

Reviving the Past: The Role of Sharia in Preserving Forgotten Customs within Islamic Culture

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Abstract

Islamic law not only acts as a legal system, but also as an instrument in maintaining cultural identity and maintaining the continuity of tradition in Muslim society amidst the flow of globalization. This study aims to reveal the position of customs in the Islamic legal system. This study uses a qualitative method with a normative and sociological juridical approach. The results of the study found that Islamic law is universal and permanent, while customs are local and dynamic. In customary practices, there are those that are acceptable and in line with Islamic law (*urf sahih*) such as customary practices in the implementation of *aqiqah* and marriage which show that customs can coexist and there are also customary practices that are not in line with sharia principles (*urf fasid*) which must be abandoned. The principle of consistent sharia states that customs can be used as a basis for determining laws and this shows that Islamic law has accommodated customary practices that are in line and rejected practices that conflict to ensure that the applicable legal system is in accordance with divine values and upholds dignity and human values and avoid potential conflict between the two.

Keywords: Sharia, Tradition, '*Urf Sahih*', '*Urf Fasid*', *Aqiqah*, Marriage

Abstrak

Syariat Islam tidak hanya berperan sebagai sistem hukum, tetapi juga sebagai instrumen dalam mempertahankan identitas budaya dan menjaga kesinambungan tradisi dalam masyarakat muslim di tengah arus globalisasi. Penelitian ini bertujuan untuk mengungkap kedudukan adat dalam system hukum Islam. Penelitian ini menggunakan metode kualitatif dengan pendekatan yuridis normatif dan sosiologis. Hasil penelitian menemukan bahwa syariat Islam bersifat universal dan permanen, sedangkan adat istiadat bersifat lokal dan dinamis. Dalam praktik keadatan ada yang dapat diterima dan sejalan dengan hukum Islam (*urf sahih*) seperti praktik keadatan dalam pelaksanaan *aqiqah* dan perkawinan yang menunjukkan bahwa antara adat istiadat dapat berjalan berdampingan dan terdapat juga praktik adat yang tidak sejalan dengan prinsip syariah (*urf fasid*) yang harus ditinggalkan. Prinsip syariat yang sejalan menyebutkan bahwa adat istiadat dapat dijadikan sebagai landasan dalam menetapkan hukum dan hal ini menunjukkan bahwa syariat Islam telah mengakomodir praktik keadatan yang sejalan dan menolak praktik yang bertentangan untuk memastikan bahwa sistem hukum yang berlaku sesuai dengan nilai-nilai ketuhanan dan menjunjung tinggi harkat martabat serta nilai-nilai kemanusiaan dan menghindari potensi konflik antar keduanya.

Kata Kunci: Syariah, Tradisi, '*Urf Sahih*', '*Urf Fasid*', *Aqiqah*, Perkawinan

INTRODUCTION

Islamic law, commonly known as Sharia, serves as a fundamental structure for social organization, ethical conduct and cultural identity in various Muslim societies. Sharia, derived from the Quran, Sunnah (traditions of the prophet Muhammad), historical precedents and academic interpretations, encapsulates not just a legal system, but a comprehensive way of life that integrates moral, religious and cultural dimensions.¹ Emphasize that the interaction between sharia and cultural customs is significant, particularly in the preservation of traditions that could otherwise disappear in obscurity in the midst of rapid transformations of modernity. This preservation is inherently linked to Islamic principles, which require adherence to cultural customs that do not contradict doctrinal principles.

Underlines the efforts of various scholars who strictly analyze the classic texts and try to promote a more dynamic understanding of Sharia, which is in harmony with the cultural heritage of the Muslim communities. By examining the Islamic jurisprudence through the lens of the historical context, these scholars aim to demonstrate that many customs, initially considered inconsistent with Sharia, can actually find resonance within its ethical picture. For example, some specific common rituals for various ethnic groups in the Muslim world, such as the celebration of traditional weddings or seasonal festivals, have been reevaluated by scholars who support an inclusive approach to Islamic teachings.

The meaning of Sharia in the preservation of cultural heritage stems from its role as a unifying force and a vehicle for the transmission of traditions through generations. Within various communities, Sharia provides a sense of continuity and identity that resonates with local customs and practices. For example, in many regions, the celebration of religious events is perfectly intertwined with indigenous cultural rituals, allowing a synthesis of Islamic teachings and local traditions. Ramadan's observance, for example, is infused with local customs such as special culinary practices and community meetings, highlighting Sharia's flexibility to accommodate cultural expressions.

In addition, Sharia's emphasis on family and community structures reinforces cultural customs, ensuring that traditional practices are not only observed in isolation but are integrated into the broader social fabric. Family oriented principles found in Sharia, such as the importance of kinship ties and community solidarity, usually echo cultural traditions that promote collectivism about individualism. This convergence increases the legitimacy of various customs and rituals, attracting communities to defend and share their cultural heritage through religious lenses.² Consequently, practices related to marriage, mourning and other community activities often reflect a harmonious mix of Islamic mandates and local customs, which are vital to promote a collective identity. In

¹ Fatimah Alshehaby, "Cultural Heritage Protection in Islamic Tradition," *International Journal of Cultural Property* 27, no. 3 (August 18, 2020): 291–322, <https://doi.org/10.1017/S0940739120000259>.

² Syaugi Seff, Universitas Jember, and Indonesia Mohamed Nawwawi, "Multicultural Education Exploring The Diversity Of Local Traditions Of Indonesian Society In The Islamic Law Perspective Dyah Ochtorina Susanti," 2020, www.mccaddogap.com.

addition, Sharia's adaptability to different sociocultural contexts facilitates the preservation of forgotten customs. This is particularly evident in the regional variations of Islamic jurisprudence that accommodate local traditions while still adhering to essential Islamic principles. Sharia scholars are usually involved in *Ijtihad*, or independent legal reasoning, allowing reinterpretations and applications of Islamic law to address contemporary issues, respecting local customs. This adaptability allows the recovery and revitalization of certain practices that may have been overshadowed by modern influences, reinforcing community ties and cultural identity.

In addition, the teachings of Islamic law defend the protection of certain cultural expressions that align with Islamic values. This protective stance is evident in the preservation of traditional arts, crafts and folklore, which serve as tangible manifestations of cultural identity. By framing these customs in Sharia, communities mobilize collective efforts to protect their inheritance against the homogenized forces of globalization that threaten the uniqueness of local cultures. It is important to emphasize that this dynamic interaction not only promotes a feeling of belonging, but also cultivates an environment in which cultural customs can thrive alongside religious observance.

