

Contextualizing Maqāṣid al-Sharī'ah in Indigenous Legal Practices: A Comparative Study of Family Resilience in Kasepuhan Ciptagelar and Kampung Naga

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Abstract: *Strengthening the normative foundation and maqāṣid orientation of Indonesia's religious court system allows it to render fair judgments for the parties while safeguarding the future of children. While Islamic family law is often studied normatively, limited attention is given to its lived application in plural legal settings. Using a descriptive qualitative approach with socio-legal and phenomenological methods, data were collected through purposive sampling of 20 participants, including traditional leaders, religious figures, and village officials. Field observations and the analysis of local documents, including customary manuscripts, sermons, and marriage records, serve to complement the data. The findings reveal that family resilience emerges from a dynamic interplay between Islamic and customary norms, particularly in areas like inheritance, marriage, and gender roles. Integration of maqāṣid al-sharī'ah occurs through contextual reinterpretation aligned with communal structures and values. Differences between the communities are notable in the role of traditional authority, the interpretation of qiwāmah, and dispute resolution mechanisms. This study contributes to the discourse on Islamic legal pluralism by presenting a contextual model of normative integration. It highlights the potential of a culturally grounded and adaptive Islamic legal framework to strengthen sustainable family systems across diverse local contexts.*

Introduction

Household resilience is a fundamental component in maintaining the social, emotional, and economic stability of communities. In indigenous societies, the family is not merely a private institution but a key arena for transmitting values, resolving conflicts, and sustaining communal identity. Within Indonesia's plural legal landscape, many indigenous communities continue to negotiate their family norms through a synthesis of *hukum adat* (customary law), Islamic legal principles, and state frameworks. However, the interaction of these normative systems, particularly in shaping household resilience, remains underexplored in empirical scholarship (Willya et al., 2024; Nurhayati & Kardi, 2024; Said et al., 2024; Jawad, 2025).

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Opik Rozikin et al.

Two indigenous communities in West Java, Kasepuhan Ciptagelar and Kampung Naga, provide compelling contexts for understanding how Islamic legal values are interpreted, adapted, or contested within the framework of local traditions. These communities uphold strong customary governance systems while adhering, in varying degrees, to Islamic teachings in family life. Issues such as marriage practices, inheritance, gender roles, and dispute resolution are often navigated through a hybrid legal culture, in which religious and traditional norms are continually reinterpreted to meet local needs. The lived experience of these communities offers an opportunity to move beyond normative accounts of Islamic family law by uncovering the socio-legal processes that underpin its contextualization (Hasan et al., 2024; Widianingsih & Bhatti, 2025; Fakhyadi et al., 2025).

Although numerous studies have addressed factors that support family resilience, including religiosity, communication, and economic stability (Huda et al., 2020; Widiastuti et al., 2022; Mustafid et al., 2024; Hussin et al., 2025), many of these works approach the topic either from psychological or normative Islamic perspectives, without considering how legal-cultural dynamics operate on the ground. Other research has acknowledged the role of spiritual and emotional maturity, economic responsibility, and education in fostering family harmony (Anggraeni, 2023; Willya et al., 2024; Hidayah, 2024; Rafiqi, 2025; Irawan et al., 2025; Rofik et al., 2025). However, these studies often stop short of examining the mechanisms of legal integration between *adat* and Islamic law in everyday familial settings. Moreover, many of them generalize their findings to broader regions such as "West Java" without analyzing the unique socio-legal dynamics in specific indigenous communities (Kurniawan et al., 2022; Agung et al., 2024; Jubba et al., 2024).

This study offers a clear departure from existing literature by comparatively analyzing two specific indigenous communities with distinct customary systems. Unlike previous works that focus either on doctrinal Islamic law or on generalized observations of local traditions, this research provides an in-depth empirical account of how Islamic legal values, particularly *maqāṣid al-sharī'ah*, are vernacularized within the everyday legal practices of Kasepuhan Ciptagelar and Kampung Naga. The novelty lies in revealing how legal integration is operationalized not through formal codification but through grassroots negotiation, ritual adaptation, and the active role of indigenous actors in shaping a localized Islamic legal consciousness. By doing so, the study bridges gaps between legal anthropology, Islamic legal theory, and policy-oriented discourse on family resilience in plural societies.

Method

This study adopts a qualitative socio-legal approach with a phenomenological narrative orientation to investigate how Islamic legal values and customary laws interact in shaping household resilience within the indigenous communities of *Kasepuhan Ciptagelar* and *Kampung Naga* in West Java. The research is fundamentally empirical rather than normative, focusing on the lived experiences, social constructions, and legal practices of the communities studied. This approach enables a contextualized analysis of law as a lived reality (*law in action*), rather than as a static doctrinal system (*law*

in books), in line with socio-legal methodologies (Creswell, 2014; Maxwell, 2012).

The unit of analysis in this study is the household as a socio-legal entity, viewed through the roles and interactions of key actors such as traditional leaders (*tokoh adat*), religious figures (*tokoh agama*), and community members involved in marriage, inheritance, and family dispute resolution. A total of 20 participants were selected through purposive sampling, comprising eight traditional leaders, six Islamic religious authorities, and six local administrative figures from the two communities. This sampling strategy ensures representation of the various normative authorities influencing household resilience.

Field data were collected using in-depth interviews, participant observations, and document analysis. Observations focused on key cultural and religious events, including marriage ceremonies, inheritance negotiations, and community dispute mediations, conducted over a six-month period. Documents reviewed included marriage certificates, customary manuscripts, Islamic sermon transcripts, and regional regulations, sourced from community archives, personal collections, and local government offices.

The process of data analysis followed the Miles and Huberman interactive model (Miles et al., 2013), consisting of data reduction, data display, and conclusion drawing/verification. Field notes and interview transcripts were first coded manually using open and axial coding to identify key themes related to integration, conflict, and adaptation of legal norms. Observations focused on key cultural and religious events, including marriage ceremonies, inheritance negotiations, and community dispute mediations, conducted over a six-month period. These were then grouped into thematic clusters (e.g., “legal negotiation in marriage,” “authority of *adat* vs. *kyai*,” “conflict over inheritance practices”) that informed the construction of a contextual model of integration between *maqāṣid al-sharī'ah* and indigenous values.

The application of phenomenological analysis allowed the researcher to interpret how actors themselves understand the legal norms they follow, and how they make sense of the integration or tension between *adat* and Islamic law. This includes tracing personal narratives of decision-making, moral reasoning, and institutional practices that shape household dynamics. Theoretical reflection was carried out iteratively by moving between empirical data, Islamic legal theories, and the socio-cultural context in order to generate grounded insights on legal pluralism in practice.

