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The Role of Piil Pesenggiri Values in Constructing Living Islamic Family Law

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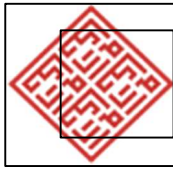
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The Role of *Piil Pesenggiri* Values in Constructing Living Islamic Family Law

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Abstract:

This study aims to analyse the role of *Piil Pesenggiri* as a form of local wisdom within the Lampung community in shaping and constructing the practice of *fiqh munakahāt* in Islamic family law as a living legal system. It employs a socio-legal approach using qualitative methods. Data were collected through fieldwork, in-depth interviews with purposively selected informants, customary leaders, religious figures, and married couples across Central Lampung, South Lampung, and Pringsewu, complemented by an analysis of customary texts

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Wahyu Abdul Jafar...

and normative sources of *fiqh munākahāt*. The data were analysed by applying Eugen Ehrlich's living law framework, specifically examining how the internalisation of *Piil Pesenggiri* as a normative 'inner order' and its negotiation with formal *fiqh* doctrines theoretically reconstruct the daily practice of Islamic family law in Lampung. The findings reveal that *Piil Pesenggiri* does not operate as an autonomous customary norm separate from or opposed to *fiqh munākahāt*. Instead, it is dialogically internalised within Islamic family law practices. Values of honour (self-respect), moral responsibility, and social harmony serve as key sources of legitimacy in family decision-making, including matters related to marriage, spousal relations, and the resolution of domestic disputes. These findings affirm that the practice of *fiqh munākahāt* in Lampung is shaped through a process of contextual negotiation between religious norms and living customary values. This study contributes to the development of *fiqh munākahāt* scholarship by expanding the framework of living Islamic family law grounded in local wisdom.

Keywords: Family Law; *Fiqh munākahāt*; Local Wisdom; *Piil Pesenggiri*.

Introduction

Islamic family law (*fiqh munākahāt*) occupies a central position in the lives of Muslims, as it regulates the most fundamental aspects of social relations, namely marriage, spousal relations, and mechanisms for resolving domestic conflicts.¹ In the Indonesian context, the practice of *fiqh munākahāt* is not only shaped by classical *fiqh* norms and state regulations, such as the Marriage Law and the Compilation of Islamic Law (KHI),² but also closely interacts with the social and cultural values

¹ Syafrijal Syafrijal et al., "The Transformation of Islamic Family Law in Indonesia: A Socio-Legal Study of Social Change," *Samawa: Journal of Islamic Law and Family Studies* 1, no. 1 (June 2025): 19–27.

² Supriyadi and Nik Abdul Rahim Nik Abdul Ghani, "Negotiating Tradition and Modernity: The Practice of Prohibiting Marriage in the Month of Suro among Javanese Muslims in South Lampung," *NUSANTARA: Journal Of Law Studies* 4, no. 2 (October 2025): 114–28, <https://doi.org/10.5281/zenodo.17340470>.

that shape society.³ It is this interaction that gives rise to the practice of Islamic family law, which is dynamic, contextual, and often cannot be fully explained by a purely normative-textual approach.⁴ However, the tendency of *fiqh munākahāt* studies in Indonesia to date is still dominated by doctrinal and normative approaches,⁵ both through the study of classical *fiqh* books and analysis of laws and regulations.⁶ While these doctrinal and normative approach are essential for maintaining the normative consistency of Islamic law, they may also overlook the social realities in which the law is implemented.⁷ As a result, the practice of Islamic family law is often understood as a static, uniform, and independent system apart of local cultural context which actually becomes a space for legal actualisation in people's daily lives.⁸

In Lampung society, the relationship between Islamic law and customary law cannot be separated from the value of *Piil Pesenggiri*, the

³ Andi Darna, "Perkembangan Hukum Islam Di Indonesia: Konsep Fiqh Sosial Dan Implementasinya Dalam Hukum Keluarga," *El-Usrah: Jurnal Hukum Keluarga* 4, no. 1 (March 2021): 90-107, <https://doi.org/10.22373/ujhk.v4i1.8780>.

⁴ Deri Eka Putra et al., "Reinterpreting Kafā'ah: The Interaction of Islamic Legal Norms and Social Realities in Contemporary Indonesian Marriage Practices," *Jurnal Al-Hakim: Jurnal Ilmiah Mahasiswa, Studi Syariah, Hukum Dan Filantropi*, November 6, 2025, 159-72, <https://doi.org/10.22515/jurnalalhakim.v7i02.12484>.

⁵ Ayu Sari Ningsih et al., "Reforming Islamic Family Law: The Relevance of Ibn Qayyim al-Jawziyyah's Concept of Legal Change," *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi Dan Keagamaan* 12, no. 2 (June 2025): 392-405, <https://doi.org/10.29300/mzn.v12i1.7087>.

⁶ Muhamad Zaenal Muttaqin et al., "Family Harmony in Contemporary Islamic Law: Ibn 'Āshūr's Maqāṣid Perspective on Marital Rights and Duties," *MILRev: Metro Islamic Law Review* 5, no. 1 (January 2026): 61-79, <https://doi.org/10.32332/milrev.v5i1.10480>.

⁷ Moh Jeweherul Kalamiah, Ikmalul Khoir, and Ahmad Syukran Baharuddin, "Reforming Pre-Marital Agreements In Indonesian Muslim Family Law: Between Legal Legitimacy And Cultural Resistance," *Hukum Islam* 25, no. 2 (December 2025), <https://doi.org/10.24014/hi.v25i2.38874>.

⁸ Fathullah, Sayehu, and Nafan Tarihoran, "Kafa'ah in Contemporary Islamic Marriage: Insights from a Systematic and Meta-Analytical Review," *NUSANTARA: Journal Of Law Studies* 4, no. 01 (July 2025): 60-73, <https://doi.org/10.5281/zenodo.17355035>.