By examining the intricate relationship between sharia and cultural customs, one can appreciate the fundamental role of the law as a custodian of cultural identity in Muslim societies. Sharia's active involvement with local traditions not only guarantees its transmission to future generations, but also highlights the dynamic nature of cultural preservation in the face of social changes in progress. Islamic law, commonly referred to as a sharia, incorporates a comprehensive legal structure derived from the *Quran*, *Hadith* (the sayings and actions of the prophet Muhammad), as well as consensus (*Ijma*) and reasoning (*Qiyas*) by Islamic jurists. Historically, the development of sharia was influenced by various contexts and socio political interpretations over time, which led to the emergence of various schools of thought or *Madhabs* in Sunni and Shiites sects.³ The establishment of the Sharia can be tracked until the time of the prophet Muhammad, where fundamental texts were formulated in response to the evolution of social norms and practices in the Muslim community in the early seventeenth century.

A salient example is the awakening of the local customs surrounding the marriage ceremonies that incorporate unique cultural practices while adhering to Islamic principles. Traditionally, some of these practices may have been neglected or marginalized in favor of a more standardized Islamic marriage, leading to a sense of cultural alienation between the communities. The reformists argue that there is an intrinsic value in preserving these rituals, as they help to encourage the cohesion of the community and provide a sense of identity. Revealing the compatibility of these customs with Sharia often based on the principles of consent, dignity and celebration of common ties the reformists have been successful in encouraging a return to these rich customs while maintaining Islamic integrity. In addition, the role of interdisciplinary dialogue between scholars of various sectors, such as anthropology, sociology and theology, proved crucial

³ MM Keshavjee RS Abdulla, "373 S-N Shah-Kazemi," 2020, www.splcenter.org/hatewatch/2017/03/08/.

in this awakening. This exchange of ideas creates a lively academic speech that emphasizes the historical depth and the amplitude of Islamic culture, thus allowing the reconciliation of ancient practices with contemporary life. These scholars exploit modern methodologies to document forgotten traditions, thus preserving them for future generations. This process often involves ethnographic studies that reinsert local customs into academic discourse, strengthening their meaning within Islamic culture.⁴

Looking at and observing previous research has stated that found a traditional wedding that is in accordance with Islamic law is the Javanese traditional wedding such as *siraman*, *midodareni*, and *panggih*. In this procession, the bride can choose to continue wearing the hijab without leaving the traditional elements, thus reflecting compliance with Islamic law while preserving cultural traditions.⁵ In Acehnese traditional weddings, there is a term known as *kabeka-beka*, which is the process of getting to know the prospective bride and groom and their families, followed by *bawao ringgi*, which is the engagement/proposal process and finally the *kawia* stage (marriage procession).⁶ In the North Sumatran community, namely the Mandailing Natal tribe, in a wedding called *horja siluluton* there is the term *markobar*, which means giving advice to the bride and groom.⁷ For the Minang community, which is known to have a traditional philosophy based on Islamic law, Islamic law based on the book of Allah, it also has a tradition in marriage known as the *Pitih Japuik* Tradition in the Padang Pariaman community, namely a sum of money given by a woman to a man when she wants to marry him.⁸ Furthermore, for the Bugis community, there is the practice of handing over *Penne Anreang* in the Bugis Traditional Marriage Tradition.⁹

Some customary practices in marriage in Indonesia that are in accordance with Islamic law such as: Marriage Contract (*Ijab Kabul*) The marriage contract is the core of marriage in Islam, where the guardian of the bride hands over the bride to the groom witnessed by at least two witnesses. This procession is in accordance with Islamic law and is a requirement for the validity of the marriage. In addition, in every marriage throughout Indonesia where the adherents are Muslims, the existence of a Dowry (*Mahar*) namely the giving of a dowry or dowry from the groom to the bride is an obligation in Islam. This dowry can be in the form of money, jewelry, or other valuables that are

⁴ Shahab Ahmed, "What Is Islam?: The Importance of Being Islamic. In What Is Islam?," 2015.

⁵ Fitri Rafianti, Arik Dwijayanto, and Azharuddin Mohd Dali, "The Dialectics of Islamic Law and Customary Law on Marriage Concept of Javanese Muslim in Malaysia," *Justicia Islamica* 18, no. 2 (November 19, 2021): 298–317, <https://doi.org/10.21154/justicia.v18i2.3126>.

⁶ Sri Astuti A. Samad and Munawwarah Munawwarah, "Adat Pernikahan Dan Nilai-Nilai Islami Dalam Masyarakat Aceh Menurut Hukum Islam," *El-USRAH: Jurnal Hukum Keluarga* 3, no. 2 (August 18, 2020): 289, <https://doi.org/10.22373/ujhk.v3i2.7716>.

⁷ Dedisyah Putra, "Tradisi Markobar Dalam Pernikahan Adat Mandailing Dalam Perspektif Hukum Islam," *El-Ahli : Jurnal Hukum Keluarga Islam* 1, no. 2 (2021): 18–34, <https://doi.org/10.56874/el-ahli.v1i2.311>.

⁸ Miftahunir Rizka and Asep Ramdan, "Analisis Hukum Islam Terhadap Tradisi Pitih Japuik Dalam Perkawinan Adat Minangkabau Pariaman," *Jurnal Riset Hukum Keluarga Islam*, July 9, 2022, 43–48, <https://doi.org/10.29313/jrhki.vi.900>.

⁹ Wardana Said et al., "Marriage Traditions and Family Resilience in Bugis Bone Society: A Study of Islamic Law and Islamic Education," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 3 (August 24, 2024): 1372, <https://doi.org/10.22373/sjhk.v8i3.23227>.

mutually agreed upon. In customary practices in marriage we also find the existence of *Walimatul 'Urs* (Wedding Reception) After the marriage contract, it is recommended to hold a walimatul 'urs or wedding reception as a form of gratitude and to announce the marriage to the community. This tradition is in accordance with the recommendations of the Prophet Muhammad SAW. In addition, the practice of *berinai* (Henna Night) In several Muslim cultures in Indonesia, there is a tradition of berinai or henna night, where the bride decorates her hands and feet with henna. As long as it does not contain elements that conflict with the Shari'a, this tradition can be carried out.

Customary practices in Javanese, Acehnese, Minang, and Bugis traditional marriages are in line with the values contained in marriage where each stage of the procession has a deep symbolic meaning related to a harmonious household life and in accordance with Islamic teachings. Thus, customary marriages that are in accordance with Islamic law not only preserve cultural heritage, but also strengthen Islamic values in family life even though there is still a mixture of valid and invalid customs in a marriage practice on the grounds of preserving the noble cultural heritage so that it is not forgotten by future generations, even though Islam has accommodated customary practices in human life and this shows that customs and sharia can run side by side and there is no need to oppose the two. This is what distinguishes previous research from the research being studied, how Islam and customary law can synergize between the two in creating a harmonious life even in the midst of globalization where some parties are worried that customs will be abandoned by the currents of the times and sharia which will then dominate.

