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by Muwaffiq Jufri 02004988

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Rokat Pandhaba Tradition as a Local Legal System from Clifford Geertz's Perspective in Madura

Abstract

This study aims to analyze the Rokat Pandhaba tradition within Madurese society as a local legal system, employing Clifford Geertz's interpretive-anthropological approach. It specifically explores the tradition's normative dimensions, enforcement mechanisms, and its interaction with legal pluralism in Indonesia. The study offers a theoretical contribution by expanding the understanding of Indonesian customary law through Geertz's thick description, as well as a practical contribution in the form of policy recommendations for the recognition of local legal systems within the framework of national legal pluralism. The research adopts a qualitative methodology using a legal ethnographic approach within an interpretive paradigm. Data were collected through participant observation, in-depth interviews, and documentation across several regions of Madura and analyzed using the thick description method. The findings reveal that Rokat Pandhaba functions as a local legal system characterized by normative elements (customary obligations), sanction mechanisms (both social and supernatural), and a structure of communal authority. This tradition regulates relationships among families, communities, and the spiritual realm, while simultaneously maintaining social order and collective solidarity. Rokat Pandhaba represents a form of living law that dynamically interacts with Islamic law and state law. Accordingly, this study recommends the formal recognition of local legal systems within national legal policy to strengthen an inclusive, context-sensitive model of legal pluralism.

Keywords: *Rokat Pandhaba; Local Legal System; Legal Pluralism; Madura*

Introduction

Ritual traditions in indigenous societies often function not merely as cultural or religious expressions but as normative frameworks that regulate social behavior, define moral obligations, and sustain communal order.[1] In many traditional communities, rituals operate as living institutions through which values,[2] responsibilities, and social expectations are produced, internalized, and enforced

[1] Agus Widjajanto, I Gde Pantja Astawa, and Muhammad Rulyandi, "Decolonising Restorative Justice in Indonesia: A Comparative Study Across Customary Law Traditions," *Legality : Jurnal Ilmiah Hukum* 33, no. 2 (September 10, 2025): 470–92, https://doi.org/10.22219/ljih.v33i2.40481.

[2] Ji Li et al., "State-of-the-Practice: Assessing Community Participation Within Chinese Cultural World Heritage Properties," *Habitat International* 96 (February 2020): 102107, https://doi.org/10.1016/j.habitatint.2019.102107.

across generations.[3] However, within modern legal discourse, particularly in postcolonial, state-centered legal systems, such traditions are frequently marginalized and reduced to symbolic or folkloric practices, rather than recognized as operative legal systems with regulatory authority.

This tension is clearly observable in Indonesia. Although the Constitution formally recognizes customary law communities, indigenous rituals and traditions are rarely conceptualized as part of the legal order. Instead, they are commonly positioned outside the domain of law, resulting in a persistent disjunction between formal state law and the living norms that effectively govern everyday social life at the local level. One salient example of this phenomenon is the *Rokat Pandhaba* tradition practiced by Madurese communities.[4]

In Sumenep Regency, particularly in Aengmerah Village, Batuputih District, Rokat Pandhaba continues to be actively preserved and practiced. Based on intergenerational knowledge, the ritual is performed for children categorized as pandhaba, who are believed to be vulnerable to negative spiritual entities or metaphysical threats that may endanger their well-being. Yet, *Rokat Pandhaba* is not merely understood as a ritual of spiritual protection. Local interpretations emphasize its broader functions in maintaining family harmony, economic stability, and collective welfare within the community.[5]

From the perspective of family institutions, *Rokat Pandhaba* plays a role that extends beyond metaphysical concerns. According to testimonies from ritual practitioners such as Juwairiyah, the performance of *Rokat Pandhaba* is believed to prevent familial conflict, tension, and disharmony among household members.

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[3] Dede Darisman et al., "The Values Developed In Shaping The Religious Character of the Kuta Traditional Community in Ciamis Regency," *Fikroh: Jurnal Pemikiran Dan Pendidikan Islam* 18, no. 3 (2025): 516–32, https://doi.org/10.37812/fikroh.v18i3.2156.

[4] Istigfariyah Ramadhani, Istifadhah Wafiqotul Jamilah, "Analisis Ritual Rokat Pandhaba Di Batu Putih Desa Gadang-Gadang," *Jurnal Media Akademik Publisher* 2, no. 6 (2024): 3031–5220, https://doi.org/https://doi.org/10.62281/v2i6.560.

[5] Jamiatul Hasanah and Wisri Wisri, "Interaksi Simbolik Tradisi Pandhaba Di Situbondo," *Maddah : Jurnal Komunikasi Dan Konseling Islam* 3, no. 2 (July 2021): 107–13, https://doi.org/10.35316/maddah.v3i2.1336.

Through ritual participation, families gain both social and spiritual recognition for fulfilling their moral responsibility to safeguard the child and household. This process strengthens emotional bonds within the family and cultivates a collective sense of responsibility, reinforcing norms of mutual care and protection.[6]

Economically, *Rokat Pandhaba* is perceived as a medium for generating barakah (blessing) and prosperity. The involvement of extended family members and the wider community fosters social solidarity manifested through collective labor, material assistance, and communal prayer. Such participation expands social and economic networks, thereby improving household welfare. Moreover, the belief that *Rokat Pandhaba* brings good fortune reinforces work ethic, social integrity, and conflict-avoidance, which directly support family livelihoods and economic resilience. These dynamics illustrate the close interconnection among spiritual belief, social relations, and economic life in Madurese society, situating Rokat Pandhaba within what may be understood as an embedded economy, in which economic activities are inseparable from social and moral relations.[7]

Despite its multifaceted normative functions, existing scholarship has largely approached *Rokat Pandhaba* from non-legal perspectives. Hasanah and Wisri (2021) analyze the ritual through symbolic interactionism, emphasizing meaning-making and social interaction, yet they do not examine its regulatory capacity.[8] Istifadhah et al. (2024) document ritual stages and moral messages but stop short of theorizing *Rokat Pandhaba* as a system of social regulation.[9] Syaifullah (2025), employing Malinowskian functionalism, highlights the ritual's integrative role yet reduces it to a mechanism of social equilibrium rather than a source of binding

[6] Badrul Munir Chair, "Dimensi Kosmologis Ritual Rokat Pandhaba Pada Masyarakat Madura," *Jurnal SMART (Studi Masyarakat, Religi, Dan Tradisi)* 6, no. 1 (June 2020): 127–41, https://doi.org/10.18784/smart.v6i1.952.

[7] Arman and Rahmat Hidayat, "Educating through Ritual: Rokat Bar-Lobaran as the Educational Heritage of the Madurese Society," *Journal of Social Studies and Education* 3, no. 2 (October 13, 2025): 71–86, https://doi.org/10.61987/jsse.v3i2.669.

[8] Jamiatul Hasanah and Wisri Wisri, "Interaksi Simbolik Tradisi Pandhaba Di Situbondo."