Wahyu Abdul Jafar...

core of the local wisdom system.⁹ *Piil Pesenggiri* is not merely a customary norm in the formal sense, but a value system that shapes the concepts of honor, self-respect, moral responsibility, and social harmony.¹⁰ This value is deeply internalised across various aspects of people's lives in Lampung, including marriage, marital relations, and the resolution of domestic conflicts.¹¹ In many cases, *Piil Pesenggiri* serves as an ethical framework that shapes how people understand obligations, rights, and behavioral boundaries within the family. Fieldwork observations indicate that the value of *juluk-adek* (dignity) often compels families to resolve domestic conflicts internally through customary mediation rather than formal litigation, as the latter is perceived as a threat to collective family honor.

Unfortunately, the role of *Piil Pesenggiri* in the development of *fiqh munākahāt* still receives little serious attention in the academic study of Islamic law. The practice of Islamic family law in Lampung is often presented as a direct application of *fiqh* norms or state law, while the customary dimension is seen as complementary or even outside the Islamic legal system. In fact, in social practice, important decisions in the family—ranging from the marriage process and the division of marital roles to conflict-resolution mechanisms—are often more influenced by the consideration of the value of *Piil Pesenggiri*. Empirical evidence from fieldwork illustrates this dynamic; for instance, the formal marriage proposal (*nyakak adat*) must strictly follow customary protocols involving *penyimbang adat* (A traditional figure or customary leader who holds an important position as the guardian of social order and customary law) before any religious ceremony (*walimah*) is

⁹ Deni Eko Setiawan, Hermanu Joebagio, and Susanto, "Piil Pesenggiri: Kearifan Lokal Kultur Islam Lampung Sebagai Sumber Belajar Toleransi," *JURNAL EKONOMI, SOSIAL & HUMANIORA* 1, no. 04 (November 2019): 27-35.

¹⁰ Dita Febriana and Hardiansyah Masya, "Konsep Piil Pesenggiri Sebagai Falsafah Hidup Budaya Lampung Terhadap Pelaksanaan Konseling Multi Budaya," *Attractive : Innovative Education Journal* 5, no. 2 (June 2023): 89-107, <https://doi.org/10.51278/aj.v5i2.700>.

¹¹ Muhtadin Muhtadin and Nesia Mu'asyara, "Unsur Piil Pesenggiri Dalam Tradisi Ngelemang Pada Masyarakat Adat Lampung Barat," *Hikmah : Jurnal Studi Pendidikan Agama Islam* 1, no. 3 (September 2024): 01-11, <https://doi.org/10.61132/hikmah.v1i3.94>.

arranged. Traditional leaders consistently assert that marriages bypassing these protocols are regarded as '*sah agama, kurang adat*' (religiously valid, but customarily deficient), a label that carries significant social stigma across generations. Furthermore, in conflict resolution, extended families frequently invoke the *sakai sambayan* (cooperation) value to resolve domestic disputes through customary assemblies (*musyawarah adat*) to forestall formal litigation, demonstrating that customary legitimacy often precedes formal legal action.

Previous studies have examined the relationship between customary law and Islamic family law in Indonesia; however, significant gaps remain. Existing scholarship generally focuses on the conceptual legitimacy of adat within Islamic law, particularly through the compatibility between '*urf*' and local customs¹², but it tends to remain at the theoretical level without examining concrete social practices. Other studies discuss *Piil Pesenggiri* as the cultural identity of the Lampung people, especially through the values of *juluk adek* and *nengah nyappur*, emphasising its role in shaping social behaviour.¹³ However, they do not systematically connect it to the construction of Islamic family law. Comparative studies on local wisdom in marriage practices, such as those conducted in the Moluccas, demonstrate that regional customs can actively shape Islamic marital institutions; nevertheless, similar studies within the Lampung context remain very limited.

Meanwhile, research on living Islamic law and socio-legal transformation has opened a contextual space for analysis.¹⁴ However,

¹² Maskur Rosyid and Dhani Dwi Afrizal, "Integrasi Hukum Adat Dalam Pembaharuan Hukum Keluarga Islam Di Indonesia," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 3, no. 2 (April 2025): 1792–812, <https://doi.org/10.62976/ijijel.v3i2.1170>.

¹³ Shintya Rahmanda Putri and Zainudin Hasan, "Dinamika Hukum Adat Lampung Dalam Sistem Sosial: Kajian Empiris Terhadap Nilai Piil Pesenggiri Pada Masyarakat Abung Siwo Mego," *JURNAL MULTIDISIPLIN ILMU AKADEMIK* 2, no. 6 (November 2025): 57–63, <https://doi.org/10.61722/jmia.v2i6.6917>.

¹⁴ Syafrijal Syafrijal et al., "The Transformation of Islamic Family Law in Indonesia: A Socio-Legal Study of Social Change," *Samawa: Journal of Islamic Law and Family Studies* 1, no. 1 (June 2025): 19–27.

Wahyu Abdul Jafar...

it has not specifically explained how *Piil Pesenggiri* functions as a medium for the internalisation, negotiation, and reconstruction of *fiqh munākahāt* norms in everyday family law practices. Consequently, the dimension of locality is still more frequently positioned as a supporting social background rather than as a constitutive element in the formation and development of Islamic family law itself.

From the three clusters, there is a clear research gap: no study systematically analyses *Piil Pesenggiri* as a value of local wisdom that actively constructs the practice of *fiqh munākahāt* in Islamic family law. While it is acknowledged that a broad body of scholarship has examined the intersection of customary and Islamic law, a critical gap remains in understanding how these systems constitutively interact in daily practice. Previous studies of a general scope typically focus on the theoretical compatibility between 'urf and Sharia at a macro level. However, they often treat local wisdom merely as a 'social setting' rather than as a constitutive element that actively reconstructs the implementation of *fiqh munākahāt*. This research fills this gap by demonstrating that in Lampung, *Piil Pesenggiri* does not merely 'accompany' Islamic law but serves as the primary normative framework through which fiqh norms are dialogically internalised and negotiated.