RESEARCH METHOD

This research is analytical descriptive, because: it not only describes the characteristics but also analyzes the relationships between variables. In conducting this research, the researcher developed what previous researchers had done and tried to collect data from the main books (literature) as well as observations and observations in the field.¹⁰ In this study, a qualitative method was used with a juridical-normative and sociological approach. Researchers try to explain the position of customs which are in line with sharia principles and how sharia cares for and preserves them. Apart from that, his position will also be reviewed based on the opinion of the ulama and accompanied by the arguments and tarjih for the arguments in each opinion put forward. Researchers always try to include the main source in every quotation written in the footnotes, and as a form of scientific responsibility, the researcher places all references in the bibliography so this research will describe how Muslims harmonize customs with sharia in various aspects of life.

¹⁰ Lexy j. Maleong, *Metode Penelitian Kualitatif* (Bandung: Remaja Rosdakarya, 2009).

RESULTS AND DISCUSSION

As Islamic civilization expanded, Sharia absorbed local customs and traditions, often leading to different applications that reflected regional cultures while adhering to the central principles of Islam. This adaptability has allowed Sharia not only to govern personal and community issues, such as marriage, inheritance, and business transactions, but also accommodate and preserve various cultural practices that align or complement Islamic teachings. Over the centuries, the coding of Sharia has obtained a significant transformation, influenced by historical events, such as the search for abbasid caliphate by administrative uniformity and further colonial interventions that often sought to regulate or redefine legal practices in Muslim societies.

The dynamic nature of sharia led to its interpretation of contemporary scholars who seek to reconcile traditional principles with modern social needs. This aspect of Sharia makes him a living legal tradition, capable of preserving not only central Islamic beliefs, but also forgotten customs and practices that could otherwise have been marginalized. For example, several cultural rites associated with marriage and birth such as *Aqiqah* (a commemorative banquet after the birth of a child) or the complex marriage customs - demonstrate the interaction between sharia and local traditions. These practices, while often removed in the stricter interpretations of Islamic doctrine, benefit from the scope of the principles of Sharia related to community and family ties, thus contributing to cultural continuity in Muslim.¹¹

Moreover, the Maslahah principle (public interest) in Sharia allows scholars and professionals to advocate the preservation of local customs that can improve the social good or cohesion, thus facilitating a context in which forgotten traditions can be revitalized. This has been particularly evident in modern Muslim contexts, where communities often seek to restore their cultural identities in response to globalization and the growing influence of Western norms.¹² Thus, understanding the evolution of Sharia is crucial to understanding its role as a custody of cultural heritage, allowing the integration of forgotten customs into the structure of Islamic practice, maintaining faithfulness to their fundamental principles. The concept of "*Al-'Urf*", or habitual practices, plays a fundamental role in the interaction between Islamic law (Sharia) and local traditions.¹³ In Islamic jurisprudence, ' is intended as actions or practices that emerged within a community, which are recognized and validated in the framework of Sharia, provided that they are not in conflict with the fundamental Islamic principles such as the Koran and the Sunnah (the traditions of traditions the prophet Muhammad). The integration of *Al-'Urf* in the legal system shows up how Sharia is adaptable and sensitive

¹¹ Arip Purkon, "Rethinking of Contemporary Islamic Law Methodology: Critical Study of Muhammad Shahrūr's Thinking on Islamic Law Sources," *HTS Teologiese Studies / Theological Studies* 78, no. 4 (2022), <https://doi.org/10.4102/hts.v78i4.7152>.

¹² Adis Duderija, "The Custom (*'urf*) Based Assumptions Regarding Gender Roles and Norms in the Islamic Tradition," *Studies in Religion/Sciences Religieuses* 45, no. 4 (December 10, 2016): 581–99, <https://doi.org/10.1177/0008429815596549>.

¹³ Dedisyah Putra, "Konsep '*Urf* Dan Implementasinya Pada Ihdad Wanita Karier," *El-USRAH: Jurnal Hukum Keluarga* 2, no. 2 (December 12, 2019): 269, <https://doi.org/10.22373/ujhk.v2i2.7576>.

to the context, allowing the conservation and continuation of local customs that can be perceived as forgotten or marginalized.

In Islam, custom or *urf* is a habit or tradition that develops in society and can be used as a source of Islamic law as long as it does not conflict with the Qur'an and Hadith. The concept of custom in Islam is recognized in the *fiqh* principle "*Al-'Adah Muhakkamah*" which means that custom can become law if it is generally applicable and does not conflict with sharia principles. Islam respects customs that bring benefits and justice, such as in marriage, economic transactions, and social relations, as long as they do not contain elements of shirk, injustice, or things that are prohibited in religion. Therefore, custom can be part of Islamic law through a flexible and contextual approach, in line with *maqashid sharia* (the main objective of sharia), namely protecting religion, soul, mind, descendants, and property.

Sharia's Acceptance Of The Concept Of Legal Determination

The acceptance of *Al-'Urf* in Islamic law is rooted in the historical understanding that customs reflect the social fabric of a community, facilitating a dynamic interaction between religious obligations and social norms. This concept promotes legal pluralism within the Islamic jurisprudence in which local customs can obtain legitimacy. For example, in various cultures all over the Muslim world, marriage practices show significant influences from the pre-Islamic traditions that are embraced under the 'umbrella while they adhere to the ethical guidelines established by Sharia. In southern Asia, the practice of including a dowry, although not explicitly obliged by Islamic texts, is often seen as an accepted cultural practice that coexists with the requirements of Islamic marriage, thus illustrating the double nature of the legal considerations and customary in society.

Furthermore, the cases of *Al-'Urf* can be found in culinary traditions that vary significantly between Islamic cultures, merging local ingredients and prepared methods with Islamic dietary laws. In countries such as Morocco, where Berber costumes have a significant influence, food practices, such as the municipal sharing of Couscous during religious celebrations, are a testimony of how local culinary traditions are maintained together with Islamic practices. These food costumes not only reflect the local identity, but also serve as a means of cohesion of the community that the Islamic law, through the recognition of ' , helps to support.

