the walimatul'urs event (Putra Pratama, 2020).

In terms of asking for permission related to the use of the road for the walimatul'urs event, sometimes the community doesn't do it because they don't understand the procedures they have to go through themselves, moreover sometimes it's only conveyed when the event is approaching the walimatul'urs event. As an illustration of the comparison of the data submitted by the Banggai Regency Transportation Service which has a permit to use the highway for the Walimatul Urs event (Vero Agustin, 2021) :

Table 1. Number of permits and year of use of Highways for Walimah activities

Tahun	Jumlah
2018	5

2019	7
2020	3
2021	5

(Source: Probolinggo District Department of Transportation)

From the data above there are still many people who use the road for their activities, not a few who do not have permission to use the road as referred to above. In fact, for this matter there are regulations that bind it, Walimatul 'ursan such as wedding receptions, circumcision parties, by installing tents or stages that block part of the road, are activities that use part of the road including as a road use other than for traffic activities.

The permit to use this road will be issued by the minister or service responsible for traffic and road transport. If the use of the road for private purposes results in road closure, then road use can be permitted if there is a road that has a road class that is at least the same as the closed road. The diversion of traffic flow to the said road must be stated with a temporary traffic sign (Dian, 2018).

If the use of the road is not for traffic purposes and results in road closure, the police will place authorized officers on the intended road section to maintain the safety and smooth flow of traffic.

Basically the walimatul 'urs is considered to disturb the public interest because many road users cannot pass. In matters relating to issues regarding the use of public roads for walimatul 'urs events in the community, in some fiqh literature it is stated that public roads may not be used for personal gain or anything that could disturb public order or the peace of others (Sri, 2021).

However, according to the author's understanding, this is not obligatory, it is only a sunnah based on the opinion of the majority of scholars who say that this is a living tradition, continuing the tradition that was in effect among the Arab community before Islam came, where the implementation of the past walimatul 'urs was recognized by the Prophet to continue with a few changes by adjusting it to Islamic demands.

Carrying out the walimatul 'urs event actually has no problem as long as those who want to hold the walimatul 'urs event are able to carry it out, these actions will not be in vain because there is wisdom from the walimatul 'urs event. The wisdom from being ordered to hold a walimatul 'urs event is in order to announce to the public in general that the marriage contract has taken place so that all parties know about it and there are no accusations at a later date, especially in carrying out the walimatul 'urs event, especially the marriage, apart from bringing in two witnesses according to with the existing rules, the people who came to the walimatul 'urs event logically were also witnesses but they did not sign, they were only eyewitnesses, so that later on something happened that they did not want they could be summoned to explain that they married (Zakaria, 2022).

Besides that, it strengthens the relationship between the two families, relatives, neighbors, and each other, namely between the husband and wife. The existence of mutual invitation between husband and wife can strengthen brotherly relations and get to know more about close relatives and distant relatives.

Islam recommends being simple in all aspects of life, including in carrying out the walimatul 'urs program, it must be simple and not exaggerated. Someone who does not want to be considered poor or out of date then holds a walimatul 'urs with a lively party, which is not a good deed because the guests are having fun, but the executors of the walimatul 'urs experience sadness, even by going into debt and selling or pawning their assets. Things like this are not justified, because the most important thing is holding a walimatul 'urs event as a sign of gratitude to Allah SWT (Nur Rochaeti, 2022).

The facts in the field found by the author are that there are so many people who want to hold walimatul 'urs events on a large scale, and even rent luxurious buildings

for those who have a lot of capital, or have very large land so they are free to carry out walimatul 'urs events, but the author sees it in real terms and the facts on the ground where the walimatul 'urs event is carried out on the road until it closes the road, actually logically the walimatul 'urs event is considered to disturb the public interest, that is, many road users cannot pass. In the opinion of Mr. H.Kusrin, one of the community leaders said that "When holding weddings and akikah events, I only report to the sub-district, while I do not ask permission for crowds and road use, I only close part of the road, so that other drivers can pass but do not make temporary traffic signs. Meanwhile, according to Mrs. Tantri, "During my walimah event, I told the RW to be able to close the road, I think that was enough." In addition to permits that were only submitted to the sub-district administration, the community also thought that a crowd permit was sufficient to carry out Walimatul Urs, as stated by Mrs. Jumirah, "As far as I know, any event must have a crowd permit, so I only take care of crowd permits." (Chadijah, 2021).

In matters related to issues regarding the use of public roads for walimatul 'urs events in the community, that public roads may not be used for personal gain or anything that could disturb public order or the peace of others. If we pay attention to the reality in the community, it is indeed very disturbing when carrying out the walimatul 'urs event held on the road so that it closes the road so that other people are disturbed from using the road, so that their activities are hampered due to road closures, let alone the road closure does not have a permit from the relevant departments and from the police. There is actually no problem using the road to carry out the walimatul 'urs event, but what is a problem is if the use of the road does not have permission from the relevant agencies or from the police, or is there no alternative road provided by the owner of the walimatul 'urs event.

CONCLUSION

The reasons why people use public roads for walimatul 'urs events are lack of land, lack of capital, buildings that can be rented out are too far from the house carrying out walimatul 'urs events, lack of communication between the local government and permits that were not made to the transportation agency or to the police and The view of Islamic law regarding the use of public roads for walimatul 'urs events, does not conflict with Islamic law because it is in line with Islamic legal rules which do not interfere with other community activities because they still provide alternative roads, not all roads are closed with permits or without permits from the village, related agencies and from the police in the sense that the benefit is still prioritized because that is the most important thing.

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