[9] W Jamilah and I Ramadhani, "Analisis Ritual Rokat Pandhaba Di Batu Putih Desa Gadang-Gadang," *Jurnal Media Akademik*, 2024, https://doi.org/https://doi.org/10.62281/v2i6.560.

norms.[10] Wahyudi (2024), drawing on Victor Turner's ritual theory, focuses on liminality and communitas while leaving the legal dimension unexplored.[11] Meanwhile, Zulkarnaen and Husna (2022) assess *Rokat Pandhaba* from an Islamic creed perspective, focusing on theological legitimacy rather than normative governance.[12]

Taken together, these studies reveal a consistent pattern: *Rokat Pandhaba* has been extensively examined as a cultural, symbolic, functional, ritual, and theological phenomenon, yet it has not been systematically conceptualized as a local legal system.[13] The legal dimension of the ritual, how norms are produced, legitimized, internalized, and enforced through symbolic practice, remains largely unexplored. This constitutes a significant research gap, particularly within the broader discourse of legal pluralism, which calls for recognition of non-state normative orders as integral components of legal life.

To address this gap, this study adopts Clifford Geertz's interpretive anthropology, which conceptualizes culture as a "web of meanings" and emphasizes thick description as a method for uncovering the internal logic of social practices.[14] Applying Geertz's framework enables *Rokat Pandhaba* to be understood not merely as ritual performance but as a system of meaning that generates binding norms, moral expectations, and mechanisms of compliance. Thus, the novelty of this

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[10] Muhammad Syaifullah, "Adat Rokat Pandhaba Sebagai Upaya Menjaga Keselamatan Anak Perspektif Fungsionalisme Bronislaw Malinowski: Studi Kebudayaan Masyarakat Madura Di Desa Gapura Barat, Kec. Gapura, Kabupaten Sumenep" (UIN Maulana Malik Ibrahim Malang, 2025), https://etheses.uin-malang.ac.id/80748/1/220201220005.pdf.

[11] R Wahyudi, "Upacara Rokat Pandhaba Pada Masyarakat Desa Gapura Tengah Sumenep Madura Jawa Timur" (Universitas Islam Negeri Sunan Kalijaga, 2024), https://digilib.uin-suka.ac.id/id/eprint/66553/.

[12] Iskandar Zulkarnaen and Nadiatul Husna, "Ritual Rokat Pandhaba Sebagai Warisan Kearifan Lokal Dalam Tinjauan Aqidah Islamiyah: Studi Kasus Di Dusun Aeng Bato Desa Kapedi Kecamatan Bluto Kabupaten Sumenep," *El-Waroqoh: Jurnal Ushuluddin Dan Filsafat* 6, no. 1 (2022), https://doi.org/http://dx.doi.org/10.28944/el-waroqoh.v6i1.1494.

[13] Syaifullah, "Adat Rokat Pandhaba Sebagai Upaya Menjaga Keselamatan Anak Perspektif Fungsionalisme Bronislaw Malinowski: Studi Kebudayaan Masyarakat Madura Di Desa Gapura Barat, Kec. Gapura, Kabupaten Sumenep."

[14] Ben White, "Clifford Geertz: Singular Genius of Interpretive Anthropology," *Development and Change* 38, no. 6 (November 2007): 1187–1208, https://doi.org/10.1111/j.1467-7660.2007.00460.x.

research lies in a conceptual idea that positions *Rokat Pandhaba* as a form of living law that operates alongside, and sometimes independently of, formal state law in Madura. Such a pattern will have implications for strengthening compliance among the Madurese with local law. By reconceptualizing *Rokat Pandhaba* as a local legal system, this study contributes to socio-legal scholarship by bridging anthropology and law, enriching debates on legal pluralism, and advancing a culturally grounded understanding of normative governance in Indonesia.

Methods

This study adopts an empirical legal research design within a socio-legal and legal anthropological framework,[15] integrating Clifford Geertz's interpretive approach. Empirical legal research is employed to examine law as it operates in social reality (law in action), rather than as a purely normative or doctrinal system (law in books). The research focuses on *Rokat Pandhaba*, a form of living law practiced in Aengmerah Village, Batuputih District, Sumenep Regency, where customary norms regulate family responsibilities, social conduct, and collective obligations. This approach enables the study to analyze how legal norms are produced, legitimized, and enforced through ritual practices within a local community context.

Data collection was conducted using empirical legal research techniques, including in-depth interviews, participant observation, and document analysis.[16] Interviews involved ritual practitioners, customary elders, religious leaders, and families who have performed *Rokat Pandhaba*, selected through purposive sampling based on their direct involvement and normative authority within the community. Participant observation allowed the researcher to directly observe ritual performances, patterns of compliance, and social sanctions associated with

[15] Carlo Pennisi, "Legal Culture and Empirical Research," *Oñati Socio-Legal Series* 12, no. 6 (December 1, 2022): 1347–57, https://doi.org/10.35295/osls.iisl/0000-0000-0000-1323.
[16] Sulistyowati Irianto, "Enriching Legal Studies with Socio-Legal Research," in *Advancing Rule of Law in a Global Context* (London: CRC Press, 2020), 196–209, https://doi.org/10.1201/9780429449031-25.

adherence to or neglect of the ritual. Document analysis included local customary narratives, community records, and relevant statutory and constitutional provisions concerning the recognition of customary law in Indonesia. This multi-source data collection ensures that the study captures both normative expectations and their practical implementation.[17]

Data analysis follows an interpretive-empirical analytical strategy, combining empirical legal analysis with Geertz's method of thick description. Rather than testing legal norms against formal statutes, the analysis interprets ritual symbols, narratives, and practices to uncover their legal meanings, normative structures, and enforcement mechanisms.[18] Through iterative coding and contextual interpretation, the study identifies how *Rokat Pandhaba* generates obligations, defines sanctions, and regulates social behavior, and how this local legal system interacts with formal state law. Analytical rigor is ensured through data triangulation, reflexive analysis, and consistency between empirical findings and socio-legal theory, allowing the study to contribute substantively to debates on legal pluralism and empirical legal scholarship.

Discussion

Konseptualisasi *Rokat, Ruwat* and *Rituals*

In various regions of Indonesia, local traditions preserve a treasury of meaning rooted in spiritual beliefs, customary norms, and social construction.[19] Two traditions that endure remain. Rokat is developing in Madura, and *Ruwat* originates from Java.[20] Both traditions use equality as a mechanism of spiritual protection, but

[17] Sidi Ahyar Wiraguna, "Metode Normatif Dan Empiris Dalam Penelitian Hukum: Studi Eksploratif Di Indonesia," *Public Sphere: Jurnal Sosial Politik, Pemerintahan Dan Hukum* 3, no. 3 (2024), https://doi.org/10.59818/jps.v3i3.1390.
[18] Simon Susen, "The Interpretation of Cultures: Geertz Is Still in Town," *Sociologica* 18, no. 1 (2024): 23–63, https://doi.org/10.6092/issn.1971-8853/18664.
[19] Dewa Agung Gede Agung et al., "Local Wisdom as a Model of Interfaith Communication in Creating Religious Harmony in Indonesia," *Social Sciences & Humanities Open* 9 (2024): 100827, https://doi.org/10.1016/j.ssaho.2024.100827.
[20] Ach. Riadi, "Tradition of Rokat Pandhabâ Pangantanan," *Journal of Islamic History* 1, no. 2 (December 2021): 200–220, https://doi.org/10.53088/jih.v1i2.146.