Furthermore, the diversity of *Al-'Urf* reveals a lot about how the acceptance of local customs can act as a vehicle for social justice and the well-being of the community. For example, contemporary interpretations of family law in various Muslim majority societies often incorporate usual practices that advance women's rights, a statement of local traditions that can priority to justice and equity on rigorous legal interpretations of Sharia. The Maliki school of thought, for example, is known for its flexibility in allowing local practices to inform the judgments about inheritance and family obligations, thus reflecting a shaded commitment with the cultural context.¹⁴

¹⁴ Jasser Auda, *Maqasid Al-Shariah: A Beginner's Guide* (The Internastional Institute of Islamic Tought, 2008).

The meaning of *Al-'Urf* in contemporary Muslim companies cannot be underestimated, as it embodies a unique synthesis of tradition and modernity. This dynamic is particularly observable in the kingdom of education, in which traditional Islamic educational institutions (Madāris) often adapt local pedagogical methods and cultural shades in their curricula, thus preserving the languages, practices and local knowledge systems while remaining rooted in Islamic principles.¹⁵ This adaptability shows the fluid nature of the Islamic law and highlights the importance of local customs in the negotiation of identity and heritage, also in the face of globalization and socio-cultural changes.

Through the *Al-'Urf* lens, it becomes clear that the Islamic law does not simply impose a monolithic set of principles, but rather it is committed to a dialogue with local customs, promoting a more complete understanding of the Islamic identity which is both historically informed and relevant to the Contemporary society., Islamic social financing covers several financial tools and mechanisms that adhere to the Law of Sharia, aimed at supporting social development and cultural preservation.¹⁶ It serves as a crucial route to encourage the sustainability of forgotten customs within Islamic culture, particularly through institutions such as *zakat* (charitable donations), *waqf* (endowments) and microfinance. Each of these mechanisms operates within a framework that is not only economically beneficial, but is also infused with Islamic ethical principles designed to defend social justice and community well-being.

The Role of 'Urf in Islamic Law

In terms of language, *'Urf* means something that is already known or commonly done. In terms of Islamic jurisprudence, *'Urf* is a custom or habit that applies in a society and is recognized by sharia as a basis for determining law as long as it does not conflict with Islamic principles.¹⁷ *'Urf* is divided into several categories: (1) Based on its Form *'Urf Qawli* (Words). Words or terms that have a certain meaning in society. Example: The word "meat" in Indonesian society usually means beef, chicken, or goat, so if there is a transaction to buy and sell "meat" without specifications, then the meat is what is meant. (2) *'Urf 'Amali* (Deeds): Customs carried out by society. Example: In the tradition of marriage, there is a dowry in the form of certain goods that are adjusted to local customs. Based on its Conformity with Sharia: (1) *'Urf Shahih* (Correct): Customs that do not conflict with Islamic law. Example: Giving money to the bride (dowry) in a wedding according to local tradition. (2) *'Urf Fasid* (Damaged): Customs that conflict with Islamic law. Example: The habit of usury in buying and selling or customs that contain elements of shirk.

In *ijtihad* (determination of Islamic law), scholars often use *'Urf* to determine the law in matters for which there is no specific text (evidence). Examples of the application

¹⁵ Auda J, *Maqasid Al-Shariah as Philosophy of Islamic Law: A Systems Approach.*, Islamic Book Trust & The International Institute of Islamic Thought (Jount Publication), 2010.

¹⁶ Nor Razinah Mohd Zain and Engku Rabiah Adawiah Engku Ali, "An Analysis on Islamic Social Finance for Protection and Preservation of Maqāṣ al-Sharāʿah," *Journal of Islamic Finance* 6 (December 31, 2017): 133–41, <https://doi.org/10.31436/jif.v6i0.262>.

¹⁷ Yusuf Syaikh Al-Qardhawi, *Fiqh Maqashid Syariah*, 2017.

of 'Urf in Islamic law. *In Buying and Selling* For example, in a place, payment may be made at a certain time without having to explicitly state the time limit, because it has become a custom understood by the community. *In Marriage*: The dowry and the method of carrying out the marriage contract can follow local customs as long as they do not violate sharia. *In Criminal Law*: Some forms of violations and their sanctions can be adjusted to local customs, as long as they remain within the limits of Islamic law. Thus, 'Urf is one of the sources of law in Islam which is used to complement the rules in social life, especially in the aspect of muamalah. As long as a custom does not conflict with sharia, it can be used as a legal basis in Islam. Therefore, Islam is very flexible in accepting local customs, as long as they are still within the limits of what is permitted.

The Role of Islamic Law in Preserving Traditional Traditions in Accordance with Sharia

The *Zakat* system, a fundamental pillar of Islam, plays an instrumental role in revival and preservation of cultural heritage. When ordering the allocation of a part of the wealth of one to those in need, *Zakat* guarantees a constant flow of funds that can be directed to cultural projects and initiatives. Community organizations often use *Zakat* to finance programs that celebrate and educate future generations about traditional practices, art forms and rituals that could otherwise be lost. This not only helps preserve these customs, but also encourages a collective identity that can instill the pride of cultural heritage among younger Muslims.¹⁸

Similarly, *waqf* serves as a strategic financial tool that allows the preservation of cultural assets. Historically, *waqfs* have financed mosques, schools and community centers that serve as cultural centers. The contemporary *waqf* applications not only focus on property and religious institutions, but also on the support of intangible cultural heritage, such as arts, crafts and dietary practices, which are essential for Muslim identity. For example, a *waqf* established to preserve traditional handicrafts can provide resources for the training of artisans, thus ensuring that these customs continue to be practiced and taught between generations.¹⁹

Microfinance initiatives, based on Islamic principles of equity and equity, act as another support layer for the restoration and preservation of forgotten customs. By providing small loans without interest, microfinance institutions allow local artists, artists and cultural professionals to relive traditional crafts that can no longer have profitability in contemporary market environments. These financial tools cultivate business spirit within communities and create a viable platform for cultural practices, ensuring that they can contribute economically while preservin.²⁰ In addition, the intersection between

¹⁸ Imam Yahya, "Zakat Management in Indonesia: A Legal Political Perspective," *Al-Ahkam* 30, no. 2 (October 30, 2020): 195–214, <https://doi.org/10.21580/ahkam.2020.30.2.6420>.

¹⁹ Nazil Fahmi et al., "The Complexity Of Waqf Land In The Context Of Customary Law In Indonesia," *Tadayun: Jurnal Hukum Ekonomi Syariah* 5, no. 1 (June 4, 2024): 29–50, <https://doi.org/10.24239/tadayun.v5i1.268>.

