

Customary Law and Islamic Family Law in Resolving Out of Wedlock Pregnancy: A Socio Legal Study

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Abstract : Out-of-wedlock pregnancy presents a complex socio-legal challenge within Indonesia's plural legal system. In many Muslim communities, dispute resolution extends beyond state law and Islamic family law to include living customary norms. This study examines how customary law interacts with Islamic family law in resolving out-of-wedlock pregnancy cases. Using a socio-legal field approach, data were collected through interviews, observation, and documentation in Tambak Tinggi Village, Kerinci Regency. The findings reveal that customary law operates through deliberative mechanisms emphasizing accountability, restoration of family honor, and social reintegration through customary fines and communal reconciliation rituals. Rather than competing with Islamic family law, customary law complements it by encouraging marriage, affirming male responsibility, and safeguarding women and children. This study argues that the coexistence of customary law and Islamic family law reflects a context-sensitive model of restorative justice within Indonesia's legal pluralism. The article contributes to socio-legal scholarship by demonstrating how local normative orders remain relevant in addressing contemporary family disputes.

Keywords : Customary Law; Islamic Family Law; Out-of-Wedlock Pregnancy; Socio-Legal Study; Legal Pluralism

Abstrak : Kehamilan di luar perkawinan menghadirkan tantangan sosiolegal yang kompleks dalam sistem hukum plural Indonesia. Dalam komunitas Muslim, penyelesaian sengketa tidak hanya mengacu pada hukum negara dan hukum keluarga Islam, tetapi juga melibatkan norma adat yang hidup. Penelitian ini mengkaji interaksi hukum adat dengan hukum keluarga Islam dalam menyelesaikan kasus kehamilan di luar perkawinan. Dengan pendekatan lapangan sosiolegal, data dikumpulkan melalui wawancara, observasi, dan dokumentasi di Desa Tambak Tinggi, Kabupaten Kerinci. Temuan menunjukkan bahwa hukum adat bekerja melalui mekanisme musyawarah yang menekankan pertanggungjawaban, pemulihan kehormatan keluarga, dan reintegrasi sosial melalui denda adat serta ritual rekonsiliasi komunal. Alih-alih bersaing dengan hukum keluarga Islam, hukum adat melengkapinya dengan mendorong perkawinan, menegaskan tanggung jawab laki-laki, serta melindungi perempuan dan anak. Penelitian ini berpendapat bahwa koeksistensi hukum adat dan hukum keluarga Islam mencerminkan model keadilan restoratif yang peka konteks dalam pluralisme hukum Indonesia. Artikel ini berkontribusi pada kajian

sosiolegal dengan menunjukkan bahwa tatanan normatif lokal tetap relevan dalam menangani sengketa keluarga kontemporer.

Kata Kunci: Hukum Adat; Hukum Keluarga Islam; Kehamilan di Luar Perkawinan; Kajian Sosiolegal; Pluralisme Hukum

INTRDUCTION

The phenomenon of out-of-wedlock pregnancy constitutes a complex social and legal issue in societies with plural legal systems (Krismono & Rahman, 2024). This phenomenon not only raises moral concerns but also has implications for family law, children's rights, and social stability (Asra, 2024). In many Muslim societies, out-of-wedlock pregnancy is perceived as a violation of religious and social norms, carrying serious consequences for the status of women and the children born as a result (Nafisah et al., 2024). In countries with dual or plural legal systems, the resolution of such cases often involves an interaction between religious law, state law, and customary law (Baihaqi et al., 2024). Although each legal system adopts a different approach, their primary objective remains the preservation of honor, social balance, and human values.

In Indonesia, out-of-wedlock pregnancy remains a significant social and legal challenge (Hutasoit et al., 2024), particularly in rural areas where customary norms are strongly upheld (Yazid et al., 2025). Although national law and Islamic law provide formal legal frameworks governing marriage and lineage, social practices indicate that such cases are often resolved through customary law mechanisms. This reflects the strong influence of local cultural values in maintaining social order and family honor (Hasan, 2026). However, the relationship between customary law, Islamic law, and national law in addressing out-of-wedlock pregnancy has not yet been fully integrated in a comprehensive manner (Jenuri & Najib, 2023), both conceptually and in practice (Saputra & Saputra, 2024). This condition underscores the need for further studies that examine the interaction of these three legal systems within a contextual framework.