To ensure the validity and trustworthiness of the data, multiple strategies were employed: triangulation of sources and methods, member-checking with selected participants to verify interpretations, and peer debriefing with legal anthropologists and Islamic law scholars. This methodological rigor allows the study to contribute not only to a deeper understanding of legal integration at the grassroots level, but also to the broader discourse on Islamic legal pluralism and family resilience in vernacular settings.

Results and Discussion

Customary and Islamic Values Co-construct Household Resilience in Kasepuhan Ciptagelar and Kampung Naga

Field data from *Kasepuhan Ciptagelar* and *Kampung Naga* reveal that household resilience is socially constructed as a harmonious balance between material sufficiency, relational stability, and spiritual alignment. In both communities, resilience is less defined by economic affluence and more by the ability to maintain internal family harmony, fulfill cultural obligations, and uphold spiritual rituals rooted in *adat* and *Islam*. This reflects the lived understanding that household strength is a communal and moral concern, not merely a private or functional matter.

From an Islamic legal perspective, this view resonates with the goals of marriage outlined in Surah Ar-Rum: 21, namely *sakinah*, *mawaddah*, and *rahmah*, which also serve as indicators of *maqāṣid al-sharī'ah* (the higher objectives of Islamic law). These elements are observable in everyday practices, such as maintaining mutual respect in marriage, educating children in both Islamic and customary morals, and ensuring intergenerational continuity through community rituals.

The model of household roles in *Kasepuhan Ciptagelar* and *Kampung Naga* is structured around distinct yet complementary gender expectations: the man is typically recognized as *pangampih* (protector and provider), while the woman is seen as *panineungan* (caretaker of familial harmony). These roles are socially transmitted through generational observation, community reinforcement, and spiritual legitimation. In Islamic terms, this structure reflects the concept of *qiwāmah*, in which male leadership in the family is conditioned upon justice, provision, and moral integrity, rather than domination.

This empirical pattern aligns with the social constructionist theory of Berger and Luckmann (1966), where concepts like "resilience" are not innate but are created through interaction, institutionalization, and cultural reproduction. In both communities, norms governing marital duties, inheritance, and conflict resolution are sustained by *pikukuh adat* (customary codes), yet these are often confirmed or nuanced by Islamic teachings delivered by *kyai* or *ustadz*. Here, Islamic values are not imposed as external dogmas but are indigenized through *fiqh al-waqi'*, a contextual jurisprudence that is sensitive to local realities.

Importantly, household resilience is not merely preserved through values but through ritualized practices that bind community identity. In *Kasepuhan Ciptagelar*, the annual *Seren Taun* ritual reinforces gratitude, intergenerational cooperation, and family solidarity, while in *Kampung Naga*, *Hajat Bumi* emphasizes communal harmony and cosmic balance. Though not Islamic in origin, these rituals exhibit theological overlaps, particularly through the concept of *barakah* (divine blessing), which allows for a spiritual integration that reinforces both religious and cultural legitimacy.

While both communities share similar foundational beliefs, there are also distinctions. In *Kasepuhan Ciptagelar*, religious interpretations are more seamlessly embedded within the *adat* hierarchy, often led by *puun* (*adat*

leaders) who also serve as moral authorities. In contrast, *Kampung Naga* shows a clearer division of roles between adat and religious leadership. The tokoh agama (religious figures) handle sharia-based guidance, while tetua adat (traditional elders) govern social conduct. This affects how conflicts are mediated: Ciptagelar uses a unified customary-Islamic council, while Kampung Naga tends toward dual-channel resolution, where Islamic legal advice and adat verdicts may be deliberated in tandem before consensus is reached.

This complexity reflects what Sally Engle Merry (1988) describes as 'interactive legal pluralism,' a context in which multiple legal orders are simultaneously present and dynamically negotiated. The result is not contradiction but legal hybridization, in which community members selectively apply norms that best serve their moral, spiritual, and practical needs. This also shows the adaptive flexibility of Islamic law, especially when framed through the lens of *maslahah* (public benefit) and *'urf* (local custom), both of which are widely accepted in classical and contemporary Islamic legal discourse.

Islamic norms like *'adl* (justice), *shura* (consultation), and *rahmah* (compassion) are not abstract concepts in these communities. For example, in inheritance matters (Agha et al., 2024; Arifuddin, 2024; Muharir et al., 2025; Fitriyati et al., 2025), while Islamic inheritance rules are respected in principle, actual distribution often considers customary preferences, such as giving land to the child who stays to care for parents, regardless of gender. Though not strictly in line with *faraid* (Islamic inheritance rules), such practice is religiously legitimized through consultation and local *maslahah* considerations, illustrating the contextual elasticity of Islamic norms.

The findings from both communities suggest that Islamic law functions not as a competing system, but as a moral partner to adat in achieving family stability. Household resilience is maintained by ongoing social learning, where family stories, community rituals, and role modeling serve as channels for internalizing both religious values and customary wisdom. This aligns with Albert Bandura's social learning theory, where children learn through imitation of behavior reinforced by parental and communal feedback.

Thus, household resilience in *Kasepuhan Ciptagelar* and *Kampung Naga* is not a static outcome but a dynamic, culturally grounded process. It illustrates an indigenous model of Islamic legal pluralism, one that harmonizes sharia and adat not through formal codification, but through lived integration, communal legitimacy, and shared moral imagination.

Harmonized Norms Sustain Household Resilience: The Dynamic Interaction Between Customary and Islamic Law

Field research in Kasepuhan Ciptagelar and Kampung Naga reveals that the resilience of indigenous households is not formed in a legal vacuum but emerges from a dialogic interaction between customary norms (adat) and Islamic legal principles. These two normative systems do not stand in opposition; rather, they engage in mutual reinforcement, forming a hybrid legal culture that is deeply rooted in local wisdom and religious ethics.

In both communities, marriage rituals provide a vivid demonstration of this harmonization. The marriage process in Ciptagelar involves a series of adat rituals such as *neundeun omong*, *ngamukakeun*, and *ngaruwat*, concluding with a formal Islamic *akad nikah* conducted by a *modin*. The same pattern appears in Kampung Naga, although the Islamic component is often conducted by external religious officers to maintain the community's commitment to adat purity. As one community elder from Kampung Naga stated:

"Urang Naga téh ngajaga adat, tapi pikeun nikah kudu aya ijab kabul nurut ka Islam. Tapi sanggeusna, hirup rumah tangga tetep kudu nurut ka aturan adat." ("We in Naga uphold adat, but marriage must include the Islamic *ijab kabul*. Yet afterward, household life must still follow adat rules.") (Ujang Suherman, personal interview, June 11, 2025).

This testimony illustrates how the Islamic legal framework is adopted for ritual legitimacy, while adat remains central in governing everyday familial interactions.

From the perspective of legal pluralism (Griffiths, 1986), this coexistence illustrates the idea of a legal field where multiple normative orders operate simultaneously, often intersecting and interacting rather than competing. In the household domain, decisions around inheritance, gender roles, and conflict resolution are often filtered through both systems.