²⁰ Fahmi Fatwa Rosyadi Satria Hamdani et al., "Traditional Law vs. Islamic Law; An Analysis of Muslim Community Awareness in Inheritance Issues," *Al-Ahkam* 32, no. 1 (April 28, 2022): 109–30, <https://doi.org/10.21580/ahkam.2022.32.1.11000>.

Islamic social finances and the preservation of cultural heritage is pronounced in educational programs. Often funded by endowments or Zakat, these initiatives aim to convey knowledge about forgotten customs and traditions. Educational curricula adapted to enrich Islamic teachings include a significant approach in history and practices that resonate with local culture, thus forming a bridge between the past and the present. This commitment emphasizes the importance of cultural customs in the configuration of individual and collective identities in contemporary Muslim societies.

By understanding these instruments, it is evident that Islamic social finances have established frameworks and strategies that not only advocate social justice, but also emphasize the preservation of cultural heritage. The application of *zakat*, *waqf* and Microfinance directly reflects a commitment to sustainable development within the Islamic parameters, providing communities with the necessary tools to defend the traditions and practices that enrich their social fabric while fostering resistance against forces of Globalization and cultural homogenization. Through these strategies, forgotten customs obtain recognition and relevance, illuminating their importance within modern Islamic culture. The interaction between Islamic Law (*Sharia*) and local cultural practices in Indonesia presents a convincing case study to understand the dynamics of preservation and adaptation of tradition within Islamic societies. Indonesia, like the world's largest majority nation, demonstrates a unique synthesis of Islamic beliefs and indigenous customs that have evolved for centuries. The influence of Sharia in this multicultural context has led to a nuanced reconfiguration of local traditions, where forgotten customs are revitalized and integrate within the legal framework of Islam.²¹

A significant tradition that exemplifies this interaction is the celebration of local rituals during the Islamic party of *Eid al-Fitr*, which means the end of Ramadan. In many Indonesian communities, this period incorporates pre-dancer agricultural rituals aimed at guaranteeing abundant crops. The "sembelih" ritual, which implies the community slaughter of cattle, is not simply a religious obligation within the context of *Zakat al-Adha*, but also reminds of agricultural customs aimed at invoking blessings on earth. This fusion underlines a broader pattern in which Sharia reinforces local traditions instead of eradicating, which allows communities to celebrate their inheritance while adhere to Islamic mandates.²²

Another remarkable case is the practice of "*Selamatan*", a community party that serves social and spiritual purposes. Selamatan ceremonies mark significant life events such as births, marriages and commemorative monuments. Although rooted in the Javanese cosmology, which emphasizes harmonious relationships between physical and spiritual kingdoms, practice has gained legitimacy through Islamic interpretation. Community leaders often frame Selamatan within the ethical teachings of Islam, highlighting their role in promoting social ties and compassion between community members. The survival of the ritual in contemporary environments can be attributed to its

²¹ Nathan Spannaus, *Preserving Islamic Tradition*, ed. Abu Nasr Qursawi and the Beginnings of Modern Reformism, 1st ed., vol. 1 (Oxford University Press, 2019).

²² Alshehaby, "Cultural Heritage Protection in Islamic Tradition."

alignment with the Islamic principles of community charity and solidarity, which shows how Sharia can encapsulate and raise indigenous practices.²³

In addition, the role of "*Kearifan Lokal*" or local wisdom, in the configuration of legal interpretations is crucial to understand the adaptability of Islamic law in Indonesia. The regional laws of Sharia, such as those implemented in Aceh, provide a legal structure that allows the incorporation of local customs. In these cases, Sharia not only preserves but often sanctifies indigenous practices, which allows the coexistence of religious and cultural identity. As seen in the acebna tradition of "*Tari Saman*", a traditional dance that integrates Islamic teachings and local narration, the legal recognition of such practices encourages a sense of belonging and cultural continuity among the population.²⁴

The commitment of Islamic law with local customs is not exempt from competitions and complexities. Activists and academics have explored the ethical dimensions of how certain practices, although culturally significant, can conflict with the evolution interpretations of Sharia, especially in relation to the rights of women and family roles. The resurgence of traditions such as "*mbah buyut*" (ancestral worship) highlights often ambiguous negotiations that occur between adherence to Islamic doctrine and the collective historical memory of the community. While some factions defend the strict compliance of Sharia, others advocate a more integrated approach that recognizes and respects cultural heritage, illustrating the various manifestations of Islamic jurisprudence in local contexts.²⁵

In summary, the case study of Indonesia reveals that Sharia does not exist in a vacuum, but that dynamically interacts with local customs. Through specific examples, such as *Eid al-Fitr* practices, Selamatan ceremonies and the integration of Kearifan Lokal, this interaction shows a vibrant landscape where forgotten customs are preserved and adapted, ensuring their relevance in contemporary Muslim societies. The resulting cultural tapestry serves as a testimony of the resistance and adaptability of Islamic practices amid the continuous evolution of identity in a complex multicultural environment. The analysis of women's rights in the context of Islamic shari'a reveals a complex interaction between religious doctrine, traditional customs and contemporary social norms. Shari'a provides a structure for women's rights, emphasizing aspects such as personal autonomy, inheritance and marital obligations, but their interpretation can vary significantly in different cultural contexts. Like the implementation of Shari'a usually intersects with pre-Islamic customs that shape the lived realities of women and their rights in Muslim societies.

²³ Nurul Mahmudah and Abdur Rahman Adi Saputera, "Tradisi Ritual Kematian Islam Kejawa Ditinjau Dari Sosiologi Hukum Islam," *Analisis: Jurnal Studi Keislaman* 19, no. 1 (June 30, 2019): 177–92, <https://doi.org/10.24042/ajsk.v19i1.3868>.

²⁴ Abidin Nurdin, "Revitalisasi Kearifan Lokal Di Aceh: Peran Budaya Dalam Menyelesaikan Konflik Masyarakat," *Revitalisasi Kearifan Lokal Di Aceh Analisis*, vol. XIII, 2013.

²⁵ Nur Iftitahul Husniyah, "Konversi Budaya Animisme Pada Nilai-Nilai Keislaman 'Sedekah Bumi Di Makam Mbah Buyut' Dalam Kebijakan Peraturan Adat Pemerintah Desa Tlanak Kedungpring," *CENDEKIA: Jurnal Studi Keislaman* 6, no. 1 (2020).

Historically, Islamic law recognized various rights for women who were progressive for their time, such as the right to have properties, engage in trade and seek education. These principles are derived from the Quran and Hadith, who affirm women's rights in a way that contrasts strongly with many of the predominant customs in pre-Islamic Arabia. However, these rights were often overshadowed by patriarchal interpretations of Shari'a, leading to variations in women's experiences, based on religious texts, but also on local traditions and social expectations.