Based on this, the novelty of this research lies in positioning *Piil Pesenggiri* not merely as a cultural background, but as a dynamic value framework that actively shapes, guides, and legitimises the practice of *fiqh munākahāt* within Lampung society. Rather than assuming a rigid dichotomy between customary law and sharia law, this study understands both as interconnected normative systems that continuously interact, adapt, and negotiate within the everyday lives of Muslim families. By employing a socio-legal approach and the concept of living Islamic family law, this research seeks to explore how the values of *Piil Pesenggiri* are dialogically internalised and manifested in the practice of Islamic family law. Accordingly, this study is guided by two main research questions: first, how are the customary values of *Piil Pesenggiri* negotiated with sharia principles in shaping the contemporary practice of Islamic family law in Lampung society? Second, how do the values of *Piil Pesenggiri* construct and influence the practice of *fiqh munākahāt* as a living Islamic family law in Lampung society? These questions serve as an analytical entry point for

understanding the relationship between religious norms and local wisdom in a more contextual, dynamic, and empirical manner.

Methods

This research employs a qualitative, socio-legal approach to examine the practice of *fiqh munākahāt* as a living Islamic family law within the local wisdom of the people of Lampung. This approach was chosen because it allows for legal analysis not only as a written norm, but also as a social practice shaped through the interaction between religious values and customs. In this framework, *Piil Pesenggiri* is understood as a value system that operates normatively and symbolically to shape family relationships, and thus requires analysis from both Islamic law and social science perspectives.

Lampung was selected as the research site because *Piil Pesenggiri* remains strongly preserved and continues to influence marriage and family relations within Muslim communities. The coexistence of customary traditions, religious authorities, and state family law practices in Lampung provides a relevant empirical context for examining the negotiation between customary and sharia values in the living practice of Islamic family law.

Data collection was conducted through field studies involving in-depth interviews.¹⁵ The research informants consisted of Lampung traditional leaders, religious leaders, and six married couples purposively selected from three regencies—Central Lampung, South Lampung, and Pringsewu. They were chosen because they have actively navigated family decisions, such as marriage negotiations, the division of marital roles, and domestic conflict resolution, through the combined framework of *Piil Pesenggiri* values and *fiqh munākahāt* norms. The selection of informants is purposive to obtain relevant, substantively rich data. In addition, this study utilises documentation studies of customary texts, customary deliberation decisions, and normative sources of *fiqh munākahāt*, both from classical *fiqh* literature and from Islamic family law regulations in Indonesia.

Data analysis is carried out thematically with the stages of data

¹⁵ Matthew B. Miles and A. Michael Huberman, *Analisis Data Kualitatif: Buku Sumber Tentang Metode-Metode Baru* (Jakarta: Universitas Indonesia Press, 2014).

Wahyu Abdul Jafar...

reduction, categorisation, and interpretive extraction.¹⁶ Field data are read dialogically within a living law framework to identify the processes of internalisation, adaptation, and value negotiation between *Piil Pesenggiri* and the norms of *fiqh munākahāt*. The validity of the data is maintained through triangulation of sources and techniques. At the same time, the interpretation of the findings aims to capture the pattern of normative relationships that shape the practice of Islamic family law grounded in local wisdom in the Lampung community.

Result and Discussion

Piil Pesenggiri as an Ethical Framework in the Practice of *Fiqh munākahāt*

The results of the study show that *Piil Pesenggiri* serves as the primary ethical framework that shapes how the people of Lampung understand and practice *fiqh munākahāt* in family life. *Piil Pesenggiri* is not positioned as a stand-alone customary norm or as contrary to Islamic teachings, but rather as a value system integrated with and mutually reinforcing of sharia principles. The values of honour (self-respect), moral responsibility, and social harmony that it contains are important foundations for family decision-making, especially those related to marriage and marital relationships.¹⁷

In the context of marriage, *Piil Pesenggiri* shaped the people of Lampung's understanding of its meaning. *Piil Pesenggiri* is the overarching philosophical value system comprising four inseparable sub-values: *juluk adek* (titled social identity and the self-respect attached to it), *nemui nyimah* (the obligation of openness, hospitality, and generosity), *nengah nyappur* (active participation in social and communal affairs), and *sakai sambayan* (the norm of mutual assistance and collective responsibility).¹⁸ These values do not operate as discrete

¹⁶ Burhan Bungin, *Analisis Data Penelitian Kualitatif* (Jakarta: PT Raja Grafindo Persada, 2003).

¹⁷ Bambang Riadi, "The Values of Local Wisdom in Lampung Folklore: A *Piil Pesenggiri* Perspective," *Folklor/Edebiyat* 29, no. 114 (2023): 587–96, <https://doi.org/10.22559/folklor.2398>.

¹⁸ Linda Sari Wulandari et al., "Commodification Of Meaning In Idioms And The *Piil Pesenggiri* Philosophy In The Lives Of The Indigenous Lampung People," *International Journal of Asia-Pacific Studies* 22, no. 1 (2026): 53–73, <https://doi.org/10.21315/ijaps2026.22.1.3>.

or abstract rules; instead, they function as an integrated moral framework that governs expectations of conduct in both public and domestic life.

Marriage is not understood solely as a legally valid contract in jurisprudence, but also as a social and moral event that concerns the honour of families and indigenous communities. Therefore, the decision to marry, choose a partner, and determine the mechanism of the contract is not only based on the fulfilment of formal *fiqh* principles and requirements, but also on ethical considerations related to *juluk adek*. In practice, engagements involve elaborate customary procedures, such as formal approaches by the prospective groom's family to the bride's *penyimbang* (customary leader), that ensure compliance with Islamic *wali* requirements while simultaneously satisfying customary honour protocols. Field findings from interviews with five *penyimbang adat* consistently showed that marriages conducted without proper customary procedures—such as the absence of family deliberation, failure to seek the approval of the *penyimbang*, or the omission of certain customary stages—are perceived as “*sah agama, kurang adat*” (religiously valid, but customarily deficient). This expression demonstrates that religious validity alone is not socially sufficient within the Lampung customary setting. A marriage may satisfy all formal *fiqh* requirements, yet remain symbolically incomplete if it fails to meet communal expectations of honor. This creates a dual structure of legitimacy in which *fiqh* establishes juridical validity, while *Piil Pesenggiri* determines the degree of social acceptance.