In the case of inheritance, tensions occasionally arise. Islamic law (*faraid*) stipulates clear portions for male and female heirs, while local adat may prioritize communal preservation of land or the firstborn son. A *kyai* in Ciptagelar noted:

"Di agama, warisan geus aya patokanna. Tapi di lembur, urang ogé kudu mikirkeun kaharmonisan kulawarga jeung ajen-inajen nu geus aya ti baheula." ("In religion, inheritance has set rules. But in the village, we must also consider family harmony and ancestral values.") (Abah Ugi, personal interview, June 10, 2025)

Such sentiments reflect the practice of *ijtihad al-maṣlaḥah*, which adapts religious law in accordance with public welfare and social harmony. Instead of rigidly enforcing either system, customary and Islamic norms are interpreted flexibly, ensuring equity and cohesion. Often, mediations are conducted jointly by adat leaders (*kokolot*) and religious figures (*kyai*), emphasizing *musyawarah* and *islāḥ* as central values.

A similar dynamic unfolds around gender roles (Naisabur et al., 2024; Ahyani et al., 2025; Kesuma et al., 2025). While Islamic law grants women rights in property and marital contracts, customary traditions often allocate household leadership and property management to men. In response, progressive figures within both traditions are reinterpreting roles in ways that affirm female dignity (*karāmah*) and justice (*ʿadl*), drawing on both *maqāṣid al-sharī'ah* and the adat philosophy of balance (*kasaimbangan*). In Ciptagelar, women actively participate in family decision-making and manage household

economies, reflecting a gender complementarity model more than subordination.

The ritual sphere further reinforces this dual system. Ceremonies such as *seren taun* and *hajat lembur* are not merely cultural celebrations but serve to reaffirm communal bonds, spiritual legitimacy, and intergenerational transmission of norms. These events are frequently accompanied by Islamic prayers, the recitation of *sholawat*, and collective *dzikir*, reflecting a form of ritual syncretism that fuses *adat* and Islam into a unified moral order.

These practices exemplify the legal consciousness of indigenous communities, where law is not perceived as abstract doctrine but as a lived, negotiated reality embedded in daily life, ritual, and kinship structures (Solehudin et al., 2024; Hasan et al., 2024; Mustofa et al., 2025). Household resilience is thus maintained not by uniform legal compliance, but by the community's ability to interpret and adapt overlapping legal expectations.

However, harmonization is not always effortless. Social changes, including higher levels of education, exposure to national law, and economic migration, generate frictions that call for reinterpretation. Young women in Ciptagelar, for instance, increasingly demand equal inheritance rights, challenging customary preferences. In response, both *adat* and religious leaders are engaging in dialogue to reinterpret traditional norms within the framework of Islamic egalitarianism.

The interaction between these normative systems reflects what scholars term an adaptive legal ecology, a model in which plural legal traditions evolve through community negotiation, reinterpretation, and selective adoption. This aligns with Durkheim's concept of collective conscience, where shared moral values, whether derived from Islam or *adat*, are continuously reaffirmed through communal rituals and social practices.

In conclusion, the interaction between Islamic and customary norms in West Java's indigenous communities fosters legal hybridity, allowing household resilience to be built upon a contextualized moral foundation. Through negotiation, cooperation, and selective reinterpretation, the community sustains a resilient, culturally rooted legal order that adapts to internal changes and external pressures while preserving its normative integrity.

Social, Cultural, and Economic Factors Affecting the Reception of Islamic Law

The acceptance of Islamic law within indigenous household structures in West Java is not determined solely by doctrinal authority but is shaped through a dynamic interplay of social, cultural, and economic variables. These factors influence how Islamic norms are internalized, adapted, or selectively contested in daily life. In these communities, particularly in Kasepuhan Ciptagelar and Kampung Naga, ancestral customs (*adat*) are not regarded as historical remnants, but as active and authoritative sources of moral and social legitimacy. Islamic law, therefore, is not imposed from outside but enters into dialogue with these existing traditions, finding expression in ways that are culturally resonant and socially acceptable (Hamzah et al., 2024; Rozikin & Hayeejehwee, 2025).

Social cohesion is a foundational element in this process. Strong kinship systems and intergenerational solidarity foster a collective approach to household governance. In both Ciptagelar and Kampung Naga, families are not perceived as isolated units but as integral parts of a wider communal structure. As explained by Abah Ugi during a field interview, “Ngamumule kulawarga téh sarua jeung ngamumule lembur. Nu dipikiran lain diri sorangan wungkul, tapi kahadean bareng.” (“Caring for the household is the same as caring for the village. One does not only think about oneself, but about collective well-being.”) (Abah Ugi, personal interview, June 10, 2025). This illustrates the application of Talcott Parsons’ structural functionalist perspective, in which family and religion operate as interdependent institutions that maintain societal equilibrium (Parsons, 1991).

Cultural attachment to adat further mediates the reception of Islamic legal norms. Customary practices are not seen as competing with Islamic law, but rather as providing the interpretive framework through which religious principles are *understood* and enacted. Clifford Geertz’s interpretive anthropology provides a useful lens here, particularly his idea of “thick description,” in which rituals and symbols carry multilayered meanings embedded in local cultural narratives (Geertz, 1973).

For instance, as Ujang Suherman, a traditional leader in Kampung Naga, stated, “Adat mah geus jadi cara hirup, tapi agama ngajarkeun jalan nu bener. Dua-duana kudu saluyu.” (“Adat is our way of life, but religion teaches the right path. The two must be aligned.”) (Ujang Suherman, personal interview, June 11, 2025).

This alignment is evident in ceremonial practices, where Islamic requirements for a valid marriage, including *akad nikah*, *mahar*, and witnesses, are preserved while being embedded within elaborate *adat* rituals such as *mapag panganten*, *seren taun*, and *ngaruwat*. These are not considered peripheral but essential to the moral legitimacy of the marriage. This supports Hallaq’s argument that Islamic law historically allowed for significant local adaptation, provided that the ethical spirit of the law remains intact (Ahyani et al., 2021; Ismail & Kirin, 2025).

Economically, household governance and gender roles are often shaped by local livelihood systems. In agrarian communities like Ciptagelar, where women are central to agricultural and economic decisions, Islamic concepts such as *qiwāmah* (male guardianship) are not applied rigidly. Instead, they are interpreted to reflect mutual responsibility and complementarity, echoing Giddens’ structuration theory, which emphasizes the recursive interaction between individual agency and structural norms (Bossert et al., 2023; Dizon, 2024).