Tambak Tinggi Village in Kerinci Regency represents a relevant site for study, as its community continues to uphold a strong customary structure in regulating social life. Customary law in this village functions not only as a system of norms but also as an effective social mechanism for resolving moral conflicts and maintaining community balance (Khusairi & Mandala, 2022). From the perspective of the local community, out-of-wedlock pregnancy is likened to "fruit appearing before the flower," a metaphor that illustrates a violation of the moral and social order that should be preserved. This expression reflects a collective view that relationships outside of marriage not only breach moral norms but also undermine family honor and the dignity of the customary community.

The uniqueness of Tambak Tinggi Village is also reflected in its system of customary sanctions, which are applied collectively and symbolically. Individuals involved in out-of-wedlock pregnancy, both male and female, are required to fulfill customary fines as a form of moral and social responsibility. Once these obligations are met, the community holds a traditional feast (*kenduri adat*) as a symbol of restoring family honor and achieving social reconciliation. Conversely, failure to comply with these customary obligations may result in social sanctions, such as exclusion from the community and revocation of membership in the customary group. This practice demonstrates that customary law is not merely punitive in nature, but rather functions as a mechanism for social restoration that emphasizes balance, responsibility, and harmony among community members.

From the perspective of Islamic family law, out-of-wedlock pregnancy carries serious legal implications, particularly concerning the act of *zina* (adultery) (Ad, 2023), the validity of marriage, the determination of lineage (*nasab*), as well as the status and protection of the child (Wulandari et al., 2026). Islamic law normatively regulates the boundaries of relationships between men and women and establishes legal and moral consequences for violations of these boundaries (Harahap, 2013).

However, in the social practices of customary communities, the norms of Islamic family law are not always applied textually; rather, they interact with local values that are lived and continuously evolving. The customary mechanisms in Tambak Tinggi Village demonstrate a process of negotiation between the principles of Islamic family law and the social need to preserve family honor and community stability. Therefore, examining the position of Islamic family law within customary legal practices is essential to understand how religious norms are contextually interpreted within customary societies.

From an academic perspective, there remains a research gap in the study of out-of-wedlock pregnancy. Most previous studies tend to focus on normative approaches within Islamic law or positive law, while empirical studies examining customary legal practices within the framework of Islamic family law are still relatively limited. In particular, there is a lack of socio-legal research that positions customary law as a social mechanism actively negotiating with Islamic law and national law in addressing cases of out-of-wedlock pregnancy. Based on this gap, this study aims to analyze the position of customary law in resolving cases of out-of-wedlock pregnancy and its relationship with Islamic family law and national law. This research employs an empirical socio-legal approach to understand law as a living social practice within society. The main contribution of this study is to demonstrate the role of customary law as a mechanism for social reconciliation while also affirming its position within the framework of legal pluralism in Indonesia. Through a case study in Tambak Tinggi Village, this research is expected to enrich the study of Islamic family law and provide a contextual perspective for the development of more inclusive and equitable legal policies.

METHOD

This study is a field research employing a descriptive qualitative approach within a socio-legal framework (Afandi, 2022), which views law as a living social practice enacted within the context of society. The research focuses on the role of customary institutions in resolving cases of out-of-wedlock pregnancy from the perspective of Islamic family law in Tambak Tinggi Village, Kerinci Regency. The fieldwork was conducted between 2024 and 2025. The study involved seven key informants, consisting of the head and members of customary institutions, religious leaders, community leaders, village officials, and community members who had been directly involved in resolving cases of out-of-wedlock pregnancy. The number of informants was determined based on the principle of data sufficiency (data saturation), meaning that data collection was concluded when the information obtained became repetitive and no longer produced significant new findings.