Consequently, the implementation of Islamic family law is negotiated not only through legal compliance but also through customary recognition. For instance, three of the five customary leaders recalled cases in which a prospective son-in-law was initially rejected not because of any prohibition in Islamic law, but because the way his family approached the bride's family was considered disrespectful and inconsistent with customary protocol. In the context of Lampung society, carefulness in the marriage process reflects an effort to protect *Piil Pesenggiri* from being undermined by actions regarded as improper

Wahyu Abdul Jafar...

according to both customary and religious values.¹⁹

Field findings also show that the principle of *Piil Pesenggiri* encourages people to uphold social ethics before marriage, respect the role of the extended family, and avoid behaviour that could cause social disgrace. A Lampung traditional leader who was interviewed explained that, in the community's view, marriages conducted without regard for customary ethics are often considered religiously valid but "less customary" socially. He stated:

"...If you get married, it is not only a matter of legality according to religion, but also a matter of maintaining *Piil Pesenggiri*. If the process violates ethics, the family can be embarrassed. It is not just a matter of two people; it is a matter of one lineage..."²⁰

This finding shows that *Piil Pesenggiri* functions as a social mechanism that broadens the meaning of marital validity. In Lampung society, the legitimacy of marriage is not determined solely by normative *fiqh* requirements, but also by social recognition and customary acceptance. This reflects Eugen Ehrlich's concept of living law, in which social values and lived norms become the practical foundation for the implementation of formal law.²¹ In this context, *Piil Pesenggiri* operates as an ethical framework that mediates the application of *fiqh munākahāt* within everyday family life.

Fieldwork data particularly reveal how the principle of *juluk adek* (titled dignity) creates a form of collective accountability in which family reputation strongly influences legal and personal decisions. In two documented cases, the pressure to preserve family honour (*piil*) discouraged wives from seeking legal protection through the Religious Court. Marital failure was viewed as a source of social shame (*liom*) that

¹⁹ Mirna Suri and Renatalia Marselinda, "Nilai-Nilai *Piil Pesenggiri* dalam Tradisi Ittagh Segheba di Negeri Besar Way Kanan, Lampung," *Jurnal Kata : Bahasa, Sastra, dan Pembelajarannya* 12, no. 1 Apr (April 2024): 13–23.

²⁰ Zakki, "Personal Interview," 2025.

²¹ Ahmad Auri Aji Zarianto and Nadhira Wahyu Adityarani, "Eksistensi Sosiologi Hukum Pada Masyarakat Indonesia (Literature Review Atas Teori Living Law Eugen Ehrlich)," *Juridische : Jurnal Penelitian Hukum* 2, no. 3 (June 2025): 203–19, <https://doi.org/10.65945/juridische.v2i3.89>.

could affect the dignity of the entire family lineage. As a result, customary reconciliation was prioritised over formal legal procedures. This finding highlights the ambivalent nature of *Piil Pesenggiri*. On the one hand, it strengthens family cohesion and encourages reconciliation; on the other hand, it may create social pressure that limits vulnerable spouses from accessing formal legal remedies. In such situations, customary honour does not simply accompany *fiqh munākahāt*, but also influences when and how legal action is taken. This indicates that living Islamic family law in Lampung is shaped not only by legal norms, but also by subtle mechanisms of social control, silence, and moral restraint.

At the same time, *Piil Pesenggiri* also shapes how husbands and wives understand their roles and responsibilities within the household. Marital relationships are not constructed solely through rigid legal hierarchies commonly associated with classical jurisprudence, but are negotiated through values of dignity, mutual respect, and moral responsibility. Husbands are expected to protect family honour not only by providing financial support, but also through ethical conduct and moral leadership within both the family and society. Wives, meanwhile, are positioned as partners who contribute to maintaining family dignity through their domestic, social, and moral roles. In this way, *Piil Pesenggiri* serves as a medium for internalising the values of *fiqh munākahāt*, allowing Islamic family law to function not merely as a formal legal system, but as a lived ethical framework embedded in the collective consciousness of society.

One of the female informants (Linda, a 34-year-old teacher married for 11 years) said that the principle of *Piil Pesenggiri* is the primary reference for building relationships with couples. She stated,

"...In our family, we are taught to protect and respect one another's dignity. When problems arise, we do not immediately expose them to outsiders. If other people find out, it brings shame not only to us, but also to the entire extended family..."²²

Fieldwork data substantiates that interview data show that *Piil*

²² Linda, "Personal Interview," 2025.

Wahyu Abdul Jafar...

Pesenggiri functions as a constitutive social control mechanism in marital relationships rather than a mere cultural backdrop. Evidence for this is found in the conflict-resolution patterns observed among the informants: of the six married couples interviewed, all reported that domestic tensions, specifically regarding financial management and child custody arrangements, were initially mediated through informal family deliberations (*musyawarah*) before any formal legal channels were considered. Notably, four of these six cases were successfully resolved at the communal level, demonstrating that the value of *piil* effectively forestalls litigation by treating domestic disputes as matters of collective lineage accountability. In this context, the principle of *mu'āsarah bi al-ma'rūf* (living together in kindness) is realised through the logic of *sakai sambayan*, in which the extended family provides a social safety net to restore household harmony. However, the study also identifies a critical dimension: the intense pressure to maintain *juluk adek* (titled dignity) initially acted as a barrier for wives in vulnerable positions, as admitting marital failure publicly was perceived as bringing collective shame (*liom*) to the entire lineage.²³

These findings substantiate that *Piil Pesenggiri* does not merely coexist with sharia norms but actively constructs their social application. For instance, the fiqh concept of husband leadership (*qiwāmah*) is reconstructed from a power hierarchy into a moral duty to preserve family dignity. This is reflected in everyday practices such as husbands being expected to maintain respectful behaviour toward their wives, resolve domestic conflicts through family deliberation (*musyawarah*), protect the family's public reputation, and serve as moral role models within both the household and the wider community. In this context, leadership is valued not through domination, but through responsibility, self-restraint, and the ability to uphold collective honour in accordance with both customary and religious values. This adaptation shows that the negotiation between *Piil Pesenggiri* and fiqh norms does not necessarily dissolve gender asymmetry. Although economic roles become more flexible, representational authority in *adat* relations remains largely attached to husbands. Thus, normative adjustment occurs through partial redistribution of domestic functions rather than through a complete restructuring of marital authority.