Urbanization, migration, and exposure to religious media introduce new dynamics. In semi-urban fringe areas of Tasikmalaya and Sukabumi, younger generations, especially women, are more likely to formalize marriages through state institutions and demand Islamic-based inheritance rights. This transition aligns with Max Weber’s notion of legal-rational authority, in which legitimacy stems from codified rules rather than traditional norms (Turner, 1974). However, rather than erasing *adat*, this process often leads to hybrid

legal compliance, in which couples fulfill both religious and customary expectations simultaneously. Such practices reflect what Boaventura de Sousa Santos terms “interlegality,” in which people pragmatically navigate multiple normative systems based on context (Ahvani et al., 2024).

Education plays a transformative role. Increased access to formal Islamic education, particularly among women, has led to greater awareness of religious rights in marriage, divorce, and inheritance. However, rather than rejecting adat outright, educated women often invoke Islamic teachings to reinterpret customary roles in ways that are more egalitarian. This process resonates with Nader and Merry’s theory of vernacularization, in which global legal norms are translated into locally meaningful practices (Yeo et al., 2025).

The economic condition of the family also affects legal preferences. Wealthier households with stable land ownership tend to maintain adat-based inheritance models that prioritize family continuity. In contrast, economically vulnerable families may prefer state-recognized Islamic legal channels to ensure formal documentation and access to institutional support. This pattern confirms Marc Galanter’s theory that legal outcomes are shaped by resource access and institutional positioning, where “repeat players” often influence which norms become dominant (Al-Banna & Nurdany, 2021; Alfano, 2022; Chang, 2019; Mukaromah et al., 2025).

Crucially, religious and adat leaders serve as cultural brokers. Rather than functioning as doctrinal enforcers, they act as interpreters who mediate between Islamic norms and indigenous expectations. This mediating role reflects Habermas’ concept of the lifeworld, in which meaning is negotiated through everyday communication and shared understandings (Corchia, 2019). Through religious sermons, informal counseling, and community gatherings, they ensure that Islamic law is not seen as external or oppressive, but as organically integrated into community values.

In sum, the reception of Islamic law in indigenous communities of West Java is a multilayered process shaped by social cohesion, cultural tradition, economic conditions, and evolving educational influences. It is neither passive acceptance nor active resistance, but rather a deliberate and selective integration. Islamic law becomes most effective when expressed in the moral language of the community, thereby affirming its relevance, adaptability, and role in fostering household resilience within a plural legal and cultural environment.

Indigenous Understanding and Adaptation of Islamic Legal Values

The interpretation and application of Islamic legal values in indigenous communities of West Java are shaped not by formal legal codification but by lived cultural practice. In places like Kasepuhan Ciptagelar and Kampung Naga, Islamic norms are embedded within long-standing adat traditions, interpreted contextually through storytelling, ritual, and community deliberation. This localized understanding illustrates a form of vernacular Islam, in which religious values are not externally imposed but internally adapted through everyday practices that align with indigenous moral frameworks.

One of the primary transmission modes of Islamic legal values in these communities is informal religious education. Weekly *pengajian*, *halaqah kampung*, and oral teachings by respected *kyai* serve as dialogical spaces where Islamic values are linked to daily life concerns. These sessions often involve collective reflection rather than rigid textual instruction—resonating with Paulo Freire’s theory of dialogical pedagogy, where knowledge is co-created in horizontal interactions rather than transmitted vertically. This method enables community members to personalize and internalize Islamic teachings within familiar cultural paradigms.

Moreover, Emile Durkheim’s concept of “collective conscience” is reflected in the way religious values are socialized through adat-infused rituals and language. The ethical principles of *shura* (consultation), *rahmah* (compassion), and *sakinah* (tranquility) are practiced through mechanisms like *musyawarah keluarga* (family deliberations) or *ngobrol bareng* (informal group discussions). These are not only decision-making forums but also moral arenas where Islamic and customary values are reinforced simultaneously.

In Ciptagelar, for instance, a community elder emphasized during interview: “*Urang diajar agama lain ngan di masjid, tapi tina obrolan sapopoe jeung kajadian kahirupan.*” (“We learn religion not just in the mosque, but from daily conversations and life events.”), Abah Ugi, interview, June 10, 2025. This underscores that religious understanding is formed not through abstraction but through contextual relevance.

Women, in particular, play a crucial role in the vernacularization of Islamic values. Contrary to assumptions in classical jurisprudence that often assign limited agency to women, in Kampung Naga women participate actively in household leadership and community rituals. As noted by *Ujang Suherman*:

“Istri téh nu ngajaga imah jeung ngajaga kahadean kulawarga. Sakapeung malah leuwih ngajarkeun agama tibatan salakina.” (“The wife safeguards the household and family harmony. Sometimes she even teaches religion more than her husband.”)
— Interview, June 11, 2025

This reflects legal pluralism in action (Griffiths, 2021), where religious roles are shaped by cultural logics rather than textual fixity. Women reinterpret values like *rahmah* and *sakinah* as foundations for empathy, caregiving, and spiritual stewardship within the family.

Even in domains commonly governed by formal Islamic law, such as inheritance and divorce, the community adopts a flexible approach grounded in *maqāṣid al-sharī'ah* (the higher objectives of Islamic law). Decisions are guided not solely by legal formulas but by moral imperatives like family unity, justice, and respect for elders (*ta'dzim*). Community elders often act as ethical interpreters, combining Qur’anic references with ancestral wisdom to mediate disputes in ways that sustain social cohesion.

The local idioms used to describe Islamic principles also reflect deep cultural integration. The concept of *sakinah*, for example, is commonly translated into Sundanese expressions like *ngahiji rasa* (unified feeling) or *tangtu dina hate* (peace of heart). These phrases demonstrate that Islamic

values are not merely learned but embodied and emotionally internalized, offering an indigenous lexicon for religious ethics (Zulkifli & Kirin, 2025).

This adaptive religiosity also extends to generational and technological shifts. While older members rely on oral tradition and communal rituals, younger generations access Islamic knowledge via social media, YouTube da'wah, and pesantren alumni networks. Yet instead of generating rupture, this process produces a hybrid form of religious literacy, in which digital interpretations of Islam are reframed through local customs. This confirms Nader and Merry's theory of vernacularization, where global legal discourses are localized into culturally intelligible practices.

Further, Wael Hallaq's theory that pre-modern Islamic law functioned more as a moral discourse than a rigid legal code (Rauf, 2018) finds validation here. In indigenous contexts, Islamic values are framed not as enforceable statutes, but as ethical orientations that must be relevant, dialogical, and grounded in communal well-being (Masruroh et al., 2025; Lutfia & B, 2025).

Technology thus acts as a bridge rather than a threat to indigenous religious identity. It facilitates reinterpretation, encourages intergenerational conversation, and affirms that Islamic values remain compatible with adat so long as they are interpreted through culturally resonant channels.

In conclusion, the adaptation of Islamic legal values in indigenous West Javanese communities represents a living legal tradition that is dialogic, morally anchored, and shaped by community agency. Rather than posing a threat to adat, Islam is integrated as part of a shared moral project, reaffirming the ethical underpinnings of household and communal life. This fusion strengthens household resilience not through legal rigidity but through ethical flexibility, cultural continuity, and community interpretation.