each has unique characteristics that reflect the identity of the culture and community.[21] To study both comprehensively, an understanding within the framework of universal ritual theory as described by scholars and social scientists such as Durkheim, Victor Turner, Clifford Geertz, and Catherine Bell is required.[22]

From an etymological perspective, the term rokat in Madurese means "to clean " or "to purify".[23] This meaning is closely related to the belief in Madurese society that humans, institutions, families, or the environment can be exposed to negative impacts, such as evil spiritual entities, illnesses, or misfortunes that require a cleansing process. In its implementation, *rokat* is a procession of customs held to ward off disaster, foster family resilience, ask for protection, and seek *ngalap berkah* (blessings) for individuals and community groups.[24] Manifestations of rokat vary greatly, ranging from *rokat tase*' (sea) and *Rokat bhuju'* (*mountain*) to *rokat pandhaba*, intended to protect children *from* danger.[25]

Rokat is not merely a spiritual procession but also a manifestation of identity and culture in Madurese society. Through the implementation of Rokat, social cohesiveness is maintained as the public gathers, collaborates, and actualizes shared values.[26] Thus, *Rokat's* own multidimensional function is as a mechanism of spiritual

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[21] I Wayan Dana et al., "The Mamaca Text with a Pandawa Story for Rokat Pandhaba," in *Proceedings of the 1st International Conference on Interdisciplinary Arts and Humanities* (SCITEPRESS - Science and Technology Publications, 2019), 404–9, https://doi.org/10.5220/0008765604040409.

[22] Komang Ariyanto, "Anthropology Of Cultural Transformation I: Togetherness And Separation (Xudong Zhao)," *Paradigma: Jurnal Kajian Budaya* 15, no. 2 (August 2025): 400–404, https://doi.org/10.17510/paradigma.v15i2.1616.

[23] Lely Virma Karuniya and M. Shoim Anwar, "Representasi Nilai Dan Kultur Madura Dalam Kumpulan Cerpen Rokat Tase' Karya Muna Masyari," *Jurnal Ilmiah Fonema* 5, no. 1 (August 2022): 29–39, https://doi.org/10.25139/fn.v5i1.4622.

[24] Agustina Dewi Setyari et al., "Character Education for the Young Generation Through the Mamaca Madura School In Situbondo Regency," *Program Mahasiswa Kreatif* 6, no. 2 (December 2022): 457, https://doi.org/10.32832/jurma.v6i2.1605.

[25] Hosen Hose and Moh. Faizi, "Legalization of Pre-Marriage Agreement Pandhābā from Islamic Law Perspective," *Jurnal Mahkamah : Kajian Ilmu Hukum Dan Hukum Islam* 5, no. 2 (December 2020): 147–64, https://doi.org/10.25217/jm.v5i2.1017.

[26] Mujibur Rohman, Abd Haris, and Supandi Supandi, "Rokat Bhelione: Memaknai Tradisi Local Wisdom Masyarakat Pamekasan Saat Anggota Keluarga Meninggal Dunia," *Al-Ulum Jurnal Pemikiran Dan Penelitian Ke Islaman* 11, no. 3 (July 2024): 347–58, https://doi.org/10.31102/alulum.11.3.2024.347-358.

protection, a unifier of social instruments, a reinforcement of identity, and even a maintenance medium for family harmony and household economic blessings.

In the context of Javanese tradition, the term "cleansing" is sourced from Old Javanese and means "to let go " or "to liberate" from a threat. Javanese society believes that certain conditions, such as sukerta, fate, status, misfortune, or bad luck, are attached to an individual (for example, a child born at the same time as such conditions, or a child with special conditions).[27]

Koentjaraningrat (1990) defines cleansing as a ritual of liberation from sukerta, generally performed through a procession, such as the show-puppet skin, Murwakala, which contains prayer and spiritual symbolism. Clifford Geertz (1960) in *The Religion of Java* views cleansing as a synthesis of elements of religion, mythology, cosmology, and customary local practices that represent the syncretism of Javanese culture.[28] The primary function of *ruwatan* is psychological and social. From a psychological perspective, individuals or families who undergo cleansing experience a sense of soul peace and a feeling that the threat has disappeared. From the social dimension, Ruwatan serves as validation that categorizes individuals; Sukerta is now free from the burden of bad fate, so that it can be fully accepted by society.[29]

Furthermore, rituals are universally conceptualized as symbolic practices carried out repeatedly, sacred, and having social and spiritual functions.[30] The table below shows some of the opinions of scientists on this matter:

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[27] Darmoko Darmoko, "Ruwatan: Upacara Pembebasan Malapetaka Tinjauan Sosiokultural Masyarakat Jawa," *Makara Human Behavior Studies in Asia* 6, no. 1 (June 2002): 30, https://doi.org/10.7454/mssh.v6i1.29.

[28] Dudy Imanuddin Effendi, "'The Religion of Jawa' Karya Clifford Geertz," *"The Religion of Jawa" Karya Clifford Geertzrtz*, 2020, 52–63.

[29] Syabbul Bachri, Roibin Roibin, and Ramadhita Ramadhita, "Sociological Dimensions of the Application of Islamic Inheritance in Indonesia," *Justicia Islamica* 21, no. 1 (June 2024): 63–86, https://doi.org/10.21154/justicia.v21i1.8707.

[30] Chrystabel Butler, Natasha Michael, and David Kissane, "Reclaiming Ritual in Palliative Care: A Hermeneutic Narrative Review," *Palliative and Supportive Care* 23 (January 27, 2025): e49, https://doi.org/10.1017/S1478951524001767.

Table 1. The Opinions of Scholars on the Universality of Rituals in Local Legal Traditions

No	Scholar	Seminal Work	Concept of Ritual	Key Characteristics
1	Émile Durkheim	The Elementary Forms of Religious Life	Ritual as collective action consolidating religious solidarity and maintaining social order	1) Strengthens collective conscience; 2) Reinforces social cohesion Maintains moral regularity; 3) Expresses shared beliefs and values; 4) Functions to integrate society
2	Victor Turner	The Ritual Process: Structure and Anti-Structure	Ritual as a symbolic process marking transitions and creating communitas	1) Marks life transitions (rites of passage); 2) Contains rich cultural symbols; 3) Creates emotional bonds (*communitas*); 4) Transforms social status; 5) Mediates structure and anti-structure
3	Clifford Geertz	The Interpretation of Cultures	Ritual as "symbolic drama" expressing cultural meaning systems	1) Functions as a cultural text; 2) Expresses webs of significance; 3) Requires thick description interpretation; 4) Reveals worldview and ethos; 5) Communicates cultural meanings
4	Catherine Bell	Ritual Theory, Ritual Practice	Ritual as "cultural strategies" regulating social action and power relations	1) Ritualization as strategic practice; 2) Reproduces social identity; 3) Maintains and negotiates power; 4) Constructs reality through practice; 5) Embodies and performs culture

***Source**: Compiled by the author based on several references*

Simply put, the views of these scientists can be understood in the following description:

1) Durkheim (1912) in The Elementary Forms of Religious Life emphasized that ritual is a form of action consolidating religious solidarity, social, and maintaining regularity collectively.[31]
2) Turner (1969) in The Ritual Process views ritual as a symbolic process that marks transition, containing symbols of culture, and gives birth to community or bonds emotionally between members of the public.[32]
3) Geertz (1973) in The Interpretation of Cultures characterized ritual as a " symbolic drama " that expresses systemic meaning in culture.[33]
4) Catherine Bell (1992) identifies rituals as " cultural strategies " that regulate social action, reproducing identity, and maintaining power relations in society.