²³ Rustam, "Personal Interview," 2025.

Fieldwork data from younger couples demonstrates this adaptation: in households where the wife's income is higher, *qiwāmah* is reinterpreted through the lens of *piil* not as an economic monopoly, but as the husband's responsibility to represent and defend the family's honor in customary gatherings. One informant, Rustam, noted that while his wife earns more, his role as the head of the family remains vital in the *adat* sense, signifying that *piil* provides a culturally resonant language to accommodate changed economic realities within a recognisable Islamic framework.

Furthermore, the 'living' nature of this law is evidenced by the community's selective engagement with *fiqh* references. Multiple *ulama* informants acknowledged that they consciously choose *fiqh* positions regarding the scope of *qiwāmah* and the wife's permission for employment that are most compatible with the pillar of *nengah nyappur* (social participation) and local social needs. This shows that *Piil Pesenggiri* serves as a bridge between textual norms and social reality, providing moral legitimacy that strengthens people's obedience to Islamic law. The high efficacy of this system is reflected in conflict-resolution patterns: of the six married couples interviewed, all prioritised informal customary deliberations over formal litigation, with four of those cases successfully resolved at the communal level. Consequently, local wisdom is not a residual tradition to be set aside, but a constitutive element that brings Islamic family law to life in the daily practice of Lampung society.

From the perspective of living Islamic family law, this condition shows that Islamic family law does not operate in a sterile normative space of the socio-cultural context. Instead, it is lived, negotiated, and reinterpreted through local values that give color to legal practice. *Piil Pesenggiri* serves as a bridge between textual norms and social reality, and as a source of moral legitimacy that strengthens people's obedience to Islamic law. Thus, *Piil Pesenggiri* can be understood as an ethical foundation that allows *fiqh munākahāt* to function effectively in the life of the people of Lampung. The values of honour, responsibility, and social harmony it embodies make Islamic family law not only normatively valid but also socially meaningful. These findings strengthen the argument that local wisdom is not a residue of tradition to be set aside in the study of Islamic law, but rather a constitutive element that brings the law to life in the daily practice of Muslim

Wahyu Abdul Jafar...

society.

46

Negotiation of Customary and Sharia Values in the Practice of Islamic Family Law

The relationship between *Piil Pesenggiri* and *fiqh munākahāt* in Lampung is characterised by a dialogical negotiation where both systems interact to produce a contextually grounded legal practice. This negotiation is not a replacement for Sharia but a cultural mediation that ensures religious norms are socially meaningful. Fieldwork data reveal that this negotiation operates across three distinct domains:

First, the domain of family conflict resolution. Fieldwork indicates a strong preference for customary mediation over formal litigation. Of the six married couples interviewed, all reported that domestic tensions, ranging from financial disputes to child custody, were initially handled through informal family deliberations (*musyawarah*) in accordance with customary protocols. As one informant stated:

“...If there is a problem in the household, we usually discuss it first with the family and customary elders. Going directly to court is considered the last option because what we seek first is peace and the good name of the family...”²⁴

Four of these six cases were successfully resolved at the communal level before reaching the Religious Court. In these instances, the *fiqh* principle of *ṣulḥ* (reconciliation) provides religious legitimacy, while the pillar of *sakai sambayan* (cooperation) functions as the social mechanism for restoring harmony. This demonstrates that Islamic family law in Lampung often operates through social and customary spaces before entering formal legal institutions.

Second, the negotiation becomes visible in the selective legal engagement of local religious authorities. Interview data with ulama informants confirmed that they consciously adopt *fiqh* positions regarding *qiwāmah* (husband leadership) and women’s participation in public life that are considered compatible with the pillar of *nengah nyappur* (social participation). One ulama explained:

“...A wife working is not forbidden as long as she maintains family dignity and there is mutual understanding within the

²⁴ Alimuddin, “Personal Interview,” 2025.

household. Today, many women become teachers or civil servants, and this is already part of our social reality..."²⁵

In practice, local religious authorities prioritise fiqh interpretations that allow wives to work and contribute economically to the household, viewing such participation not as a violation of domestic obligations but as part of maintaining collective family honour (*piil*). This selective engagement is not perceived as a departure from Sharia, but rather as a contextual application of the principle of *'urf*, which enables Islamic law to remain adaptive to the socio-economic realities of Lampung society.

The negotiation between custom and Sharia is also reflected in the implementation of *uang jujur* (customary wedding gift) alongside the formal *mahar*. Although normative fiqh only requires *mahar*, Lampung communities continue to practice *uang jujur* as a symbol of *juluk adek* (titled dignity) and family honour. In this context, fiqh provisions are not applied rigidly according to classical texts, but are interpreted through the values of *Piil Pesenggiri*, which emphasise honour, responsibility, and social harmony. As a result, marriages are expected to achieve not only religious validity but also social legitimacy within the *marga* and customary community.

Third, a more nuanced analysis reveals that this negotiation is not free from tension. The pressure to maintain *juluk adek* initially functioned as a barrier for wives seeking legal protection through formal Islamic legal channels. Public acknowledgement of marital failure was perceived as bringing collective shame (*liom*) to the entire lineage. One female informant stated:

"...Sometimes women endure household problems because exposing them publicly would embarrass the whole family.

In our custom, family dignity must be protected..."²⁶

Similarly, a customary leader explained:

"...When divorce becomes public knowledge, it is not only the husband and wife who feel ashamed, but also the extended family. That is why elders usually try to reconcile them first..."²⁷

²⁵ Abdul Mujib, "Personal Interview," 2025.

²⁶ susi, "Personal Interview," 2025.

²⁷ Adam Amir, "Personal Interview," 2025.

Wahyu Abdul Jafar...