Toward an Ideal Model of Integration Between Islamic and Customary Law

The findings of this research underscore the need for a legal framework that is inclusive, dialogical, and rooted in the lived realities of indigenous communities. Rather than privileging a monolithic application of Islamic family law or preserving customary traditions in isolation, the integration model proposed here is grounded in the mutual legitimacy of both normative systems. In the communities of Kasepuhan Ciptagelar and Kampung Naga, Islamic and customary norms do not operate in competition but in a relational mode, where each informs, moderates, and validates the other in the everyday governance of family life.

This integrated model builds upon the theoretical foundation of legal pluralism, which recognizes the simultaneous operation of multiple legal systems within a single social field. As articulated by scholars such as Boaventura de Sousa Santos and John Griffiths, legal pluralism provides the analytical lens to understand community-based legal orders that exist alongside state law, often with greater local legitimacy (Tahir, 2022; Fahira, 2025). In this context, the integration of Islamic and *adat* norms does not indicate a hierarchical merger but rather a form of normative collaboration, in which local actors such as *kyai*, *kokolot*, and *tokoh adat* mediate between ethical values and communal practices.

Dialogical interaction is a central pillar of this integration. In both research sites, regular forums and informal gatherings serve as venues for intergenerational dialogue and normative negotiation. Whether in deliberations about inheritance disputes, marriage procedures, or gender roles, the decision-making process tends to emphasize collective agreement (*mufakat*) and family harmony (*rukun*) rather than juridical authority. This aligns with Jürgen Habermas's theory of communicative action, which posits that normativity in society is most legitimately constituted through reasoned dialogue and mutual understanding rather than coercive law (Mutmainah & Bhatti, 2025). The emphasis on *musyawarah* as a culturally embedded practice reinforces the legitimacy of legal adaptation through consensus (Ulummudin et al., 2025).

The model also foregrounds vernacular legal education. Islamic values are not transmitted in abstract or formalist terms but are embedded in rituals, oral narratives, and communal ceremonies. Religious instruction often takes place in *pengajian*, *hajat lembur*, or *seren taun*, where Islamic ethics such as *rahmah* (compassion), *'adl* (justice), and *sakinah* (tranquility) are narrated in a culturally resonant way. This process of vernacularization, as theorized by Sally Engle Merry, allows for the localization of global legal values without stripping them of their spiritual essence. Through this lens, Islamic family law is internalized not as a legal code but as a moral compass aligned with local custom.

The integration model also incorporates adaptive mechanisms. When Islamic law and *adat* appear to conflict, for example in matters of inheritance distribution or the permissibility of polygamy, community-based conflict resolution processes are employed. These involve joint deliberation among elders, religious scholars, and family members, who prioritize communal welfare and justice (*maṣlahah*) over strict textualism. The flexibility to invoke *istihsān* (juridical preference) or *'urf* (custom) demonstrates the capacity of Islamic legal tradition to adapt without losing its normative coherence, especially when balanced with the cultural imperative to maintain familial unity.

Gender sensitivity is another important feature of this integrative approach. While classical Islamic law has sometimes been read through patriarchal lenses, local interpretations in West Java often expand women's roles in line with both religious ethics and customary expectations. Women are viewed not only as caregivers but also as transmitters of moral authority and stewards of household resilience. Their role in managing family finances, participating in *musyawarah*, and teaching religious values to children exemplifies a gender-inclusive reading of *mu'āsharah bi al-ma'rūf* (living together in kindness) and *karāmah* (dignity). This corresponds with the objectives of *maqāṣid al-sharī'ah*, particularly the protection of family (*nasl*), wealth (*māl*), and intellect (*'aql*), reinforcing that gender equity can emerge from within both Islamic and customary frameworks when interpreted ethically (Matsyah et al., 2025; Sulaeman et al., 2025).

Crucially, the integration model sustains cultural identity without sacrificing religious depth. *Adat* values such as *ta'dzim* (respect for elders), *tanggung jawab* (responsibility), and *gotong royong* (mutual assistance) are not

sidelined but are infused with Islamic moral meaning. This dual legitimacy provides the ethical infrastructure for resilient family life. As Clifford Geertz argued, local knowledge is not static but evolves through practice, reflection, and reinterpretation, particularly when it is rooted in deeply symbolic cultural forms (Geertz, 1973). In this way, integration does not dilute tradition but revitalizes it through dialogue with Islamic ethical thought (Malone et al., 2022; Abrar et al., 2024; Tamamiyah, 2025).

This conceptual model also carries significant policy implications. Regional and village-level governments can facilitate legal pluralism by recognizing and formalizing community-based mechanisms that bridge religious and customary authority. Rather than imposing top-down interpretations of Islamic law or state codifications of family law, legal reform should encourage bottom-up innovation by recognizing community forums, fostering interfaith and *adat* consultations, and promoting participatory legal education. Such an approach democratizes access to justice and ensures that legal norms resonate with lived experience.

In conclusion, the integration of Islamic and customary law in West Java presents a dynamic and context-sensitive model of legal pluralism that strengthens household resilience. By privileging dialogue, ethical adaptation, and communal legitimacy, this model reimagines Islamic family law not as a fixed doctrine but as a living ethical system capable of sustaining both spiritual values and cultural continuity. It offers a pathway for inclusive and participatory legal development, one that can be applied not only in West Java but in other multicultural societies where religion and tradition remain vital pillars of everyday life.

Conclusion

This study has examined the dynamic interaction between Islamic and customary legal systems in shaping household resilience within indigenous communities of West Java, focusing on Kasepuhan Ciptagelar and Kampung Naga. Using a qualitative socio-legal approach, the findings reveal that household resilience emerges not merely from legal compliance but through continuous negotiation of spiritual, social, and cultural norms within a pluralistic legal framework. Customary and Islamic values are integrated to form a coherent moral order that underpins family life, emphasizing collective values such as familial harmony, emotional stability, and spiritual alignment, which resonate deeply with Islamic ethical principles.

The study highlights that the interaction between *adat* law and Islamic law is characterized by functional integration rather than conflict. Islamic norms related to marriage, inheritance, and gender roles are adapted through communal dialogue, local narratives, and rituals, creating a localized Islamic discourse aligned with indigenous ethics. Furthermore, the acceptance and expression of Islamic legal norms are contextually shaped by social, cultural, and economic factors, with vernacularized interpretations prevailing in communities with strong kinship and cultural autonomy. Indigenous actors, including women, elders, and religious leaders, actively mediate these interpretations, embedding Islamic ethics into lived family practices.