For example, in many contemporary Muslim societies, the custom of forced marriage remains predominant, contradicting the principle of shar'a of consent in marriage. This dissonance highlights how traditional customs can undermine the rights prescribed by Shari'a. In various cultural environments, women find themselves sailing in a landscape where their rights are recognized in theory, but routinely challenged by entrenched social practices. The perpetuation of such customs may limit women's involvement in public life and decision-making processes, reinforcing traditional gender roles that depend on women's subordination.

On the other hand, there are cases where Shari'a was invoked to challenge and reform these customs in favor of women's rights. Feminist interpretations of Islamic texts advocate the review of traditional practices that prevent women's rights. Such movements can be seen in countries such as Morocco, where *Mudawana*, or Family Code, was renovated in 2004, giving women greater rights in marriage and divorce while clarifying the application of Shari'a in a way that recognizes modern realities.²⁶ These reforms exemplify how Shari'a can serve as a tool for empowerment, allowing women to affirm their rights against oppressive customs.

Moreover, the evolutionary nature of women's rights in Shari'a illustrates a significant field of negotiation between Islamic legal principles and cultural practices. In some cases, women's reform movements found support within the limits of Shari'a itself, using their precepts to defend equality in marital rights, educational access and participation in public life. The work of scholars and activists emphasizes that a contextual understanding of Shari'a can produce interpretations that support women's rights, thus promoting a more egalitarian social structure.

The intersection of Shari'a and traditional customs regarding women's rights reveals not only the complexities of Islamic jurisprudence, but also the dynamics of cultural resilience. As contemporary Muslim societies deal with gender equity issues, the balance between respecting religious principles and combating patriarchal customs remains a place of significant containment. The ongoing speeches around Shari'a and women's rights draw attention to the need for critical involvement with religious and cultural paradigms to ensure that women's rights and dignities are preserved and advanced in a way that honor those Islamic Principles while resonating with contemporary values. The interaction between Islamic law (*sharia*) and local custom creates a complex and dynamic structure that can lead to the revitalization of forgotten traditions in

²⁶ A Booley and Author Ashraf Booley, "The Rights and Freedoms of Moroccan Women: Has the 2004 Reforms Benefited Moroccan Women?," 2016, <https://doi.org/10.17159/1727>.

contemporary Muslim societies. In particular, educational institutions play a crucial role in this process, as they serve as platforms for the transmission of religious and cultural knowledge. An illustrative example can be found in Gorontalo, Indonesia, where initiatives emerged to promote Islamic values, respecting and simultaneously integrating local customs.²⁷

In Gorontalo, the revitalization of specific traditions such as '*Kawali*' and local wedding ceremonies illustrates this integrative approach. '*Kawali*', a traditional dialogue or debate that incorporates local wisdom and Islamic teachings, was emphasized in local misseshs (Islamic schools) as a means of promoting community involvement and preserving cultural identity.²⁸ Through curricula that incorporate the principles of Sharia alongside contextualized local practices, educational institutions are allowing students to see their inheritance through an Islamic lens. This methodology fills the gap between universal Islamic values and local customs, thus promoting a sense of belonging and continuity.

In addition, the role of religious leaders in Gorontalo cannot be exaggerated. As custodians of Islamic doctrine and local custom, they are fundamental in mediating the rebirth of traditions like '*Kawali*'. Through facilitated community sermons and meetings in educational environments, these leaders encourage younger generation to appreciate their cultural heritage informed by Islamic teachings. For example, coupling the performance of local marriage ceremonies with Islamic rituals not only celebrates the union of individuals, but also rekindles communal ties and cultural narratives that could otherwise disappear in obscurity.²⁹

Educational initiatives in Gorontalo also face the challenge of modernity that many Muslim societies face. The introduction of local customs into Islamic teachings facilitates a different understanding of sharia as a dynamic force rather than a rigid set of rules. Consequently, these institutions promote concepts such as '*Wasatiyyah*' that encourage Muslims to adopt their cultural heritage as they adhere to Islamic principles. This philosophical stance is critical in a globalized context, where traditional norms can collide with contemporary social norms. It is important to emphasize that the integration of local customs in educational environments is not just to defend cultural expressions; It also enhances the ethical structure within which young Muslims operate. This holistic education aligns itself with the wider goals of sharia, which aim to promote the good to be (*maslahah*) of the community, ensuring the preservation of one's cultural identity. The rebirth of forgotten customs, therefore, reinforces social cohesion and contributes to a cohesive Muslim identity that respects religious principles and local traditions.

²⁷ Arskal Salim, *Contemporary Islamic Law in Indonesia: Sharia and Legal Pluralism*, 1st ed., vol. 1 (UK: Edinburgh University Press, 2015).

²⁸ M Ag Hasaruddin, *Menyusuri Jejak Historis Kedatuan Sawitto Di Pesisir Barat Jazirah Sulawesi Abad XVI-XVII*, n.d., <http://ebooks.uin-alaududin.ac.id/>.

²⁹ Mujahid Damopolii et al., "Contribution of Higher Education Institutions in Preserving the Islamic Local Culture of Gorontalo, Indonesia," *International Journal of Social Science And Human Research*, n.d., <https://doi.org/10.47191/ijsshr/v5-i10-15>.

In addition, innovative partnerships between educational institutions, local governments and community organizations are emerging as effective strategies for revitalizing these customs. By promoting workshops, cultural festivals and educational programs that highlight forgotten practices and articulate their meaning in the context of Sharia, stakeholders ensure that younger generations remain connected to their inheritance. These initiatives exemplify how Islamic law not only preserves, but also invigorates local customs, creating a living tradition that resonates with contemporary social values. In short, the educational scenario in regions such as Gorontalo provides fertile ground for the revitalization of forgotten customs through a structure that honors Islamic values, respecting local traditions. By acting as conduits for cultural transmission, these institutions contribute significantly to the lasting legacy of Islamic tradition in contemporary Muslim societies. The different approaches adopted means a promising path towards mutual respect between religious observance and cultural identity., The interaction between Sharia and the usual laws presents a complex and often controversial dimension in contemporary Islamic societies. As Islamic communities sail for modernity, the duality of these legal systems raises questions about cultural identity, social cohesion and legal authority. In fact, the interaction between Sharia, derived from the Koran, Hadith and centuries of legal interpretation, and the usual laws rooted in local traditions exemplify a dynamic relationship that oscillates between synthesis and conflict.