16

These findings demonstrate the ambivalent role of *Piil Pesenggiri*. On the one hand, it strengthens reconciliation and family cohesion; on the other hand, it may create social pressure that delays or limits access to formal legal remedies. In this sense, customary honour does not merely accompany *fiqh munākahāt*, but also shapes the timing and social acceptability of legal action. Furthermore, the negotiation between *Adat* and Sharia becomes visible in the everyday practice of marital obligations. Interview data show that *qiwāmah* is not exercised solely as decision-making authority, but is socially measured by the husband's ability to protect family dignity, maintain respectful conduct, and mediate conflicts within the wider kinship network. As one customary elder stated:

"...A husband is respected not because he is the absolute ruler of the family, but because he can protect, guide, and maintain the dignity of his household in society..."²⁸

Likewise, *nafkah* is understood not only as material provision, but also as participation in customary gatherings, family emergencies, and collective ceremonial obligations that symbolise commitment to household honour. At the relational level, *mu'āsarah bi al-ma'rūf* is practiced through negotiated role-sharing. Several female informants reported contributing to household income and participating in family decisions while husbands retained representational authority in adat forums. One married informant explained:

"...Today, wives also help earn income and participate in family decisions. What matters is maintaining mutual respect and preserving the family's honour together..."²⁹

These patterns indicate that *fiqh* concepts are not applied textually, but are continuously reinterpreted through *Piil Pesenggiri* into socially recognisable forms of responsibility, reciprocity, and collective dignity.

28

Overall, the results of this study show that the relationship between *Piil Pesenggiri* and *fiqh munākahāt* in Lampung society is not mutually affirming, but is intertwined in a dialogical and negotiable relationship. Customary values are not positioned as a counterpart to Sharia, let alone as a substitute for Islamic norms, but instead serve as

²⁸ Edo, "Personal Interview," 2025.

²⁹ kyla, "Personal Interview," 2025.

1

a cultural medium that allows Islamic teachings to be understood, internalised, and practised in a more grounded manner. In daily life, the people of Lampung do not strictly separate "customs" and "religion", but view the two as a unit of values that reinforce each other in regulating family life.³⁰

The negotiation is reflected in the community's selective attitude in choosing *fiqh* references that align with their social needs. For example, multiple ulama informants acknowledged that they consciously choose *fiqh* positions regarding the scope of *qiwāmah* (husband leadership) and the wife's permission for employment that are most compatible with the pillar of *nengah nyappur* (social participation). In practice, these religious authorities prioritise *fiqh* interpretations that allow wives to work as teachers or professionals, viewing such roles not as a violation of domestic duty but as a contribution to the family's collective *piil* (honour). Another concrete example is the implementation of *uang jujur* (customary wedding gift) alongside the formal *mahar*. While normative *fiqh* only requires the *mahar*, the community selectively adopts *fiqh* views that treat these additional customary gifts as valid expressions of *juluk adek* (titled dignity), thereby ensuring that the marriage gains both religious validity and social legitimacy within the *marga* (clan). The provisions of *fiqh* are not applied literally and rigidly as stated in the classical books but are practised through the lens of *Piil Pesenggiri* values that emphasise honour, moral responsibility, and social harmony.³¹ In this context, *fiqh* does not lose its normative substance, but undergoes a process of contextualisation to be in harmony with the social and cultural reality of the people of Lampung.

The negotiation is also reflected in the community's selective attitude in choosing *fiqh* references. Rather than consciously adhering to a single formal *madhhab*, Lampung Muslim families tend to practice

³⁰ Muhtadin Muhtadin and Nesia Mu'asyara, "Unsur Piil Pesenggiri Dalam Tradisi Ngelemang Pada Masyarakat Adat Lampung Barat," *Hikmah: Jurnal Studi Pendidikan Agama Islam* 1, no. 3 (September 2024): 01-11, <https://doi.org/10.61132/hikmah.v1i3.94>.

³¹ Muhammad Madehin Nashih, "Sociological Analysis of Islamic Law on the Relationship between Adat Law, Ethics, and Human Rights in the Context of Modern Indonesia," *Law and Judicial Review* 1, no. 2 (October 2025): 90-108, [https://doi.org/10.70764/gdpu-ljr.2025.1\(2\)-08](https://doi.org/10.70764/gdpu-ljr.2025.1(2)-08).

Wahyu Abdul Jafar...

fiqh interpretations that have been socially mediated by local religious authorities and are perceived as compatible with *Piil Pesenggiri* values and everyday communal needs. In this sense, engagement with *fiqh* is not primarily doctrinal but practical, and culturally filtered through inherited patterns of customary legitimacy. This choice is not always realised as a theoretical action but rather as a social practice inherited and learned from generation to generation.³² Thus, *fiqh munākahāt* exists not as an abstract doctrine, but as a flexible and contextual guideline of life. Within the framework of living Islamic family law, which refers to Islamic family law as it is socially practiced, interpreted, and negotiated in everyday life rather than merely understood as a formal doctrinal text, these findings confirm that a dynamic interaction among normative texts, social practices, and local values shapes Islamic family law in Lampung. In this perspective, Islamic family law is viewed not only as a set of *fiqh* regulations or state legal provisions, but also as a living social reality continuously mediated through cultural traditions, communal ethics, and local understandings of justice and family relations. The *fiqh* texts provide a legal framework and religious legitimacy, while *Piil Pesenggiri* gives social and moral meaning to their implementation. These interactions result in family law practices that are not only normatively valid but also socially accepted and respected. Law, in this sense, does not stop as a written rule, but rather lives and works in the daily life of society.³³

Piil Pesenggiri operates as a concrete source of social legitimacy because compliance with marital obligations is continuously evaluated within the communal framework of family *honour*. Field interviews show that husbands who neglect financial support or publicly display harsh treatment toward their wives are not judged merely as violating Islamic obligations, but as bringing shame (*liom*) upon the wider lineage. As one customary elder explained:

³² Bagus Putra Setiawan et al., "Penerapan Nilai Piil Pesenggiri Bagi Generasi Muda Di Era Globalisasi Ditinjau Dari Perspektif Sosiologi Hukum," *SOSMANIORA: Jurnal Ilmu Sosial Dan Humaniora* 4, no. 1 (March 2025): 89–98, <https://doi.org/10.55123/sosmaniora.v4i1.4938>.