In this case, rituals can be universally understood as a framework for analyzing practices, including *rokat* and *ruwat*, which, although contextually different, share local yet converging functions: maintaining spiritual, social, and cultural balance.

Historicity *Rokat Pandhaba* in Madurese society

Rokat Pandhaba is a treasury culture inheritance ancestor who has had a long-standing influence on life in Madurese society. Based on an understanding of Madurese cosmology, rokat functions as an instrument of society to create balance between the natural macro (world) and the natural micro (self), where *rokat* customs (in Javanese, *ruwat*) serve as a medium for expression, helping build a harmonious life.[34]

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[31] Ronjon Paul Datta and Tara H. Milbrandt, "The Elementary Forms of Religious Life: Discursive Monument, Symbolic Feast," *Canadian Journal of Sociology* 39, no. 4 (December 2014), https://doi.org/10.29173/cjs22189.
[32] Bryan S Turner, *Max Weber: From History to Modernity*, 1st Editio (Routledge, 2002), https://doi.org/10.4324/9780203163849.
[33] White, "Clifford Geertz: Singular Genius of Interpretive Anthropology."
[34] Saichul Anam, Yusuf Yusuf, and Abdul Karim, "Islamization of Javanese Ritual: Ruwat Santri as a Reflection of Interfaith and Cultural Harmony in Indonesia," *Harmoni* 24, no. 1 (June 30, 2025): 82–105, https://doi.org/10.32488/harmoni.v24i1.847.

From an etymological perspective, the term "rokat " comes from the Madurese language and means "selamatan " or "procession protection." While that, the name "*Pandhaba " (Madura) comes from the word "pandawa " (Javanese), namely The Five Pandavas, who are the central figures not separated in the narrative of the* Mahabharata in the Hindu-Buddhist era in Indonesia. Five brothers, consisting of Yudhistira, Bima, Arjuna, Nakula, and Sadewa, became protagonists in the Baratayuda War, opposing the Kauravas. Although *Pandava Lima* and Kaurava are cousins, they are depicted in conflict and fight over the throne of Hastinapura in the Baratayuda War.[35]

Historical ties to the epic Mahabharata indicate that the tradition of Rokat Pandhaba has deep roots in Nusantara civilization, especially during the Hindu-Buddhist period. This fact shows that the draft about fate, misfortune, and the effort of spiritual purification has become an integral part of the system of trust in Madurese society since ancient times.[36] In the system, traditional children who fall into the Pandhaba trusted category are believed to face a bad fate or become Batara Kala's target, so they need a specific procession to release them from the threat. This tradition has been passed down across generations by the community, especially in Karanganyar Village, District Kalianget, Sumenep Regency.

In the beginning, *rokat* viewed the belief as deviant because the public believed in their limitations in predicting the future, especially regarding suffering, disasters, danger, or disease. This limitation encourages the public to seek "protection " through *Rokat* by asking for "blessing " from believed ancestors, and they can still request help. Notes indicate that traditional *Rokat* underwent a significant transformation with the arrival of Islam in Madura. Gradually, the community realizes that in practice, traditional aspects are considered contrary to Islamic

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8 Panakajaya Hidayatullah, "Pagelaran Mamaca Dan Proses Menjadi Manusia Madura," *Musikolastika: Jurnal Pertunjukan Dan Pendidikan Musik* 2, no. 2 (December 2020): 105–20, https://doi.org/10.24036/musikolastika.v2i2.44.

[36] Ainur Rahman Hidayat et al., "The Ontological Meanings of Dhunnya: Principles of Socio-Religious Harmony in the Lives of Madurese Migrants in Malaysia," *Teosofi: Jurnal Tasawuf Dan Pemikiran Islam* 14, no. 2 (December 3, 2024): 119–42, https://doi.org/10.15642/teosofi.2024.14.2.119-142.

teachings. Therefore, this culture experienced a deep process of Islamization. As a consequence of these developments, Rokat has now become a ritual accepted by Madurese Muslims and has been transformed into an Islamic tradition, with prayers full of hope and asking for God's help, even though the spirits of ancestors remain as mediators who are "close " to God.

In the context of Sumenep's history and traditions, Rokat Pandhaba emerged as a response to society's uncertain life and the economic challenges it faced, with families whose members were categorized as *Pandhaba.* This tradition has become a mechanism for social transformation, turning "destiny bad " into hope for welfare through communal rituals involving all elements of the public.

Socio-Cultural Structure of Madurese Society

Research results show that traditional Rokat Pandhaba cannot be understood separately from the wider socio-cultural context of Madurese society. Madurese society has a hierarchical social structure, with respect for figures of authority such as kiai, blaters, and traditional elders. System.[37] The dominant values are *bhuppa, bhâhu-ghuru-rato* (father, mother, teacher, king), which emphasize obedience and respect for authority.[38] In this context, traditional *Rokat Pandhaba* functions as a mechanism for socialization, the transmission of values and culture, and the strengthening of social solidarity. Social research indicates that the Madurese have a complex cosmology, in which the world is understood as an arena for interaction among humans, spirits, ancestors, and supernatural powers. The concept *Pandhaba* Alone is rooted in beliefs about fate (destiny) and the need to guard the balance of the cosmos through rituals.

Research results indicate that there is a system-level classification in determining the Pandhaba category. This classification is not just an arbitrary

[37] Muwaffiq Jufri et al., "Religion and State in Islamic Constitutional Law: The Role of Pesantren in Strengthening Symbiotic Islam and the State in Madura," *Justicia Islamica* 21, no. 2 (November 6, 2024): 221–46, https://doi.org/10.21154/justicia.v21i2.9283.

[38] Safi' Safi' et al., "Bhag-Rembhag Sabhala'an as a Method of Resolving Religious Conflicts in the Madura Legal Tradition," *El-Mashlahah* 14, no. 1 (June 30, 2024): 95–126, https://doi.org/10.23971/el-mashlahah.v14i1.7819.

distribution but rather reflects society's understanding of patterns of birth considered anomalous or special. Ethnographic data show at least seven main : (1) *Pandhaba* tiger (child) twins); (2) *Pandhaba* panganten (two brothers, male and female); (3) *Pandhaba* lemma (five siblings with the same gender) sex same); (4) *Pandhaba* eret (five siblings with four various sex same); (5) *Pandhaba* ontang-anting (a child single woman among you men); (6) *Pandhaba* kadane (the last child of you all female or all male); and (7) *Pandhaba* tanges (one of the five siblings died).[39]Each category has its own level of risks and different types of rituals, indicating the existence of gradation in the system of this belief.

Description: Ethnographic sources disclose that the Rokat ritual Pandhaba involves a series of complex, ongoing stages over a number of days. Stages main includes : (1) preparation, including consultation with a craftsman *Rokat,* determination the right time (unfortunate since), and preparation offerings ; (2) opening, marked by prayers opening and welcoming guest; (3) mamaca, namely reading of a special book that tells the story story child The rescued *Pandhaba* from Batara Kala; (4) bathing or showering child *Pandhaba* with the water that has been prayed for ; (5) cutting hair as symbol transformation; and (6) salvation, namely feast together as closing.[40] Each stage contains symbols that are rich in meaning, reflecting draft purification, protection, and social reintegration.