In many societies, the usual laws reflect specific historical and cultural practices that have been transmitted through generations. For example, in several regions of Western Africa, local customs about marriage, inheritance and resolution of disputes incorporate elements of the Islamic law while simultaneously defending indigenous practices. The potential for these usual norms to disagree with Sharia create friction, particularly when issues such as women's rights and social justice are at the forefront. highlights the example of inheritance laws, where usual practices can favor male heirs about female counterparts, moving away from the principles of Sharia that advocate equitable distribution. In this context, local leaders may prefer to retain usual systems that resonate more closely with their social values, thus creating tensions with the established regulations of the Sharia.

Similarly, in Indonesia, a diverse Islamic society, *adat lokal* (customary law) often coexists with Islamic law, which leads to distinctive legal pluralism. The province of Aceh offers a convincing case study, since it has implemented the Sharia law at the provincial level. While Sharia rules many aspects of community life, local customs continue to play a crucial role in legislative processes and community government. The interaction of Sharia and Adat is evident in practices such as dispute resolution, where local traditions can be prioritized to maintain social harmony.³⁰ This phenomenon underlines how communal values can sometimes replace the prescriptive nature of Sharia, complicating the interpretation and implementation of Islamic legal principles.

³⁰ Rr Dewi Anggraeni, "Islamic Law and Customary Law in Contemporary Legal Pluralism in Indonesia: Tension and Constraints," vol. 23, n.d.

Another dimension that affects the relationship between Sharia and the usual laws is the influence of globalization and modern legal frameworks. For example, in some countries of the Middle East where rapid modernization occurs, the usual laws once resistant to external pressures face challenges raised by international norms and regulations. The evolutionary discourse on the rights of women emphasizes this statement, since the international norms of human rights that advocate gender equality often collide with the traditional interpretations of customary law and Sharia. In such contexts, the struggle to maintain cultural identity while adding contemporary ethical standards reveals a continuous negotiation between preservation and adaptation. In addition, the variability of execution mechanisms further complicates this relationship. In certain regions, Sharia is strictly applied through formal state structures, while in others, its application is voluntary and subject to community consensus. This disparity creates an environment where the usual laws can flourish in environments where Sharia applies less rigorously. On the contrary, in highly regulated environments, adherence to formalized Sharia can marginalize local customs that are not aligned with prescribed legal interpretations. The tension between these systems raises significant issues about the legitimacy, authority and conflict potential within various Muslim communities.

The evolution narrative between Sharia and the usual laws reveals intricate interaction patterns that shape social practices and legal norms. Examining contemporary tensions within these dynamics is essential to understand how Muslim societies reconcile the legacy of Islamic teachings with the various cultural fabrics that report their identities. The negotiation of these legal frameworks continues to influence not only the preservation of forgotten customs but also the nature of intra-community relationships in an increasingly globalized world. The impact of colonial legacies on the preservation of customs on Islamic culture reveals a complex interaction between traditional practices and modernity. Throughout the nineteenth and twentieth centuries, colonial powers generally imposed their own legal systems and cultural norms on Muslim societies, resulting in significant interruptions of indigenous practices. This was characterized by a double process: the erasure and marginalization of traditional customs, along with a forced adaptation to the western ideals of governance and sociocultural expression.³¹ Points out that the consequences of colonialism were not merely superficial, but deeply rooted the transformation of legal structures and social structures, thus reformulating the cultural landscape of Muslim communities.

An important facet of this transformation is Sharia's own role in negotiating colonial legacies. Although colonial powers sought to reduce the relevance and authority of Islamic law, many Muslim societies have maintained a commitment to Sharia as an essential component of their identity. The complexities of this relationship between colonial authority and sharia law can be observed in the preservation of certain customs that reflect Islamic values. For example, practices related to marriage ceremonies, such as *Nikah* (wedding contract), were maintained and adapted in contemporary contexts,

³¹ Juneefa Bilal, "Academic Researches on Fazlur Rahman: An Assessment," *Analisa: Journal of Social Science and Religion* 6, no. 01 (July 30, 2021): 47–62, <https://doi.org/10.18784/analisa.v6i01.1288>.

highlighting the resilience of cultural identity amid external pressures. Modernity, caused by colonial encounters, introduced several new influences that often conflicted with traditional practices. The advent of Western -style educational systems, for example, created tensions on the transmission of cultural knowledge. While the Islamic Scholarship historically provided a comprehensive structure for education and social transmission, the colonial educational model prioritized secular knowledge and often disregarded religious traditions. This change resulted in generational losses of certain customs that were practiced for centuries, as younger generations adapted to different expectations of society.

Despite these challenges, the preservation of certain customs serves as proof of the adaptability of Islamic culture. Traditional crafts, such as calligraphy and textile weaving, remain relevant not only as cultural identities, but also as manifestations of Islamic teachings related to labor ethics and creativity. Recent initiatives designed to revive these handicrafts highlight a growing awareness among contemporary Muslim societies of the need to recover and practice their inheritance as a response to the homogenizing effects of globalization.³² Postulates that this resurgence is often framed within a broader speech of cultural authenticity, where individuals seek to navigate their identities in a modern world that often dilutes traditional values. In addition, the resurgence of community practices, such as community prayers during Ramadan and festive celebrations such as eid, illustrates the negotiation between Sharia and the contemporary political scenario influenced by colonial legacies. These events not only reinforce community titles, but also create spaces for the intergenerational transmission of customs that may have been forgotten or forgotten. In this sense, contemporary Muslim societies are critically involved with their historical narratives, actively working to reconcile lost traditions with the imperatives of a modern existence.

Finally, understanding the impacts of colonial legacies on Islamic culture encompasses a recognition of Sharia's resilience as a living law. The interaction between modernity and tradition in Muslim societies shows a dynamic environment in which customs are not merely preserved, but revitalized in significant ways that resonate with contemporary challenges. This ongoing negotiation reflects a broader ethos in Islamic culture, reaffirming the meaning of religious principles and historical customs as fundamental aspects of identity in the context of a constantly evolving world., Islamic festivals and rituals serve as vital touch stones for cultural identity and community cohesion in Muslim societies. Many of these observance persisted, despite changes in social and political contexts, mainly due to their alignment with Islamic (Sharia) law, which not only legitimates, but also fits these customs within a broader religious and ethical structure. This section examines specific festivals and rituals like *Eid al-fithr*, *Mawlid an-Nabi* and compliance with Hajj as sharia reinforces its continuity and relevance in contemporary practices.

³² Ali Akbar, "Fazlur Rahman's Influence on Contemporary Islamic Thought," *The Muslim World* 110, no. 2 (June 25, 2020): 129–53, <https://doi.org/10.1111/muwo.12334>.