³³ Sari Aprina, Isnaeni Ahmad, and Hendro Boko, "Living Qur'an: Nilai Filosofis Piil Pesenggiri Pada Tradisi Masyarakat Lampung Di Kecamatan Anak Tuha," *QOLAMUNA: Jurnal Studi Islam*, July 3, 2025, <https://repository.radenintan.ac.id/38883/>.

"...If a husband fails to provide for his wife or treats her harshly in public, people do not only blame him personally. The whole family feels ashamed because he is seen as unable to protect the dignity of his household...."³⁴

Similarly, a community figure stated:

"...In our society, a man is respected not only because he earns money, but because he can maintain good behaviour toward his wife and family. If he humiliates his wife in public, it becomes a disgrace for the extended family..."³⁵

Likewise, wives are socially encouraged to preserve household harmony because domestic failure is perceived as diminishing collective dignity. Under these reputational pressures, adherence to fiqh munākahāt is maintained not only by formal legal awareness but also by the persistent fear of communal embarrassment, family intervention, and customary disapproval. In this sense, *Piil Pesenggiri* functions as a tangible moral control mechanism embedded in everyday social surveillance.³⁶

Furthermore, the negotiation between custom and Sharia becomes visible in the concrete way marital obligations are practiced rather than merely in doctrinal statements. Interview data show that *qiwāmah* is not exercised solely as decision-making authority, but is socially measured by the husband's ability to protect the family's public dignity, mediate disputes among relatives, and maintain respectful conduct in communal settings. Likewise, *nafkah* is understood not only in terms of routine material provision, but also through the husband's visible willingness to contribute during customary gatherings, family emergencies, and collective ceremonial obligations, all of which signify commitment to the household's *piil*. At the relational level, *mu'āsyarah bi al-ma'rūf* is practiced through negotiated role-sharing: several female informants reported

³⁴ Hamid, "Personal Interview," 2025.

³⁵ Buyung, "Personal Interview," 2025.

³⁶ M. Nafi Nur Farid, Bintarsih Sekarningrum, and Aditya Candra Lesmana, "Internalisasi Falsafah Nengah Nyappur Pada Nilai Piil Pesenggiri Sebagai Upaya Menjaga Kerukunan Antar Suku Di Kabupaten Pesawaran," *Sosioglobal : Jurnal Pemikiran dan Penelitian Sosiologi* 9, no. 2 (June 2025): 211–28, <https://doi.org/10.24198/jsg.v9i2.60749>.

Wahyu Abdul Jafar...

participating in income generation and family decisions, while husbands retained representational authority in *adat* forums. These patterns indicate that *fiqh* concepts are not applied textually but are reworked. *Piil Pesenggiri* is translated into everyday social practices that emphasise responsibility, mutual care, and the preservation of family honour. In practice, it shapes how marital roles are understood and performed within the household and the wider community. Responsibility is not only defined in legal or formal terms, but is expressed through the expectation that both husband and wife actively contribute to maintaining the well-being and dignity of the family.³⁷

The findings of this study also show that the negotiation of customary and Sharia values occurs dynamically, in response to social changes. Changes in gender roles, women's increasing participation in income generation, and shifting household economies have altered the practical application of both *Piil Pesenggiri* values and *fiqh* norms. In many families, wives now contribute to household finances and participate in domestic decision-making, while husbands retain responsibility for preserving family honour and representing the household in customary relations. As a result, *qiwāmah* is practiced less as exclusive economic control and more as moral accountability, whereas household harmony is maintained through shared negotiation rather than rigid role separation. However, these changes do not necessarily negate traditional values; instead, they encourage reinterpretation to remain relevant to contemporary conditions. Thus, *Piil Pesenggiri* functions as an adaptive value framework rather than a static tradition.³⁸

In resolving family conflicts, customary and Sharia-based negotiations are becoming increasingly visible. The *fiqh* principles of peace (*ṣulh*), justice, and benevolence are practised through customary mechanisms that emphasise deliberation and the restoration of honour.³⁹ This process shows that Islamic family law does not

³⁷ Muhammad Alif Al Haris, "Sesan Makna Dan Tradisi Seseherahan Dalam Perkawinan Adat Lampung," *Journal of Social and Communication (JSC) Terekam Jejak* 1, no. 2 (November 2025): 19–30.

³⁸ Rustam, "Personal Interview."

³⁹ Danda Meri Aprisa, "Implementasi Nengah Nyappur Dalam Tradisi Cangget Agung Masyarakat Lampung," *Oriental: Jurnal Kajian Mutu*

continuously operate through formal channels but often through social spaces shaped by local values. Adat, in this case, does not obscure Islamic law, but instead expands its workspace.⁴⁰

This discussion also answers the research question that the value of *Piil Pesenggiri* actually constructs the practice of *fiqh munākahāt* in Lampung through three main domains. *First*, in the formation of marriage ethics, *Piil Pesenggiri* provides a moral framework that emphasises honour, responsibility, and long-term commitment. These ethics are the basis for married couples in building a stable and dignified household. Within marital relations, *Piil Pesenggiri* mediates understanding of rights and obligations to avoid being trapped in hierarchical, unequal relationships. Customary values encourage a balance between authority and responsibility, and place household harmony as the primary goal. This relationship is not always egalitarian in the modern sense, but is negotiable and contextual according to the social conditions of each family.

Second, in the arrangement of husband-and-wife relationships, *Piil Pesenggiri* mediates understanding of rights and obligations to avoid being trapped in hierarchical, unequal relationships. Customary values encourage a balance between authority and responsibility, and place household harmony as the primary goal. This relationship is not always egalitarian in the modern sense, but is negotiable and contextual according to the social conditions of each family.

Third, in resolving family conflicts, *Piil Pesenggiri* functions as a bridge between fiqh norms and social reality. Conflicts are not brought directly into the realm of formal law; they are first resolved through customary mechanisms that emphasise peace and the restoration of relations. This approach shows that Islamic family law in Lampung functions as a living, responsive, and community-rooted system.

