

Husband's Responsibility and Maternal Protection in the Pataru Indahan Tradition: An Islamic Family Law Analysis

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Keywords : *Pataru Indahan, Islamic family law, Islamization, maternal protection, family resilience.*

Abstrak: Islamic family law assigns the husband the primary legal responsibility for providing maintenance, care, and protection during pregnancy. In the Angkola-Mandailing Muslim community of Padang Bolak, North Padang Lawas Regency, the Pataru Indahan tradition involves the wife's family presenting customary food to the husband's family, raising questions about its legal status and its relationship to the husband's obligations. This study examines the legal position of Pataru Indahan within Islamic family law and its contribution to maternal protection. Using an empirical legal method with a socio-legal approach, data were collected through interviews with customary leaders, religious leaders, representatives of the Dalihan Na Tolu institution, and women who had experienced the tradition, supported by documentary analysis. The findings reveal that Pataru Indahan has undergone a process of Islamization in which customary practices are integrated with Islamic values while preserving their social function. Rather than transferring the husband's legal responsibility, the tradition provides complementary emotional, social, and spiritual support that strengthens maternal protection and family resilience. This study argues that Pataru Indahan constitutes 'urf ṣaḥīḥ because it promotes maṣlaḥah, supports the objectives of maqāṣid al-sharī'ah, and reinforces maternal welfare without altering the husband's non-transferable legal obligations under Islamic family law.

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INTRODUCTION

The protection of pregnant women and unborn children has emerged as one of the central concerns of contemporary Islamic family law because it reflects the realization of legally enforceable marital responsibilities, family welfare, and the objectives of *maqāsid al-sharī'ah*, particularly the protection of life (*ḥifẓ al-nafs*) and progeny (*ḥifẓ al-nasl*), requires these values to be translated into concrete legal obligations governing marital rights and responsibilities rather than remaining abstract moral principles (Aghbalou, 2026). Within this framework, the husband bears the primary responsibility to provide *nafaqah*, care, protection, and emotional support throughout pregnancy as integral components of Islamic family law. Recent studies further demonstrate that maternal and child protection has evolved into a substantive objective of contemporary Islamic family law, extending beyond the formal application of legal rules toward ensuring effective protection within family life (Mera et al., 2024). Nevertheless, the practical realization of these legal obligations is frequently shaped by diverse social settings in which Islamic norms interact with customary institutions and state regulation, making contextual socio-legal analysis indispensable for understanding how maternal protection is implemented in Muslim communities (Nasohah, 2024; Polontoh & Liauw, 2023).

In the Indonesian context, the implementation of Islamic family law is shaped not only by statutory provisions and religious norms but also by the continuing influence of customary institutions (*adat*) and local social practices. Contemporary scholarship increasingly views this relationship as a process of legal accommodation and normative negotiation rather than a competition between separate legal systems. Studies demonstrate that customary institutions may retain social authority while simultaneously adapting to Islamic legal principles, thereby creating context-specific mechanisms for regulating family relationships and protecting vulnerable family members (Asman et al., 2024). This dynamic has also been explained through the concept of legal hybridity, whereby Islamic norms, customary values, and state law interact to produce practical models of family governance that remain socially legitimate and legally meaningful (Tabroni et al., 2025; Yanti et al., 2025). Such interaction is particularly evident in efforts to protect women and children, where religious obligations, customary expectations, and formal legal frameworks collectively shape the implementation of family responsibilities (Zainuddin et al., 2024). Consequently, pregnancy-related customary traditions should be understood not merely as cultural expressions but as socio-legal institutions whose normative legitimacy depends on their consistency with Islamic family law and their contribution to family protection.

Pregnancy-related customary institutions continue to play an important role in regulating family relationships within many Indonesian Muslim communities, particularly where local traditions complement the implementation of Islamic family law. One such institution is *Pataru Indahan*, a ceremonial practice observed among the Angkola-Mandailing Muslim community in Padang Bolak, North Padang Lawas Regency. The tradition involves the symbolic presentation of customary food from the wife's family to the husband's household, expressing kinship solidarity, collective responsibility, and social support for maternal wellbeing during pregnancy. Although rooted in local custom, its contemporary practice has undergone a process of religious reinterpretation in which cultural practices are retained while elements considered inconsistent with Islamic teachings are gradually abandoned, reflecting the adaptive relationship between customary institutions and Islamic legal norms (Amri et al., 2026). Rather than disappearing, customary institutions frequently undergo normative accommodation, enabling local traditions to coexist with Islamic family law while preserving their social legitimacy (Asman et al., 2024),

reflecting a form of legal hybridity in which Islamic law and customary values interact to regulate family relationships without displacing either normative system (Tabroni et al., 2025), while continuing to demonstrate patterns of legal negotiation as customary practices evolve in response to contemporary legal and social challenges within Muslim communities (Mohsi et al., 2025).