Informants were selected using purposive sampling (Nurdiani, 2014), based on criteria such as knowledge, experience, and direct involvement in customary dispute resolution mechanisms (Jailani & Jeka, 2023). In addition, limited snowball sampling was applied to identify additional relevant informants through recommendations from initial participants, particularly in the context of sensitive cases. Data were collected through three main techniques (Pangaribuan, 2023): observation, to directly examine customary dispute resolution practices in the field; in-depth interviews, to explore the perspectives and experiences of informants regarding the resolution of out-of-wedlock pregnancy cases; and documentation, including customary records and archives of deliberation outcomes.

Data analysis was conducted using a descriptive qualitative method through three stages: data reduction, data presentation, and conclusion drawing. To ensure data validity, source triangulation was employed by comparing interview results across informants and cross-checking them with observations and supporting documents. Ethical considerations were upheld by obtaining informed consent from informants prior to interviews, maintaining the confidentiality of informants' identities especially those directly involved in sensitive cases and using pseudonyms when necessary. Through these procedures, this study aims to identify patterns of resolving out-of-wedlock pregnancy cases based on customary law, as well as the forms of interaction between such practices and the principles of Islamic family law, thereby providing a

comprehensive understanding of the role of customary institutions as social mediators in maintaining normative balance and community harmony.

RESULT AND DISCUSSION

Result

Based on field research conducted in Tambak Tinggi Village, Kerinci Regency, it was found that the resolution of out-of-wedlock pregnancy cases is still strongly influenced by the existence of customary law as a living law that continues to be practiced and obeyed by the community. Customary law functions not merely as a symbolic tradition, but as a real mechanism for maintaining social order, family honor, and balance among community members. The first finding shows that the community perceives out-of-wedlock pregnancy as a serious violation of religious, customary, and moral norms. Such an event is considered not only to damage the reputation of the individual, but also to undermine the dignity (*marwah*) of the family and its social standing within the community. Therefore, the issue immediately becomes a collective concern rather than being treated as a purely private matter.

The second finding indicates that the dispute resolution process is carried out through customary deliberation involving both families, customary leaders, religious leaders, village authorities, and relevant community members. The deliberation is conducted privately with the primary objective of finding a solution that can restore family honor and preserve social harmony. The third finding reveals that when the male party is willing to take responsibility, the settlement is directed toward marriage between both parties. Marriage is regarded as the best solution to restore family dignity, provide social legitimacy to the relationship, and ensure the legal status of the woman and child. After the customary process is completed, the marriage is officially registered at the Office of Religious Affairs (*Kantor Urusan Agama / KUA*).

The fourth finding shows that, in addition to marriage, the parties are subjected to customary sanctions in the form of a joint fine consisting of twenty kilograms of rice and one goat. This fine is understood as a form of moral responsibility for a violation committed collectively. Once the fine is fulfilled, the community holds a customary feast (*kenduri adat*) as a sign that the matter has been resolved and that the parties are socially accepted again. The fifth finding demonstrates that if the parties refuse to fulfill customary obligations, they may face social sanctions such as exclusion, loss of public trust, and even revocation of customary membership. This indicates that customary law possesses strong binding power despite not taking the form of formal state punishment.

The sixth finding reveals that after the customary resolution process, the community tends to provide space for social reintegration of the individuals involved. Following deliberation, payment of fines, and the customary feast, those concerned are gradually readmitted into community activities. This shows that the orientation of customary law is not merely punitive, but restorative in nature. The seventh finding indicates a harmonious relationship between customary law, Islamic family law, and state law. Customary law functions as an initial community-based resolution mechanism, Islamic law provides moral foundations and marital legitimacy, while state law ensures legal certainty through marriage registration and protection of the rights of women and children. The eighth finding shows that younger generations are beginning to adopt a more open perspective. They continue to respect customary norms, but also believe that individuals who commit wrongdoing still have the right to improve themselves as long as they accept responsibility. This reflects an adaptive process of customary law toward modern social change.