This finding shows that local wisdom, namely *Piil Pesenggiri*, is not a mere residue of tradition to be set aside in the development of Islamic law. Rather, it is an important resource for building a

Pendidikan 1, no. 1 (March 2025): 27–31, <https://doi.org/10.23960/oriental.v1i1.1213>.

⁴⁰ “Examining *Piil Pesenggiri* Philosophy of Life Concept in the Context of Religious Moderation,” *Analisis: Jurnal Studi Keislaman* 22, no. 1 (June 2022): 133–52, <https://doi.org/10.24042/ajsk.v22i1.12445>.

Wahyu Abdul Jafar...

contextual, inclusive, and relevant Islamic family law. The integration between customs and Sharia is not a form of compromise that weakens religious norms, but a cultural strategy that enhances the practical efficacy of Islamic law.⁴¹

The practice of Islamic family law in Lampung can be understood as a continuous process of negotiation among texts, values, and social realities. *Piil Pesenggiri* not only maintains the cultural identity of the people of Lampung, but also contributes to the formation of a more humanistic and just practice of *fiqh munākahāt*.⁴² These findings open up greater space for reflection on the development of Islamic family law in Indonesia, especially in responding to the cultural diversity and social dynamics of contemporary Muslim society.

Table 1. Negotiation of the Value of *Piil Pesenggiri* and *Fiqh munākahāt* in the Practice of Islamic Family Law in Lampung

Practice Areas	Norms of <i>Fiqh munākahāt</i>	The Value of <i>Pesenggiri Piil</i>	Form of Negotiation
Marriage Etiquette	The Validity of Akad, Wali, and Dowry	Family and community honour	Marriage is understood as a religious and social event that maintains the dignity of the family.
Husband and Wife Relations	Qiwāmah, nafkah, mu'asyarah bi al-ma'rūf	Moral responsibility and harmony	Husband's leadership is interpreted as an ethical responsibility, a partnership relationship.
Conflict Resolution	Ṣulḥ, divorce as a last resort	Maintain self-esteem and a good name	Conflicts are resolved through customary deliberation before formal legal mechanisms.
Legal Compliance	Religious obligations	Shame and social control	Custom-based social sanctions strengthen

⁴¹ Novri Rahman and Muarafa Nur Afif, "Revitalisasi Nilai-Nilai Piil Pesenggiri Sebagai Kearifan Lokal Dalam Ketahanan Budaya Lampung," *Advances In Education Journal* 2, no. 2 (October 2025): 910-16.

⁴² Muhtadin and Mu'asyara, "Unsur Piil Pesenggiri Dalam Tradisi Ngelemang Pada Masyarakat Adat Lampung Barat," September 2024.

Practice Areas	Norms of <i>Fiqh munākahāt</i>	The Value of <i>Piil Pesenggiri</i>	Form of Negotiation
Legal Character	Normative-textual norms	The value of life in society	legal compliance Islamic family law operates as living Islamic family law

Source: Author's Interpretation

The table briefly describes the negotiation process between the norms of *fiqh munākahāt* and the value of *Piil Pesenggiri* in the practice of Islamic family law in Lampung society. It shows that Islamic legal provisions are not applied solely in a textual manner but are continuously interpreted and implemented within a customary framework that emphasises honour, moral responsibility, and social harmony. In marriage ethics, marital relations, and family conflict resolution, *Piil Pesenggiri* functions as a mechanism for internalising religious norms and strengthening the social legitimacy of Sharia.

However, field data also reveal that this process is not entirely ideal or without tension. In several cases, the strong emphasis on maintaining family honour (*piil*) produces unintended constraints in the implementation of Islamic legal rights. For example, the obligation to preserve collective dignity sometimes discourages individuals—particularly women in vulnerable marital situations—from pursuing formal legal remedies through Religious Courts, as public exposure of domestic conflict is perceived as bringing shame to the extended family. In other instances, social pressure to prioritise reconciliation may delay the enforcement of legal protections, even when rights have been clearly violated. These findings indicate that *Piil Pesenggiri* does not only function as a harmonising force, but also operates as a form of social regulation that can both support and limit access to formal justice.

Thus, compliance with Islamic family law in Lampung is not solely shaped by legal-formal awareness, but also by social expectations embedded in customary honour systems. This dual function of *Piil Pesenggiri*—as both a mechanism of social integration and a potential source of constraint—demonstrates that Islamic family law in this context operates as a living law that is adaptive, contextual, and deeply rooted in the cultural realities of Lampung society, while also containing internal tensions that must be critically acknowledged.

Wahyu Abdul Jafar...

Conclusion

This study demonstrates that the customary values of *Piil Pesenggiri* are negotiated with Sharia principles through a continuous process of social interpretation and contextual adaptation in shaping the contemporary practice of Islamic family law in Lampung society. Rather than operating in a dichotomous relationship, both systems interact in a dialogical manner, where fiqh principles such as marital obligations, reconciliation (*ṣulh*), and *qiwāmah* are reinterpreted in light of customary values that emphasise honour, collective dignity, and moral responsibility. This negotiation is evident in marriage procedures, marital relations, and conflict resolution practices, where customary mechanisms often mediate the application of Islamic legal norms, making them more socially grounded and culturally acceptable within the community. Furthermore, the study finds that *Piil Pesenggiri* actively constructs and influences the practice of *fiqh munākahāt* as a living Islamic family law in Lampung society. It functions not merely as a cultural backdrop, but as a normative force that shapes how marital roles, obligations, and responsibilities are understood and enacted in everyday life. Concepts such as *qiwāmah*, *nafkah*, and marital harmony are redefined through values of reciprocity, responsibility, and collective honour. However, this influence is ambivalent, as the same value system may also generate social pressure that discourages individuals, particularly women in vulnerable situations, from accessing formal legal remedies. Therefore, future research is recommended to further explore the gendered dimensions of this negotiation, particularly how women experience and navigate the tension between customary honour systems and formal Islamic legal protection in different socio-cultural contexts.

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