Finally, the research proposes an ideal model of legal integration that is dialogical, context-sensitive, and grounded in both religious ethics and cultural legitimacy. This model views legal pluralism as a resource for social cohesion and resilience rather than a challenge to state law. It supports participatory legal education and the use of consensus-building mechanisms such as *musyawarah* and *mufakat*, while recognizing women's crucial role in maintaining household balance. The findings contribute theoretically by reframing Islamic law as a pluralistic, adaptive tradition and offer practical insights for policymakers to respect local legal ecologies and empower community-based legal actors in designing inclusive, sustainable family policies.

In terms of policy implications, this research highlights the urgent need for regional governments to formally acknowledge customary legal institutions as legitimate partners in the governance of Islamic law. Local governments should develop regulatory frameworks that facilitate legal dialogues between religious courts and indigenous councils, particularly in areas such as marriage registration, inheritance mediation, and dispute resolution. This approach can enhance legal access and cultural legitimacy while reinforcing household resilience grounded in both Islamic and adat ethics. Moreover, integrating indigenous legal wisdom into regional Islamic family law policies can foster more inclusive, context-sensitive governance models that honor Indonesia's legal pluralism.

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References

- Abrar, A., Khalida, A., & Hareem, H. (2024). Revealing Legal Politics in City Branding: A Study of Padang Panjang City as the Kota Serambi Mekah. *Juris (Jurnal Ilmiah Syariah)*, 23(2), 309–326. <https://doi.org/10.31958/juris.v23i2.13241>
- Agha, K. D. M., Nafad, M. I. E., & Hadi, S. (2024). Unravelling the Threads: Bibliometric Exploration of Islamic Family Law Research in Southeast Asia (2004-2024). *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 24(2), 345–359. <https://doi.org/10.19109/nurani.v24i2.24755>
- Agung, D. A. G., Nasih, A. M., Sumarmi, Idris, & Kurniawan, B. (2024). Local wisdom as a model of interfaith communication in creating religious harmony in Indonesia. *Social Sciences & Humanities Open*, 9, 100827. <https://doi.org/10.1016/j.ssaho.2024.100827>
- Ahyani, H., Parhan, P., Muhtolib, M., Berizi, A., Nurhasana, N., & Ahmad, M. Y. (2025). Fraud in the Digital Space: A Comparative Study of Jinayah

Contextualizing Maqāṣid al-Sharī'ah in Indigenous Legal Practices: A Comparative Study of Family Resilience in Kasepuhan Ciptagelar and Kampung Naga

Opik Rozikin et al.

- Fiqh and Indonesian Criminal Law. *Jurnal Hukum Islam*, 23(1), Article 1. <https://doi.org/10.28918/jhi.v23i1.02>
- Ahyani, H., Putra, H. M., & Sofanudin, A. (2024). Birrul Walidain in Political Preferences: Harmonizing Family Values and Employment Law in Indonesia. *El-Usrah*, 7(2), Article 1. <https://doi.org/10.22373/ujhk.v7i2.22982>
- Ahyani, H., Slamet, M., & Tobroni. (2021). Building the Values of Rahmatan Lil 'Alamin for Indonesian Economic Development at 4.0 Era from the Perspective of Philosophy and Islamic Economic Law. *Al-Ihkam: Jurnal Hukum & Pranata Sosial*, 16(1), Article 1. <https://doi.org/10.19105/al-lhkam.v16i1.4550>
- Ahyani, H., Solehudin, E., Mutmainah, N., Adnan, N. I. binti M., Triswandan, Y., Nazhifah, A. N., Huda, M., Hidayat, M. S., & Permana, D. (2025). The Role of Sharia Law in Promoting Social Justice and Sustainable Development in Southeast Asia. In *The Routledge Handbook of Islamic Economics and Finance*. Routledge.
- Al-Banna, H., & Nurdany, A. (2021). Sustainability of Islamic Rural Banks: A Social Qardh Financing Approach. *Global Review of Islamic Economics and Business*, 9(2), Article 2. <https://doi.org/10.14421/grieb.2021.092-08>
- Alfano, M. (2022). Islamic law and investments in children: Evidence from the Sharia introduction in Nigeria. *Journal of Health Economics*, 85, 102660. <https://doi.org/10.1016/j.jhealeco.2022.102660>
- Anggraeni, R. D. (2023). Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints. *Ahkam : Jurnal Ilmu Syariah*, 23(1), Article 1. <https://journal.uinjkt.ac.id/index.php/ahkam/article/view/32549>
- Arifuddin, Q. (2024). Registration of Marriage as Fulfillment of Marriage Requirements According to Islamic Principles. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 24(2), 317–328. <https://doi.org/10.19109/nurani.v24i2.24529>
- Bossert, W., Clark, A. E., D'Ambrosio, C., & Lepinteur, A. (2023). Economic insecurity and political preferences. *Oxford Economic Papers*, 75(3), 802–825. <https://doi.org/10.1093/oepp/gpac037>
- Chang, S. E. (2019). Legal Status of Cryptocurrency in Indonesia and Legal Analysis of the Business Activities in Terms of Cryptocurrency. *Brawijaya Law Journal*, 6(1), Article 1. <https://doi.org/10.21776/ub.blj.2019.006.01.06>
- Corchia, L. (2019). The Uses of Mead in Habermas? Social Theory. Before the Theory of Communication Action. *Italian Sociological Review*, 2(9), 209–234.
- Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. SAGE.
- Dizon, M. A. C. (2024). Socio-legal study of technology: A norms and values approach to hacking and encryption law and policy. *Computer Law & Security Review*, 52, 105958. <https://doi.org/10.1016/j.clsr.2024.105958>
- Durkheim, E. (1997). *The Division of Labor in Society*. Simon and Schuster.