The study identifies various actors involved in the Rokat ritual Pandhaba, each with distinct roles and functions. Craftsman Rokat, or puppeteer mamaca, owns high ritual authority and is considered to have esoteric knowledge of the spirit world. They are usually older people who have studied with their teachers for years.[41] *Kiai* or religious figures play a role in providing Islamic legitimacy of the ritual, although the level of their involvement varies depending on the orientation of their respective

[39] Chair, "Dimensi Kosmologis Ritual Rokat Pandhaba Pada Masyarakat Madura."
[40] Ahmad Shiddiq, "Sinkretisme Islam Di Madura: Sebuah Pembacaan Singkat Ritus Macopat Di Sumenep Madura," *Numadura: Journal of Islamic Studies, Social, and Humanities* 1, no. 1 (October 2022): 1–16, https://doi.org/10.58790/numadura.1.1-2022.4.
[41] Chair, "Dimensi Kosmologis Ritual Rokat Pandhaba Pada Masyarakat Madura."

religions.[42] The family performing the ritual acts as a host providing facilities and infrastructure, while the public participates as witnesses and participants in the celebration. Structure This participation reflects character communal from this tradition, where responsibility is not only in the family but also in the wider community.

***Rokat Pandhaba* in Islamic Legal Perspective**

In reality, life, especially in the context of Indonesianness, there is one inseparable phenomenon that is the relation between Islam and the context of a culture that continues to flow in the dynamic social public. From the past until now. From various archipelagos with diverse cultural systems, this reflects an openness to the possibility of differences in applying Islam Alone.

Islam, in essence, is a doctrine or can be categorized as a revealed religion, revealed to the Prophet Muhammad for all humanity.[43] The presence of Islam as the final and perfect religion from the religion of the prophets previously oriented to save mankind from destruction, with the understanding that people are inconsistent in following draft Islamic teachings that have determined, then He will go to hell and this is one of them understanding that is embedded in the minds and hearts of humans in particular Muslims. Regardless of draft doctrine, Islamic teachings, Islam has become a phenomenon in society, in which Islam itself submits to social culture, not the other way around, where social culture should submit to the purity of Islam, as has been established in the Qur'an and As-Sunnah.[44]

Clifford Geertz, in Javanese Religion: *Abangan, Santri, Priyayi* in Javanese Culture, classifies Javanese society into three categories: *santri, abangan*, and

[42] Eugenia Brandao Da Silva and Lin Asyiqoh, "The Idea of Legal Pluralism in Dispute Resolution of Village Head Election in Madura," *Journal of Indonesian Constitutional Law* 1, no. 1 (August 21, 2024): 61–73, https://doi.org/10.71239/jicl.v1i1.22.

[43] Rushain Abbasi, "Islam and the Invention of Religion: A Study of Medieval Muslim Discourses on Dīn," *Studia Islamica* 116, no. 1 (May 11, 2021): 1–106, https://doi.org/10.1163/19585705-12341437.

[44] Mohammad Takdir, Roibin Roibin, and Umi Sumbulah, "Religion, Local Wisdom, and Power of The Madurese Society: Islamic Perspective and Social Theory," *El Harakah: Jurnal Budaya Islam* 26, no. 1 (June 2024): 113–38, https://doi.org/10.18860/eh.v26i1.25398.

priyayi.[45] In a non-industrial civilization that is growing, usually there is a class of literate rulers and classes mastered as well as blind letters (although the two groups can be further divided), each of which is facing and separated by a ravine that can only be bridged sporadically.[46] Those who are able to write become an ideal model for those who do not, and the latter imitate the former to the extent that their abilities are developed from a distance that is usually very great. The nobility represent the great tradition as farmers represent a small tradition. Although both of them may be greatly influenced by external stimuli, as they were in Java by Hindu-Buddhist and Islamic influences, they grew very close, so that one became a distorted shadow of the other, sometimes each rejecting the other and sometimes mutually interested.

Rituals like *Rokat Pandhaba* can be situated within the abangan and priyayi traditions, which tend to maintain Hindu-Buddhist elements while also integrating Islamic ones.[47] In its implementation, it does not involve element shirk and does not make Batara Kala a person who determines human life in the future. On the other hand, traditional *Rokat Pandhaba* is implemented as a form of gratitude, an effort of application, and a submission to Allah. Both religion and culture offer insights and perspectives for aligning life with the will of God and humanity. So, there is usually a dialectic between religion and culture. Religion gives color to culture, and culture gives wealth to religion. However, the dialectics between religion and culture can create tension. This is because culture and traditions are often considered incompatible with religion, as they are seen as teachings of the absolute divine.

Islam does not prohibit Muslims from doing any custom or ritual as long as it does not conflict with the values or spirit of monotheism and morality. The Islamic

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[45] Amanah Nurish, "Santri and Abangan After A Half Century of Clifford Geertz," *Jurnal Ilmiah Islam Futura* 21, no. 2 (August 5, 2021): 226, https://doi.org/10.22373/jiif.v21i2.5829.
[46] Arif Wibowo, "Islam and Local Culture: Shifthing Values of Religious Practices Among Modern Javanese Society," *Jurnal Keislaman* 8, no. 2 (September 2025): 322–35, https://doi.org/10.54298/jk.v8i2.552.
[47] Ahmad Shiddiq, "Sinkretisme Islam Di Madura: Sebuah Pembacaan Singkat Ritus Macopat Di Sumenep Madura."

faith is based on monotheism. On the other hand, customs or rituals are heretical and superstitious. prohibited and must be deleted because it is very damaging to faith.[48]Basically, Islamic teachings are full of wisdom, and this wisdom is full of life and essential life, namely monotheism, as the core and peak of civilization. However, not all of them are prohibited *bid'ah*. What is prohibited is that which definitely contradicts the As-Sunnah, which is clear, or eliminates its provision in the Sharia. Still, there is *illat* (basic reason), even *bid'ah* actions sometimes become mandatory in situations where various reasons for that change exist. Imam Izzuddin bin Abdussalam, a great scholar in the madhhab Syafi'i classify the *bid'ah* into five categories, among others:

Table 2. Types of *Bid'ah*

No	Category of Bid'ah	Islamic Ruling	Definition	Examples	Legal Implication
1	*Bid'ah Wajibah* (Obligatory innovation)	Obligatory (*Wajib*)	All new practices aimed at preserving religion and its followers, which are impossible to achieve without such methods	1) Codification of hadith; 2) Writing Islamic sciences (fiqh, usul fiqh, tafsir); 3) Establishing Islamic educational institutions; 4) Compilation of Islamic jurisprudence	These innovations did not exist during the Prophet's time but are necessary for safeguarding religion; performing them is obligatory
2	*Bid'ah Muharramah* (Forbidden Innovation)	Forbidden (*Haram*)	Innovations that clearly contradict established Sunnah or permit what is explicitly prohibited by the	1) Deviant creedal sects (Qadariyah, Murjiah, Jabariyah, Mujassimah); 2) Legalizing adultery or gambling; 3) Practices contradicting core Islamic teachings	Absolutely prohibited; performing them constitutes sin and deviation from

[48] Samsurizal Samsurizal et al., "Tawassul in Hadith Perspective: Countering Heretical Rituals in Indonesia," *El-Rusyd* 8, no. 2 (December 2023): 105–14, https://doi.org/10.58485/elrusyd.v8i2.237.