Eid al-Fitr, the festival that celebrates the end of *Ramadan*, is particularly illustrative of this phenomenon. Founded on the Quran's injunctions on fasting during Ramadan, this festival serves as a spiritual conclusion for a month of fasting and a platform for the community bond. While various cultural components, including culinary traditions and local forms of celebration, have evolved, the essence of *Eid al-Fitr* remains consecrated in Sharia as a time for community prayers, alms and reflections. The mandatory practice of *Zakat al-Fitr*, a form of charity donation designed to clean those who fast any indecent act or speech and help the poor and needy on 'Eid day, illustrates how Sharia legitimates the festival, ensuring his Adherence throughout its adhesion through various Muslim populations. In contemporary societies, Eid al-Fitr, remains a significant occasion to promote family and community ties, as well as demonstrate the adaptability of Islamic law to support regional customs.

Similar patterns can be observed in *Mawlid al-Nabi*, the observance of the birth of the prophet Muhammad. While the formal recognition of this day varies between Islamic sects - some in relation to it as an essential observance and others discarding their meaning - the rituals associated with Mawlid often intersect with the principles of sharia centered on life and the prophet's teachings. The practice of telling stories, recitation of poetry and community meals during Mawlid resonates with the Islamic emphasis on the community and the reminder of the prophet's qualities and teachings. These traditions, often infused with local cultural elements, exhibit resilience due to their foundations in Sharia, which provides a structure for the celebration, allowing space for localized expressions.

Hajj, the pilgrimage to Mecca, represents another example par excellence in the role of Sharia in the preservation of traditional practices. Consecrated as one of the five pillars of Islam, *Hajj* rituals are extensively detailed in Sharia, dictating the practices that must be followed to ensure that the pilgrimage fulfills its religious obligations. *Hajj's* rites, including *Tawaf* (Kaaba's circumness), *Sa'i* (the ritual walking between the *Safa* and *Marwah* hills) and standing in *Arafat*, not only adhering to divine commands, but also incorporating traditional customs and social norms inside them. The pilgrimage promotes a global sense of unity among Muslims, linking local practices from millions to a singular structure and guided by Sharia. As contemporary Muslim societies sail in modernity and globalization, *Hajj* serves as a moving reminder of shared identity and commitment to Sharia, highlighting the lasting relevance of these traditions.

In short, several Islamic festivals and rituals continue to prosper due to the legitimacy transmitted by Sharia. The interaction between religious principles and cultural customs provides a unique lens to understand the dynamics of tradition in contemporary Muslim societies. The survival of these practices indicates a broader cultural resilience as they adapt to social changes, remaining anchored in the fundamental texts of Islam. Through the lens of Sharia, these festivals and rituals not only connect Muslims to the past, but also allow for evolution interpretations that resonate within the complexities of modern existence., The Islamic law (Sharia) acts as a critical framework within which the rights of cultural heritage are recognized and protected, in particular as

regards the conservation of the customs and forgotten traditions. The intrinsic connection between religious prescriptions and cultural practices has favored initiatives that promote the safeguarding of the intangible cultural heritage between the Muslim communities.³³ articulates that Sharia's provisions extend beyond simple doctrinal compliance; They include a holistic approach to maintain and renew the cultural identity between modernizing influences.

A significant aspect of the Islamic law in the context of the protection of cultural heritage is his emphasis on the concept of "*amana*" (trust). This principle places that cultural practices and traditions, whether they are oral stories, rituals or crafts, are entrusted to the current generation for management and conservation. As custodians of this cultural heritage, communities are obliged to ensure that these customs are not only maintained but also revitalized. Different Islamic traditions show this commitment: for example, on significant occasions such as weddings or religious celebrations, forgotten customs, once relegated to darkness, are often reinstated in ceremonies, thus improving identity and community continuity. In addition, Sharia recognizes the importance of the involvement of the community in safeguarding cultural heritage. This is particularly noteworthy in the kingdoms of oral traditions, music, dance and craft crafts, which are essential for the identity of various Islamic societies. The legal framework encourages local initiatives, such as cultural festivals and seminars, aimed at revitalizing and transmitting these customs to the younger generations. These initiatives not only retain the costumes, but also strengthen the links of the community, promoting a collective sense of belonging and identity. In addition to the efforts led by the community, Islamic organizations often collaborate with government bodies to promote the conservation of cultural heritage. These partnerships can be seen in different countries where Islamic law aligns state policies regarding cultural conservation. For example, the initiatives that document and store traditions of fading have emerged in nations such as Morocco and Indonesia, where local customs are protected by both Sharia and National Heritage Laws. These initiatives reflect a concerted effort to ensure that forgotten practices are recognized and appreciated within the wider spectrum of Islamic culture. In addition, Islamic jurisprudence faces conflicts that can arise between modernization and conservation of cultural customs. As societies undergo rapid changes due to globalization, the conservation of cultural heritage becomes a challenge. In various cases, Sharia has provided a base to discuss the commodification of cultural practices. The politician who adheres to Islamic values can safeguard these costumes against erosion in advance through external influences, thus applying a cultural Renaissance that revitalizes interest in traditional practices.

³³ Eleni Polymenopoulou, "Caliphs, Jinns, and Sufi Shrines: The Protection of Cultural Caliphs, Jinns, and Sufi Shrines: The Protection of Cultural Heritage and Cultural Rights under Islamic Law Heritage and Cultural Rights under Islamic Law," *Emory International Law Review*, vol. 36, n.d., <https://scholarlycommons.law.emory.edu/eilr/vol36/iss4/8>.

CONCLUSION

The conclusion of this study is that sharia and customs interact with each other in the lives of Muslims. Customs that do not conflict with sharia can be accepted as part of Islamic law (*'Urf sahih*), while customs that conflict must be abandoned (*'Urf fasid*). A contextual approach is needed to balance the two to remain relevant in modern life. Sharia remains the main guideline, while customs can play a complementary role as long as they are in accordance with Islamic values. In Islam, *'Urf* or social customs are classified into *'Urf Ṣaḥīḥ* (authentic customs) and *'Urf Fasid* (corrupt customs). *'Urf Ṣaḥīḥ* refers to customs that do not conflict with Islamic law and can be used as a legal basis, such as a fair and transparent buying and selling system or giving a dowry in marriage as a sign of respect. On the other hand, *'Urf Fāsīd* is a custom that conflicts with Islamic teachings and cannot be used as a guideline, such as the practice of usury in economic transactions or excessive wedding parties that cause waste. Therefore, Islam recognizes and adopts customs that are in accordance with Islamic law, but rejects customs that conflict with Islamic values.

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