Discussion

General Overview and Legal Values of Customary Law in Tambak Tinggi Village

The findings demonstrate that customary law in Tambak Tinggi Village continues to operate as a living law, namely a normative system that remains actively practiced, obeyed, and socially legitimized by the community (Mubarok, 2016). This confirms that law in rural Indonesian communities is not limited to state regulations, but also exists through local norms that effectively regulate everyday social life. In Tambak Tinggi Village, customary institutions are not symbolic entities; rather, they function as primary forums for resolving disputes related to family honor,

morality, and communal harmony. The persistence of customary law is closely related to the village's social structure, which is characterized by strong kinship relations, relatively homogeneous religious values, and collective social control. Such conditions strengthen communal obedience to customary norms because these norms are perceived as representing shared moral values. This finding supports (Hasan, 2026), who argues that kinship-based legal systems remain significant in preserving local cultural identity and social cohesion.

Unlike formal state law that relies on coercive sanctions, customary law in Tambak Tinggi Village derives its authority from consensus, moral pressure, and communal acceptance. Its effectiveness lies in the internalization of values such as honor, shame, responsibility, and social balance. This reflects the socio-legal view that legal compliance often emerges from social legitimacy rather than formal coercion alone. The local metaphor "fruit appearing before the flower" illustrates how the community constructs out-of-wedlock pregnancy as moral disorder. This expression is more than cultural language; it serves as a normative instrument that communicates acceptable standards of behavior and reinforces preventive moral awareness. Through such symbolic expressions, customary law functions pedagogically by shaping collective ethics without requiring written legal texts. Therefore, the general condition of Tambak Tinggi Village shows that customary law remains relevant because it is adaptive, socially rooted, and capable of resolving sensitive moral issues contextually. Within Indonesia's legal pluralism, customary law in this village functions not as a competing legal order, but as a complementary mechanism that preserves stability, family dignity, and communal order.

Principles and Position of Customary Law as a Socio-Legal Mechanism in the Perspective of National Law

The findings indicate that customary law in Tambak Tinggi Village is founded upon three principal values: *marwah* (honor and shame), social responsibility, and deliberation (*musyawarah*). These values function not only as ethical standards for individual conduct but also as the normative basis for resolving violations that disturb communal order. In this context, *marwah* operates as an internal mechanism of social control because obedience emerges from collective awareness rather than fear of formal punishment. This confirms that customary law possesses strong regulatory power through moral legitimacy and shared values. Cases of out-of-wedlock pregnancy are understood as affecting not merely the individuals involved, but also the dignity of their families and the wider community (Putri & Sadewo, 2024). Consequently, the resolution process is directed toward restoring collective honor rather than imposing retributive punishment. This reflects the core characteristics of restorative justice, where healing social relationships and re-establishing balance are prioritized over penal sanctions.

These customary principles also interact dynamically with Islamic family law. The emphasis on accountability, protection of family dignity, and male responsibility corresponds with Islamic teachings concerning moral obligations and the consequences of *zina* (Tatri *et al.*, 2025). However, customary law does not apply Islamic jurisprudence textually; instead, it contextualizes religious norms according to local social needs (Fidlilal *et al.*, 2025). This demonstrates a process of negotiation in which customary law and Islamic family law reinforce one another in practical dispute resolution.

The mechanism of *musyawarah adat* becomes an important deliberative forum where customary leaders, religious figures, families, and village authorities collectively assess each case. Through this process, resolutions such as customary fines and communal feasts (*kenduri adat*) are determined not merely as sanctions, but as instruments of reconciliation that formally end conflict and prevent continuing stigma. Thus, customary law regulates not only behavior, but also social emotions and communal reintegration. From the perspective of national law, the position of customary law is constitutionally recognized within Indonesia's plural legal system. Article 18B paragraph (2) of the 1945 Constitution affirms state recognition and respect for customary law communities and their traditional rights, provided they remain alive and consistent with national principles. This recognition is further strengthened by Law Number 6 of 2014 concerning Villages, which grants villages authority based on original rights and living traditional values. In practice, Tambak Tinggi Village demonstrates harmonization between customary and state law.