No	Category of Bid'ah	Islamic Ruling	Definition	Examples	Legal Implication
			Quran, Sunnah, or Ijma' without a valid Sharia basis		authentic Islam
3	*Bid'ah Mandubah* (Recommended Innovation)	Recommended (*Sunnah/ Mustahab*)	Innovations that support Islamic objectives and bring benefit without contradicting Sharia principles	1) Congregational tarawih prayers; 2) Establishing educational and scientific institutions; 3) Writing Sufi teachings aligned with Sharia; 4) Scientific research benefiting Muslims; 5) Building laboratories, bridges, hospitals	Encouraged practices that enhance religious and social welfare; performing them brings reward
4	*Bid'ah Makruhah* (Disliked Innovation)	Disliked (*Makruh*)	Innovations that are excessive or potentially problematic but not explicitly forbidden	1) Excessive mosque decoration that disturbs worship concentration; 2) Quranic recitation deviating from proper *tajwid* and *tartil*; 3) Presenting halal food in extravagant luxury forms	Discouraged but not sinful; better to avoid to maintain simplicity and focus on essence
5	*Bid'ah Mubahah* (Permissible Innovation)	Permissible (*Mubah*)	Innovations in worldly matters that neither contradict Sharia principles nor Islamic creed	1) Modern transportation (cars, trains); 2) Electronic equipment (cooking tools); 3) Cultural traditions that do not conflict with Islamic principles;	Neutral; neither rewarded nor punished; permissible as long as they do not violate Sharia

No	Category of Bid'ah	Islamic Ruling	Definition	Examples	Legal Implication
				4) Technology for daily life	

***Source**: Compiled by the author based on several references*

Rokat Ritual *Pandhaba* is a traditional culture that does not conflict with the principles of Sharia or the Islamic creed. Thus, Islam does not prohibit Muslims from doing customs or rituals, as long as they do not conflict with the values or spirit of monotheism and the Islamic creed, which basically also stems from monotheism. On the contrary, customs or rituals of heresy and *khurafat* are prohibited and must be eliminated because this is a very dangerous faith for somebody.

Analysis Interpretive *Rokat Pandhaba*

Follow Geertz's concept of culture as networks, meaning *webs of significance*[49] Analysis reveals that traditional *Rokat Pandhaba* is a system of complex symbols in which multiple layers of meaning intertwine. At the first layer, this ritual is understood as an effort to protect the child from the believed supernatural dangers that will befall him if left untreated. On the second layer, these rituals serve as a mechanism for affirming identity for social children in the community. Children who have been *Rokat* acquired a new status as individuals who have purified and protected. On layers Third, this tradition expresses values of family and communal solidarity, where the performance of rituals shows the family's concern for children's welfare and adherence to customary norms. These meanings do not stand alone, but rather interrelated and form a coherent system, a coherent understanding of the relationship between humans, nature, and the supernatural.

The analysis symbolically discloses that every element in the Rokat ritual Pandhaba is filled with meaning. Water used for dousing, not just ordinary water, but water that has been prayed for and given a mix of floral, citrus, purut, and leaves,

[49] Clifford Geertz, "Thick Description: Toward an Interpretive Theory of Culture [1973]," *Readings for a History of Anthropological Theory, Sixth Edition*, 2021, 302–6, https://doi.org/10.4324/9781003483816-11.

certain, symbolizing purification and cleansing from negative influence.[50] The offerings consist of various types of food and goods, representing negotiations and requests for protection to spirits and supernatural entities. Cutting hair symbolizes a transformation from the old status (dangerous) to the new status (safe), in line with Van Gennep's concept of rites of passage. Reading the *Kitab Mamacá* in ancient Madurese reveals a narrative mythology that legitimizes rituals and connects contemporary practice with past traditions. This analysis shows that symbols in Rokat Pandhaba function as cultural texts that can be read to understand the Madurese people's worldview.

Implementation method: Geertz's thick description of the rokat ritual, Pandhaba, produces a transcendent understanding of the surface description of what happened. As Geertz exemplifies in his analysis of cockfighting in Bali, the rokat ritual Pandhaba can be read as a text culture that expresses social structure, relationships, power, and the system of the Madurese people.[51] For example, when craftsman *Rokat* Read *Kitab Mamaca* is in full appreciation, this is not just a verbal performance, but rather an actualization of traditional knowledge, authority, and cosmological legitimacy. Responding to an audience listening intently shows a collective confession against the authority and the affirmation of the system and the beliefs it represents. Interaction between craftsman *rokat,* family, and society in rituals reflects network obligation, social mechanisms, and redistribution of symbolic resources that strengthen social cohesion.

Analysis discloses that traditional Rokat Pandhaba contains a set of norms and obligations that function as if law. The main norm is the family's obligation to perform rituals for children, including the Pandhaba category. This obligation is imperative, not optional, and supported by the trust that his neglect will bring

[50] Syaifullah, "Adat Rokat Pandhaba Sebagai Upaya Menjaga Keselamatan Anak Perspektif Fungsionalisme Bronislaw Malinowski: Studi Kebudayaan Masyarakat Madura Di Desa Gapura Barat, Kec. Gapura, Kabupaten Sumenep."

[51] Samsul Arifin, "Tradisi Rokat Dalam Perspektif Hukum Islam (Pertautan Antara Simbol Dan Makna)," *Al-Adillah: Jurnal Hukum Islam* 1, no. 2 (August 2021): 1–8, https://doi.org/10.61595/aladillah.v1i2.185.

negative consequences for children and families. There are also procedural norms about how the ritual should be carried out: time implementation, election of a competent craftsman, provision of complete offerings, and invitations to the community. These norms are not written down but are widely known and adhered to, showing the characteristics of law and custom as a living law that exists in a conscious society. In Geertz's perspective on law as *local knowledge,* these norms represent a method of the Madurese society in imagining and organizing their social reality.[52]

Even though there are no formal written sanctions, research finds that existing system sanctions are effective in enforcing Rokat norms, *Pandhaba.* The primary sanction is supernatural: it is believed that unaccompanied children will experience various disasters, such as illness, accidents, or failure in life. This belief functions as an internal mechanisms that drive compliance.[53] Sanctions secondary nature social: a family that neglects ritual obligations will be stigmatized as disobedient to tradition (ta ngoremma customs), experience a decline in social status, and perhaps be ostracized from certain communal activities. Gossip and rumors play an important role as a mechanism of control in informal social. Norm enforcement is carried out through social pressure rather than formal authority. Figure community, kyais, and elders' customs serve as moral entrepreneurs, campaigning for the importance of tradition and reminding neglectful families. This system exhibits characteristics of pluralist law, in which state law and civil law customs operate in parallel, each with its own logic.