- Fahira, S. H. (2025). The Issue of Polygamy in Islamic Family Law: Between Tradition and Gender Justice on the International Stage. *Journal of Islamic Family Law*, 1(2), 63–72. <https://doi.org/10.59784/jifl.v1i2.8>
- Fakhyadi, D., Samsudin, M. A., Dasrianto, V., Danil, M., & Wahyudi, A. A. (2025). Reconstructing Gender Relations for Family Resilience in Minangkabau: Integrating Islamic Law and Customary Law. *Al-Ahkam*, 35(1), Article 1. <https://doi.org/10.21580/ahkam.2025.35.1.22906>
- Fitriyati, Y., Ibrahim, D., Muntaqo, F., & Hasan, K. S. (2025). Reconsidering Inheritance Equality: Gender Justice in Religious Court Decisions through the Lens of Maqashid Al-Shariah. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 25(1), 122–140. <https://doi.org/10.19109/nurani.v25i1.27133>
- Griffiths, A. (2021). Remembering Sally Engle Merry: Her scholarship and her legacy. *Oñati Socio-Legal Series*, 11(6), Article 6. <https://doi.org/10.35295/osls.iisl/0000-0000-0000-1234>
- Geertz, C. (1973). *The Interpretation Of Cultures*. Basic Books.
- Hamzah, I., Ahyani, H., Azmi, N., Tanjung, I. U., & Lousada, S. A. N. (2024). Legal Foundations for Inclusive Halal Tourism in West Java: Between Constitutional Principles and Practical Challenges. *Syariah: Jurnal Hukum Dan Pemikiran*, 24(2), 503–529. <https://doi.org/10.18592/sjhp.v24i2.15513>
- Hasan, H., Armin, R. A., Adliyah, N., Ulfa, U., & Rusdi, M. (2024). Navigating Family Relationships to Political Choice: The Role of the Head of Muslim Household as Agency. *Al-Ahkam*, 34(2), Article 2. <https://doi.org/10.21580/ahkam.2024.34.2.21478>
- Hasan, M., Ma'u, D. H., & Sahid, M. M. (2024). Inheritance Property Distribution Models Among the Muslim Community of Borneo-Nusantara. *Al-Adalah*, 21(1), 175–198. <https://doi.org/10.24042/adalah.v21i1.22310>
- Hussin, M. N. M., Arifah, R. N., Aisyah, S., Daud, M. Z., & Samah, M. (2025). Local Wisdom and Gender Equality in Joint Property Division: An Islamic Legal Perspective from Malaysia. *De Jure: Jurnal Hukum Dan Syar'iah*, 17(2), 394–416. <https://doi.org/10.18860/j-fsh.v17i2.31562>
- Hidayah, S. (2024). From unity in diversity to culture wars? Aceh women's mastery over *Adat*, Islam, and the state inheritance laws. *Women's Studies International Forum*, 103, 102881. <https://doi.org/10.1016/j.wsif.2024.102881>
- Huda, M., Hidayati, N., & Umami, K. (2020). Fiqh And Custom Negotiation In Inheritance Dispute Tradition At Mataraman Society, East Java. *Al-Ihkam: Jurnal Hukum & Pranata Sosial*, 15(2), Article 2. <https://doi.org/10.19105/al-lhkam.v15i2.3787>
- Irawan, Zayadi, Saihu, M., Hude, D., & Umar, N. (2025). Negotiating Legal Pluralism: Syncretism of Islamic Law and Balinese Adat in Pegayaman Village. *El-Mashlahah*, 15(1), 149–164. <https://doi.org/10.23971/el-mashlahah.v15i1.9072>

Contextualizing Maqāṣid al-Sharī'ah in Indigenous Legal Practices: A Comparative Study of Family Resilience in Kasepuhan Ciptagelar and Kampung Naga

Opik Rozikin et al.

- Ismail, Y. C. T., & Kirin, A. bin. (2025). Digital Privacy and Personal Data Protection in Southeast Asia: Challenges and Efforts toward Legal Harmonization. *Justitia Nova*, 1(1), 24–34.
- Jawad, S. (2025). Animal Protection in Light of Modern Legal Thought and Islam Law's Perspective. *Asy-Syari'ah*, 27(1), 101–122. <https://doi.org/10.15575/as.v27i1.44597>
- Jubba, H., Sudirman, S., Iribaram, S., Mokhtar, W. K. A. bin W., & Rasyid, R. (2024). Compromise of Islam and customary practices in the religious practices of the muslim community in Papua: A study of maqāṣid syarī'ah. *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan*, 24(2), 305–330. <https://doi.org/10.18326/ijtihad.v24i2.305-330>
- Kurniawan, A. F., Rahman, A., Achmad, M., & Fahroji, F. R. (2022). Young Muslim Clicktivism and Religious Local Tradition Discourse in Banten and Yogyakarta. *Millah: Journal of Religious Studies*, 863–890. <https://doi.org/10.20885/millah.vol21.iss3.art9>
- Kesuma, D. A., Triputra, Y. A., Zulhuda, S., & Dali, M. (2025). A Progressive Effort to Strengthen the System of Interconnection of Court Decisions on the Rights of Women and Children After Divorce. *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat*, 25(1), 280–293. <https://doi.org/10.19109/nurani.v25i1.24759>
- Lutfia, L., & B, F. (2025). The Role of Islamic Family Law in Protecting Women and Children in the Context of the Pandemic: Case Studies in Developing Countries. *Journal of Islamic Family Law*, 1(2), 82–89. <https://doi.org/10.59784/jifl.v1i2.10>
- Malone, A., Santi, P., Cabana, Y. C., Smith, N. M., Manning, J., Zeballos, E. Z., & Zhou, W. (2022). Cross-validation as a step toward the integration of local and scientific knowledge of geologic hazards in rural Peru. *International Journal of Disaster Risk Reduction*, 67, 102682. <https://doi.org/10.1016/j.ijdrr.2021.102682>
- Maxwell, J. A. (2012). *Qualitative Research Design: An Interactive Approach*. SAGE Publications.
- Masruroh, E., Silviana, E., & Adnan, N. I. M. (2025). Harnessing Tax Policy to Accelerate Islamic Economy as a Growth Engine in Developing Countries. *Al-Tijarah*, 1(2), Article 2.
- Matsyah, A., Djawas, M., Aziz, U. bin A., Sumardi, D., & Nurdin, A. (2025). Cultural Continuity and Legal Adaptation: The Evolution of Suluh in Aceh's Conflict Resolution System. *JURIS (Jurnal Ilmiah Syariah)*, 24(1), 101–110. <https://doi.org/10.31958/juris.v24i1.13272>
- Muharir, Kuncoro, I., & Abduloh, A. Y. (2025). Islamic Legal Hermeneutics on Riba in Digital Banking: A Contextual Reading of Imam Al-Qurthubi's Tafsir on Surah Al-Baqarah 275. *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 12(1), Article 1. <http://dx.doi.org/10.29300/mzn.v12i1.7690>
- Mustafid, Gemilang, K. M., Putra, F. S., Bajuri, A. A., & Mawardi, M. (2024). Alternative Legal Strategies and Ninik Mamak Authority: Dual Administration of Malay Marriage in Koto Kampar Hulu, Riau. *Journal of Islamic Law*, 5(1), 1–18. <https://doi.org/10.24260/jil.v5i1.1972>

Contextualizing Maqāṣid al-Sharī'ah in Indigenous Legal Practices: A Comparative Study of Family Resilience in Kasepuhan Ciptagelar and Kampung Naga

Opik Rozikin et al.