Customary institutions first resolve the social conflict through deliberation, while the state ensures legal certainty through marriage registration at the Office of Religious Affairs (*KUA*). This pattern shows that customary law functions as an initial mechanism of community-based settlement, whereas national law provides long-term legal protection, especially for women and children. Nevertheless, customary law cannot operate without limits. Its implementation must remain consistent with principles of justice, human rights, and gender equality. Therefore, the state retains an important supervisory role to ensure that customary norms evolve in line with constitutional values. Overall, customary law in Tambak Tinggi Village represents an effective socio-legal mechanism that bridges local wisdom, religious morality, and national legality within Indonesia's framework of legal pluralism (Fakhrurozi & Syahrudin, 2022).

Community Perceptions in Tambak Tinggi Village toward Out-of-Wedlock Pregnancy

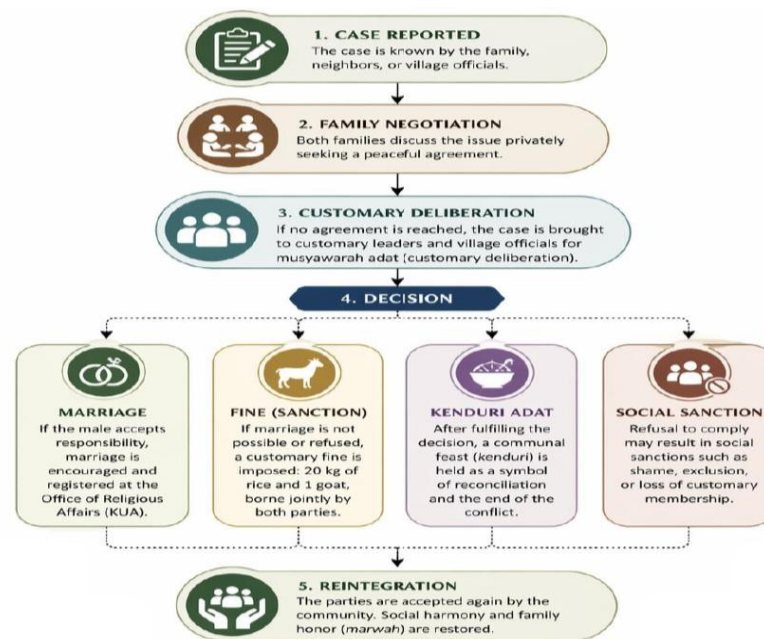
The findings reveal that community perceptions in Tambak Tinggi Village toward out-of-wedlock pregnancy are strongly shaped by the values of *marwah* (honor and shame), religious morality, and customary norms. Out-of-wedlock pregnancy is not viewed merely as a private moral failing, but as a social event that affects family dignity and communal reputation. This confirms that in customary societies, individual conduct is closely connected to collective honor and social order (Alifah *et al.*, 2021). At the initial stage, public responses generally take the form of informal social sanctions such as gossip, moral criticism, and temporary social distancing. These reactions function as mechanisms of communal control intended to preserve normative boundaries and deter similar conduct. As found in the field, such sanctions are rooted in the belief that shame is not borne only by the individual woman, but also by her family. This reflects the continuing relevance of *marwah* as a powerful social regulator in village life (Fadilah *et al.*, 2025).

However, the study also shows that the community does not adopt a permanently exclusionary approach. Once the matter is brought into the customary sphere and resolved through deliberation, opportunities for restoration and reintegration become available. This indicates that public perceptions are not solely punitive, but also restorative. The purpose is not to isolate offenders indefinitely, but to ensure accountability and then restore social harmony. Where the male party accepts responsibility, the preferred resolution is marriage, as this is socially perceived as the most appropriate means of restoring family honor and legitimizing the relationship. If responsibility is refused, customary fines or compensation may be imposed. This demonstrates that the community expects wrongdoing to be followed by concrete responsibility rather than mere apology.