Analysis shows that authority in the system law local *Rokat Pandhaba* is sourced from three interrelated domains. First, the authority traditionally held by craftsmen Rokat is based on esoteric and lineage knowledge (teacher lineage). Second, authoritative religious education provided by the kiai that legitimize ritual

[52] Geertz, "Thick Description: Toward an Interpretive Theory of Culture [1973]."
[53] Faizah Malikal Bulgis and Dien Vidia Rosa, "Negosiasi Kultural Dalam Upaya Islamisasi Tradisi Rokat Masyarakat Madura Probolinggo," *Nuansa: Jurnal Penelitian Ilmu Sosial Dan Keagamaan Islam* 21, no. 2 (December 2024): 66–83, https://doi.org/10.19105/nuansa.v21i2.15282.

practices. Third, the authoritative social sources are based on consensus, communal, and traditional hereditary principles. Legitimacy: this tradition was built through narratives that connect it to a sacred past, claim continuity with the practices of grand ancestors, and integrate it with Islamic teachings through syncretism. This legitimation process is in line with Weber's concept of traditional,[54] But with the added complexity of pluralist law in Indonesia. Interestingly, the legitimacy of this law does not depend on state recognition, but rather on beliefs and practices. public That alone, showing the reality of legal pluralism in which the state law is not the only source of normativity.

1) Law as System Culture

Law is an integral part of the system culture.[55] This discussion shows that the tradition of *Rokat Pandhaba* is incomprehensible only as a religious ritual or magical practice, but must be seen as a system of local law with internal rationality and logic.[56] As Geertz analyzed the systems of Islamic, Hindu, and Malaysian law in his essay on "*Local Knowledge: Fact and Law in Comparative Perspective"*, he shows that each system of law has its own typical method for imagining reality in distinctive ways. [57] In the context of *Rokat Pandhaba*, the Madurese imagine reality as an arena where supernatural forces operate and can influence human life. Law, in their understanding, is not only rules made by the state, but also includes norms that regulate relations with the supernatural realm. This perspective broadens the definition of law beyond draft-positive law and opens space for understanding the plurality of system norms that operate in society. [58]

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[54] Diansyah Permana et al., "Landasan Teori Pendidikan Karakter Dalam Perspektif Teori Perkembangan Moral Kognitif, Dan Sosial," *Jurnal Belaindika (Pembelajaran Dan Inovasi Pendidikan)* 7, no. 2 (July 2025): 215–23, https://doi.org/10.52005/belaindika.v7i2.355.

[55] Ievgen Buriak et al., "Future Legal Culture as an Element of the Legal System," *Futurity Economics & Law* 3, no. 2 (June 25, 2023): 39–47, https://doi.org/10.57125/FEL.2023.06.25.03.

[56] Eneng Purwanti et al., "Interaction of Religion and Local Culture in Symbolic Communication of Agricultural Ruwat for Strengthening Indigenous Authority Across Javanese Ethnics," *Penamas* 38, no. 2 (December 30, 2025): 207–19, https://doi.org/10.31330/penamas.v38i2.1010.

[57] Riadi, "Tradition of Rokat Pandhabâ Pangantanan."

[58] Fajar Syarif, "Memahami Geertz Membaca Islam Jawa," *Realita : Jurnal Penelitian Dan Kebudayaan Islam* 17, no. 2 (August 2022), https://doi.org/10.30762/realita.v17i2.122.

2) Law as a Social Fact

Geertz criticized the dichotomy between fact and rigid law in Western thought by showing that what is considered fact is actually a construction shaped by a certain interpretive framework.[59] in the case of *Rokat Pandhaba,* facts about a child, including the category Pandhaba No, are not just biological facts about the sequence of birth, but rather an interpretation of culture that gives meaning specifically to patterns of birth. Thus, the fact that a child will experience disaster if not in Rokat is a construction based on communal system trust, not on empirical evidence in the sense of modern science. However, in the context of Madurese culture, this construction has a strong, influential normative role in society. This discussion shows that the law does not operate in the realm of fact but rather is part of the interpretive process in which facts and norms mutually reinforce one another. The implication is that understanding the law and its customs requires understanding the framework and the interpretive culture that underlies it.

3) Legal Pluralism

Tradition *Rokat Pandhaba* presents an interesting case of pluralist law, where three norms operate simultaneously: state law, Islamic law, and customary civil law. Each system has its own different views on legitimacy and relevance to this tradition. From the perspective Under state law, this tradition is in a grey area: it is not explicitly prohibited, but it is not formally recognized either. From the perspective of Islamic law, there is debate among scholars about whether this practice is *bid'ah* (deviant innovation) or acceptable as *'urf* (local habits that do not conflict with Islamic principles).[60]From law legal perspective, this tradition is an obligation that must be fulfilled. Madurese people navigate this complexity through various strategies: choosing a more accommodating interpretation of Islam,

[59] Syarif.
[60] RR Dewi Anggraeni, "Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints," *AHKAM : Jurnal Ilmu Syariah* 23, no. 1 (June 2023), https://doi.org/10.15408/ajis.v23i1.32549.

emphasizing aspects in accordance with Islam (such as prayer and reading the Quran), and minimizing elements considered problematic.

Overall, the analysis. This interpretation confirms that traditional *Rokat Pandhaba* cannot be reduced to mere ritual practice, but rather is a text culture that represents the method the Madurese people use to imagine reality, risk, and social regularity. By following the interpretative framework of Clifford Geertz, *Rokat Pandhaba* comes on stage as a system integrating the symbol dimensions of cosmological, social, and normative in a coherent manner.[61] Meaning protection of children, affirmation of identity in society, as well as strengthening solidarity among communities, are intertwined in a network of meanings (webs of significance) that are produced and reproduced through symbols, narratives, and ritual practices. Ritual symbols include sprinkling water, offerings, and cutting. hair, up to reading *Mamaca* functioning as cultural texts that allow the public read, interpret, and confirm their worldview, as well as mark the transformation of child status within the framework of the *rites of passage* as formulated by Arnold van Gennep.[62]

Furthermore, this study shows that *Rokat Pandhaba* operates a set of norms, obligations, and sanctions that function as a system of local law (*living law)*. Its authority is built on a combination of traditional, religious, and social authorities, whose legitimacy does not depend on the state but rather on consensus and communal belief, in line with Max Weber's typology of traditional authority. In the context of legal pluralism, this tradition shows how law, customary law, Islamic law, and state law operate in parallel and are pragmatically negotiated by Madurese society. Thus, law is not a set of neutral rules, but rather a social context interpreted by culture. Implications theoretically, understanding of the law customs demand reading deep into the framework meaning locally that underlies it, at the same time,

[61] Chair, "Dimensi Kosmologis Ritual Rokat Pandhaba Pada Masyarakat Madura."
[62] Muhammad Adil Khuluqi, Saihan Saihan, and Siti Masrohatin, "Mamaca Sebagai Media Pendidikan Islam Nusantara," *Mozaic: Islamic Studies Journal* 4, no. 01 (May 2025): 45–53, https://doi.org/10.35719/mozaic.v4i01.2292.

open room for approaching laws that are more sensitive to plurality normativity in Indonesian society.