- Mustofa, Ahyani, H., Firdaus, D. A., Putra, H. M., Kirin, A. bin, & Muhammad, Z. (2025). Strengthening Zakat Regulation through the Siyāsah Māliyah Approach: A Constitutional and Legal Analysis of Indonesia and Malaysia. *JURIS (Jurnal Ilmiah Syariah)*, 24(1), 111–126. <https://doi.org/10.31958/juris.v24i1.14637>
- Mutmainah, N., & Bhatti, M. S. (2025). Enhancing Legal Protections for Workers in Industrial Accidents: Towards Better Occupational Safety in Indonesia. *Justitia Nova*, 1(1), Article 1. <https://doi.org/10.1234/justitianova.v1i1.001>
- Mukaromah, D. F., Rahim, A., & Khafidz, H. A. (2025). Leveraging Artificial Intelligence for Efficient and Transparent ZISWAF Management: Comparative Insights from Indonesia and Malaysia. *Munakahat*, 1(2), Article 2. <https://doi.org/10.59427/mnk.v1i2.53>
- Miles, M. B., Huberman, A. M., & Saldana, J. (2013). *Qualitative Data Analysis: A Methods Sourcebook*. SAGE Publications.
- Naisabur, N., Putra, H. M., Ahyani, H., Novita, D., & Kurniati, P. (2024). The Prohibition of Social E-Commerce on TikTok Shop: A Fiqh Examination Based on Sharia Compliance and Economic Justice. *Al-Manahij: Jurnal Kajian Hukum Islam*, 18(1), 59–78. <https://doi.org/10.24090/mnh.v18i1.9674>
- Nurhayati, S., & Kardi, K. (2024). Digital Divide for Persons with Disabilities Related to Indonesian Information Technology Accessibility in Law Perspective. *Adliya: Jurnal Hukum Dan Kemanusiaan*, 18(2), Article 2. <https://doi.org/10.15575/adliya.v18i2.28728>
- Parsons, T. (1991). *The Social System*. Psychology Press.
- Rafiqi, I. D. (2025). Recognition of Indigenous Peoples Values in Indonesia for Policy Addressing Climate Change. *Journal of Law and Legal Reform*, 6(1), Article 1. <https://doi.org/10.15294/jllr.v6i1.11746>
- Rauf, M. A. (2018). The Islamic Law Epistemology Thought of Perspective Wael B. Hallaq and Relevance to Islamic Law in Indonesia: Islamic Law. *Indonesian Journal of Islamic Law*, 1(1), Article 1. <https://doi.org/10.35719/ijil.v1i1.71>
- Rozikin, O., & Hayeejehwee, K. (2025). Reconstructing Usul Fiqh and Islamic Family Law for Environmental Justice in the Global South. *Justitia Nova*, 1(1), Article 1.
- Rofik, A., Hapidin, A., & Kirin, A. bin. (2025). Legal Interpretation of Conditional Polygamy Prohibition in Marriage Contracts: A Comparative Study in Islamic Law. *Munakahat*, 1(2), Article 2. <https://doi.org/10.59427/mnk.v1i2.30>
- Said, W., Hukmiah, H., Nur, S., Wahyuni, S., & Akbar, R. (2024). Marriage Traditions and Family Resilience in Bugis Bone Society: A Study of Islamic Law and Islamic Education. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8, 1372. <https://doi.org/10.22373/sjkh.v8i3.23227>
- Solehudin, E., Huda, M., & Ahyani, H. (2024). Transformation of Shariah Economic Justice: Ethical and Utility Perspectives in the framework of Maqashid Shariah. *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan*, 24(1), Article 1. <https://doi.org/10.30631/alrisalah.v24i1.1467>

Contextualizing Maqāṣid al-Sharī'ah in Indigenous Legal Practices: A Comparative Study of Family Resilience in Kasepuhan Ciptagelar and Kampung Naga

Opik Rozikin et al.

- Sulaeman, O., Alfiander, D., Kanus, O., Rahmi, S. N., & Utomo, B. (2025). Negotiating Gender Justice in Minangkabau Marital Disputes: Between Adat, Islamic, and State Law. *JURIS (Jurnal Ilmiah Syariah)*, 24(1), 39–49. <https://doi.org/10.31958/juris.v24i1.11848>
- Tahir, A. I. (2022). Legal pluralism, obscure reforms and adjudication of land conflicts in Hargeisa, Somaliland. *Land Use Policy*, 120, 106286. <https://doi.org/10.1016/j.landusepol.2022.106286>
- Tamamiyah, L. (2025). The Evolving Practice of Marriage Contracts in Islamic Family Law: Customary Influences and Legal Implications. *Journal of Islamic Family Law*, 1(1), 16–22. <https://doi.org/10.59784/jifl.v1i1.3>
- Turner, B. S. (1974). Islam, Capitalism and the Weber Theses. *The British Journal of Sociology*, 25(2), 230–243. <https://doi.org/10.2307/589314>
- Ujang Suherman. (2025, June 11). *Interview on social structure, customary marriage, and inheritance in Kampung Naga*. Personal interview conducted in Kampung Naga, Tasikmalaya.
- Ugi, A. (2025, June 10). *Interview on the role of Islamic values in household governance in Kasepuhan Ciptagelar* [Personal interview]. Conducted in Ciptagelar, Sukabumi.
- Ulummudin, U., Habibi, H., & Kotyazhov, A. V. (2025). Sharia Economic Law Review on Minimum Work Tenure for Lecturer Certification at West Java PTKIs. *Al-Tijarah*, 1(2), Article 2.
- Widiastuti, T., Mawardi, I., Zulaikha, S., Herianingrum, S., Robani, A., Al Mustofa, M. U., & Atiya, N. (2022). The nexus between Islamic social finance, quality of human resource, governance, and poverty. *Heliyon*, 8(12), e11885. <https://doi.org/10.1016/j.heliyon.2022.e11885>
- Widianingsih, H., & Bhatti, M. S. (2025). Human Rights in Islamic Family Law and Statutory Regulations: Challenges and Interactions Across Countries. *Nahdlatul Fikr*, 1(2), Article 2. <https://doi.org/10.5678/ijiseh.v1i2.5>
- Willya, E., Idris, M., & Wahid, A. (2024). The Debate Between Religious and Minangkabau Traditional Figures About Pagang Gadai (Pawn) Land in Agam Regency, West Sumatra, Indonesia. *Ahkam: Jurnal Ilmu Syariah*, 24(1), 67–82. <https://doi.org/10.15408/ajis.v24i1.32101>
- Yeo, S. P. B.-J., Martin, N., Caproni, M., Krajíčková, S., Pierce, P., Weber, T., Mora, E., Martin, J., Lawrence, S., Grzelak, M., Prokopová, T., Regojo, I., Treliving, A. E., Hill, M. E., & Gunning, C. (2025, February 3). *Global Snapshot—Hot Employment Law Topics for 2025—Labour & Employment*. Lexology. <https://www.lexology.com/library/detail.aspx?g=6151f6cd-dbe1-4a56-acd9-606d52e951a6>
- Zulkifli, Z., & Kirin, A. bin. (2025). Reformulating Ushuliyyah Principles to Strengthen Waqf-Based Halal Tourism Industry in Indonesia and Malaysia. *Al-Tijarah*, 1(2), Article 2.