Another important finding is the emergence of more flexible views among younger generations. While they continue to respect customary norms, they tend to believe that individuals involved in moral violations still deserve opportunities for self-improvement and reintegration once responsibility has been fulfilled. This suggests an ongoing adaptation between traditional communal values and modern perspectives on individual rights and rehabilitation. Overall, community perceptions in Tambak Tinggi Village show that customary law remains effective because it aligns with shared moral expectations. Through a combination of social control, accountability, and reintegration, the community maintains order while preserving solidarity. This confirms that customary responses to out-of-wedlock pregnancy function as a localized model of restorative justice within Indonesia's plural legal setting.

Mechanism for Resolving Out-of-Wedlock Pregnancy Cases under Customary Law in Tambak Tinggi Village

Figure 1. Resolution Process of Out-of-Wedlock Pregnancy under Customary Law



The findings show that the mechanism for resolving out-of-wedlock pregnancy cases in Tambak Tinggi Village is centered on the protection of moral values, family honor, and communal balance. Such cases are regarded as serious violations of both customary and religious norms because they are believed to damage the *marwah* of the family and disturb social harmony (Sukancajaya *et al.*, 2025). Consequently, the resolution process is not primarily punitive, but restorative, aiming to repair the social consequences of the violation. The settlement generally begins through communication between the families involved. If no private agreement is reached, the matter is brought before customary leaders, village authorities, and relevant figures for *musyawarah adat*. This demonstrates that customary law prioritizes consensus-building and collective problem solving rather than adversarial procedures. The private nature of deliberation also reflects sensitivity toward family dignity and the avoidance of unnecessary public humiliation.

Where the male party is willing to assume responsibility, marriage becomes the preferred solution to restore honor, legitimize the relationship, and protect the woman and child. From the perspective of Islamic family law, such marriage reflects moral and social responsibility, although it does not eliminate the normative consequences of *zina* (Hikmah & Husni, 2025). The subsequent registration of marriage at the Office of Religious Affairs (*KUA*) is crucial because it provides legal certainty and safeguards the rights of women and children, particularly concerning maintenance, childcare, and other socioeconomic protections (Winarni *et al.*, 2023; Rani & Prima, 2025). Studies on unregistered marriages further demonstrate that the absence of formal marital recognition may weaken the economic protection of wives and children, especially regarding inheritance rights, joint property claims, and access to social and financial services (Putra & Yul, 2026). In addition to marriage, customary sanctions are imposed in the form of a joint fine consisting of twenty kilograms of rice and one goat. The equal burden placed on both parties reflects a communal understanding of shared responsibility and demonstrates a more balanced customary approach to accountability, especially in relation to maintenance and childcare (Rani & Prima, 2025).

In addition to marriage, customary sanctions are imposed in the form of a joint fine consisting of twenty kilograms of rice and one goat. The equal burden placed on both parties reflects the communal understanding that the violation results from shared responsibility. This

differs from social patterns that place blame solely on women and indicates a more balanced customary approach to accountability.

After the fine is fulfilled, the community conducts a *kenduri adat* as a ritual marker that the conflict has ended. Sociologically, the feast functions as a collective declaration of reconciliation, restoring relations between the families and reopening social acceptance for those involved. Through prayer and communal participation, stigma is gradually reduced and reintegration becomes possible. Conversely, refusal to comply with customary obligations may result in exclusion, loss of trust, or revocation of customary membership. These sanctions illustrate that the authority of customary law lies not in physical coercion, but in social legitimacy and communal belonging. In tightly knit communities, such sanctions can be more effective than formal punishment. Overall, the mechanism in Tambak Tinggi Village reflects a localized model of restorative justice in which accountability, reconciliation, and legal certainty are integrated. Customary law functions as an initial social resolution mechanism, Islamic family law provides moral and marital legitimacy, and state law supplies formal legal protection. This demonstrates that customary law does not compete with other legal systems, but complements them within Indonesia's framework of legal pluralism (Rosyid & Afrizal, 2025).