Recognition of Local Legal Systems in Indonesia's National Legal Framework

The position of local legal systems such as *Rokat Pandhaba* within Indonesia's national legal framework is constitutionally grounded in Article 18B paragraph (2) of the 1945 Constitution, which explicitly states: "The State recognizes and respects traditional communities along with their traditional customary rights as long as these remain in existence and are in accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia."[63] This constitutional provision is operationalized through various legislations, including Law No. 6 of 2014 on Villages (Article 67), which recognizes the authority of customary villages (desa adat) to regulate and manage community life based on customary law, and Law No. 5 of 1960 on Basic Agrarian Regulations (Article 5), which acknowledges customary law as a foundation for national agrarian law. Furthermore, Constitutional Court Decision No. 35/PUU-X/2012 affirmed that customary law communities and their rights are constitutionally protected entities that must be recognized by the state,[64] provided they meet three criteria: (a) the community still exists; (b) it aligns with societal development; and (c) it does not contradict the principles of the Unitary State of Indonesia. In this legal context, *Rokat Pandhaba*—as a living law that continues to be practiced, supports child welfare and social solidarity, and does not conflict with Pancasila principles or national integration—qualifies for constitutional recognition as part of Indonesia's customary law system.

1) Mechanism of Recognition and Legal Status of *Rokat Pandhaba*

The mechanism for recognizing local legal systems in Indonesia's national framework operates through three interconnected pathways. First, through judicial

[63] David Aprizon Putra et al., "The Intersection between Legal Philosophy and Pancasila Ideology in Recognising Indonesian Indigenous Peoples," *Pancasila and Law Review* 6, no. 1 (October 14, 2025): 45–56, https://doi.org/10.25041/plr.v6i1.4210.

[64] Yance Arizona and Miriam Cohen, "The Recognition of Customary Land Rights at the Constitutional Court of Indonesia: A Critical Assessment of the Jurisprudence," in *Courts and Diversity* (Leiden, The Netherlands: Brill | Nijhoff, 2024), 173–94, https://doi.org/10.1163/9789004691698_008.

recognition (rechtsvinding), where courts—particularly religious courts (Pengadilan Agama)—can acknowledge customary practices as valid legal norms when deciding cases, as mandated by Article 5 paragraph (1) of Law No. 48 of 2009 on Judicial Power, which requires judges to explore, follow, and understand legal values and sense of justice living in society. Second, through legislative incorporation, where regional governments can codify customary norms into regional regulations (Peraturan Daerah) based on Law No. 23 of 2014 on Regional Government (Article 236), which authorizes regions to regulate customary law institutions.[65] Third, through administrative recognition, where village governments can formally document and legitimize customary practices in village regulations (Peraturan Desa) as permitted by Law No. 6 of 2014 on Villages (Article 69).[66] For *Rokat Pandhaba* specifically, its legal status can be formalized through: (a) documentation in village regulations recognizing it as customary obligation for families with *Pandhaba* children; (b) incorporation into regional child protection policies as a culturally-appropriate mechanism for child welfare; and (c) judicial acknowledgment when religious courts adjudicate family law cases involving Madurese customary practices. This formalization does not require *Rokat Pandhaba* to become state law, but rather ensures its recognition as a legitimate source of normativity within Indonesia's pluralistic legal system, operating alongside and in coordination with Islamic law and state law.[67]

2) Implications for Legal Policy and Theoretical Contributions

The findings of this research have significant implications for Indonesia's legal policy development and theoretical understanding of law. From a policy

[65] Yenny Febrianty, Joko Sriwidodo, and Priyaldi Priyaldi, "Establishing Regional Regulations for the Protection of Local Wisdom," *Fiat Justisia: Jurnal Ilmu Hukum* 17, no. 3 (September 22, 2023): 193–220, https://doi.org/10.25041/fiatjustisia.v17no3.2708.

[66] Yulia Neta et al., "The Establishment of Village Regulations in the Context of Village Democratization," *Fiat Justisia: Jurnal Ilmu Hukum* 18, no. 2 (July 5, 2024): 109–26, https://doi.org/10.25041/fiatjustisia.v18no2.3204.

[67] Achmad Hariri and Basuki Babussalam, "Legal Pluralism: Concept, Theoretical Dialectics, and Its Existence in Indonesia," *Walisongo Law Review (Walrev)* 6, no. 2 (October 31, 2024): 146–70, https://doi.org/10.21580/walrev.2024.6.2.25566.

perspective, this study demonstrates the need to move from state-centric legal monism to a pluralistic legal framework that formally recognizes local legal systems as legitimate sources of normativity.[68] Concrete policy recommendations include: (a) developing clearer operational guidelines for recognizing and documenting living law in local contexts; (b) establishing mechanisms for coordination between customary law institutions, religious authorities, and state agencies to resolve potential normative conflicts; (c) integrating customary law perspectives into judicial training programs, particularly for religious court judges handling family law cases in regions with strong adat traditions; and (d) creating legal instruments that enable communities to register their customary practices without requiring full codification, thus preserving the dynamic and adaptive nature of living law.

Theoretically, this research enriches Indonesian legal science by demonstrating that law cannot be understood solely through a positivist lens—as a hierarchical system of written rules emanating from state authority. Instead, following Geertz's anthropological jurisprudence and Ehrlich's concept of living law, this study shows that law is fundamentally a cultural phenomenon: a system of meanings, symbols, and practices through which communities construct order, justice, and obligation. This understanding calls for developing contextual legal theories grounded in Indonesian socio-cultural realities rather than merely transplanting Western legal concepts.[69] By recognizing traditions like *Rokat Pandhaba* as legal systems in their own right—with normative structures, enforcement mechanisms, and recognized authority—Indonesian legal scholarship can contribute to global discussions on legal pluralism, indigenous rights, and the decolonization of legal knowledge.

Conclusion

[68] Hanisah Binte Abdullah Sani, "State Law and Legal Pluralism: Towards an Appraisal," *The Journal of Legal Pluralism and Unofficial Law* 52, no. 1 (January 2, 2020): 82–109, https://doi.org/10.1080/07329113.2020.1727726.
[69] Widjajanto, Astawa, and Rulyandi, "Decolonising Restorative Justice in Indonesia: A Comparative Study Across Customary Law Traditions."

This study concludes that traditional *Rokat Pandhaba* in Madura can be understood comprehensively as a system of local law when analyzed through Clifford Geertz's anthropological approach. This tradition is not merely a religious ritual or practice culture, but rather contains norms that are binding, mechanisms that sanction social and symbolic practices, and structures of authority recognized and obeyed by the community. Thus, *Rokat Pandhaba* functions as a living law that regulates social behavior, family relationships, and cosmological balance in the Madurese community.

The thick description approach allows ritual reading as a text-rich culture meaning, in which symbols, actions, and ritual narratives represent a method that Madurese people use to imagine reality, order, and justice. This finding strengthens the view that law is part of system culture and cannot be separated from the context of society, as well as trust in local communities. Within the framework of pluralism in Indonesian law, *Rokat Pandhaba* demonstrates the interaction and negotiation among customary law, Islamic law, and state law. Flexibility in adopting elements of Islam while maintaining traditional customs demonstrates character, adaptability, and adherence to local law. Therefore, recognition of the traditional form of *Rokat Pandhaba* is important for legal development, as well as for a more contextual, inclusive, and sensitive local national wisdom.

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