Sociological and Juridical Analysis

From a sociological perspective, the findings indicate that the handling of out-of-wedlock pregnancy cases through customary law in Tambak Tinggi Village functions as a mechanism for managing moral conflict and preserving communal stability. Customary law is not applied merely to punish violations, but to reduce social tension arising from damaged family honor and disrupted relationships. In this sense, customary law operates as an instrument of collective social control based on shared values rather than coercive force (Ningtias, 2025). This finding is further reinforced by the view that customary law continues to function as an important source of law in contemporary Indonesian society (Sumaya, 2026).

The imposition of customary fines and the implementation of *kenduri adat* also carry sociological significance. These measures are not merely sanctions or rituals, but symbolic processes that mark the end of conflict and facilitate social reintegration. Through such mechanisms, the community gradually restores acceptance of the individuals involved while reaffirming collective norms. This demonstrates the restorative character of customary law, where healing relationships is prioritized over repressive punishment. Nevertheless, modernization, mobility, and the influence of global values may gradually weaken the binding force of customary norms, especially among younger generations. As social structures become more individualistic, customary law must continue adapting if it is to remain effective. Its sustainability depends on balancing traditional authority with changing perceptions of justice, privacy, and personal autonomy.

From a juridical perspective, the practices found in Tambak Tinggi Village reflect the operation of living law within Indonesia's plural legal system. Customary law is constitutionally recognized so long as it remains alive and does not conflict with national legal principles. Therefore, customary dispute resolution should not be viewed as outside the legal system, but as part of a broader pluralistic framework that complements formal state law. The study further shows that customary law functions effectively as an initial dispute-resolution mechanism because it is faster, more contextual, and socially accepted than formal litigation. However, legal certainty still requires the role of state institutions. This is evident when marriages resulting from customary settlements are formally registered at the Office of Religious Affairs (*KUA*), ensuring official recognition and protection of women's and children's rights.

From the perspective of Islamic family law, out-of-wedlock pregnancy carries normative implications relating to *zina*, marriage validity, child lineage (*nasab*), and maintenance obligations. In this regard, customary practices that encourage marriage, male responsibility, and child protection are broadly consistent with the objectives of Islamic family law. However, social reconciliation alone cannot replace essential legal obligations such as valid marriage contracts, financial support, and legal protection for dependents. Overall, the sociological and juridical analysis demonstrates that customary law in Tambak Tinggi Village remains relevant because it is

able to mediate morality, social solidarity, and legal certainty simultaneously. Its future effectiveness depends on continued synergy with national law and Islamic family law, allowing customary institutions to remain humane, contextual, and responsive within contemporary Indonesian society.

CONCLUSION

This study demonstrates that the resolution of out-of-wedlock pregnancy cases in Tambak Tinggi Village is not merely a traditional practice, but a manifestation of customary law as a living law that remains effective in the community. Customary law manages moral conflict, restores family honor (*marwah*), and maintains social harmony through deliberation, customary sanctions, and communal reconciliation. From a socio-legal perspective, these mechanisms reflect restorative justice by prioritizing accountability, reintegration, and collective solidarity over retributive punishment. The study also finds a dynamic interaction between customary law and Islamic family law. The encouragement of marriage, male responsibility, and child protection aligns with the objectives of Islamic family law. However, customary settlement cannot replace essential religious obligations such as a valid marriage contract, maintenance, and legal protection for women and children. Thus, customary law should be viewed as a complementary mechanism that reinforces Islamic family law. From the perspective of national law, customary practices in Tambak Tinggi Village possess constitutional legitimacy and operate harmoniously with state law, particularly through marriage registration at the Office of Religious Affairs (*KUA*). This confirms that Indonesia's legal pluralism allows customary law, Islamic law, and state law to coexist and complement one another. Overall, customary law remains relevant because it is socially rooted, adaptive, and responsive to local realities. These findings contribute to socio-legal and Islamic family law scholarship while offering a basis for more contextual and inclusive legal policy.

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