Recent studies have substantially enriched discussions on the relationship between Islamic family law and customary institutions, yet several conceptual issues remain insufficiently addressed. Research on Indonesian Muslim communities has explained how customary norms are accommodated within Islamic family law through processes of normative adaptation and legal accommodation (Asman et al., 2024). Other studies have demonstrated that legal pluralism operates through continuous negotiation between Islamic and customary norms in regulating family relationships (Yanti et al., 2025), while the concept of legal hybridity has been used to explain the coexistence of religious and customary legal orders in marriage practices (Tabroni et al., 2025). Broader scholarship has also emphasized the dynamic development of Islamic family law in responding to contemporary social challenges (Nasohah, 2024) and highlighted the importance of legislative reform grounded in *maqāṣid al-sharīʿah* to strengthen family protection (Aghbalou, 2026). Nevertheless, existing scholarship has not adequately explained how pregnancy-related customary institutions function as socio-legal mechanisms that simultaneously provide maternal protection, strengthen kinship-based support, and reinforce rather than replace the husband's legal obligations under Islamic family law. Furthermore, little attention has been devoted to examining these institutions through an integrated analytical framework that combines *ʿurf ṣaḥīḥ*, *maqāṣid al-sharīʿah*, and contemporary Islamic family law. Accordingly, this study is the first to conceptualize *Pataru Indahan* simultaneously as a pregnancy-related customary institution, a mechanism of maternal protection, and a legally relevant form of *ʿurf ṣaḥīḥ* within the framework of contemporary Islamic family law.

Against this conceptual background, *Pataru Indahan* raises a significant normative question concerning the relationship between customary solidarity and legally enforceable marital obligations under Islamic family law. Although the tradition institutionalizes the participation of the wife's extended family in providing material, emotional, and symbolic support during pregnancy, such customary assistance should be understood as complementary rather than substitutive. Under Islamic family law, the husband's obligation to provide maintenance (*nafaqah*), protection, and care throughout pregnancy constitutes a personal and non-transferable legal responsibility that cannot be delegated on the basis of customary expectations (Al-Zuhaylī, 2007; Idrus, 2020). Nevertheless, Islamic legal theory recognizes *ʿurf* as a legitimate source of legal consideration insofar as customary practices promote *maṣlaḥah* and remain consistent with established Shariʿah principles (Kamali, 2008). Applied to *Pataru Indahan*, this principle permits the accommodation of local custom without altering the normative allocation of marital rights and obligations prescribed by Islamic family law. Recent scholarship similarly argues that the incorporation of customary institutions into contemporary Islamic family law should reinforce legal protection for family members and strengthen family resilience rather than diminish the husband's legal responsibilities (Febrianty et al., 2026; Guspita et al., 2025). Accordingly, from the perspective of *maqāṣid al-sharīʿah*, *Pataru Indahan* should be understood not as a mechanism for redistributing marital obligations, but as a complementary socio-legal institution that enhances maternal protection, strengthens kinship-based support, and advances family welfare while preserving the husband's primary legal duty (Auda, 2008; Aghbalou, 2026). This normative

framework provides the principal analytical foundation for evaluating the compatibility of *Pataru Indahan* with contemporary Islamic family law.

Complementing the foregoing legal analysis, interdisciplinary research demonstrates that cultural traditions continue to shape maternal care by influencing women's health-seeking behaviour, family support, and community responses throughout pregnancy. A focused ethnographic study among Igala women in Nigeria found that explicit and implicit cultural norms significantly influence women's utilization of maternal health services, illustrating that culturally embedded practices remain an important component of maternal protection (Opara et al., 2025). Likewise, international research emphasizes that family involvement, social support, and culturally sensitive maternal care contribute substantially to women's physical and psychological well-being during pregnancy (Al-Mutawtah et al., 2023). In the Indonesian context, qualitative studies similarly demonstrate that spirituality and religious practices strengthen emotional resilience, psychological well-being, and women's confidence throughout pregnancy and childbirth (Mutmainnah & Afiyanti, 2019). Ethnographic evidence further indicates that pregnancy-related traditions function as culturally embedded mechanisms for organizing maternal care and collective family participation, provided that such practices remain compatible with appropriate healthcare standards and ethical principles (Rahayu et al., 2023). These interdisciplinary findings suggest that pregnancy-related customs possess not only cultural significance but also social and protective functions. From the perspective of Islamic family law, however, their legal legitimacy ultimately depends on whether they reinforce maternal protection while remaining consistent with the normative allocation of marital rights and obligations.

Building upon the foregoing conceptual and empirical discussions, this study aims to analyse the legal position of the *Pataru Indahan* tradition within the framework of Islamic family law by examining its relationship with the husband's obligation to provide maintenance, care, and protection during pregnancy. It further evaluates whether *Pataru Indahan* may be classified as '*urf ṣaḥīḥ*' and whether its implementation promotes *maṣlaḥah* by strengthening maternal protection and family resilience without transferring the husband's non-transferable legal responsibilities to the wife's family. By doing so, this article contributes to the continuing development of Islamic family law scholarship by proposing a normative model for evaluating pregnancy-related customary institutions that harmonizes local tradition with legally enforceable marital obligations while strengthening maternal protection in contemporary Muslim societies.

METHOD

This research adopted an empirical socio-legal design to examine the interaction between Islamic family law and the *Pataru Indahan* tradition practiced in Padang Bolak District, North Padang Lawas Regency, Indonesia. A socio-legal approach was considered appropriate because it enables legal norms to be analysed within the social and cultural contexts in which they are practiced and interpreted (Banakar & Travers, 2005). Accordingly, field data obtained from community practices were analysed through the normative framework of Islamic family law. The legal analysis focused on the husband's obligations of maintenance (*nafaqah*), care, and maternal protection as articulated in the Qur'an, the Sunnah, classical and contemporary Islamic jurisprudence, the *Compilation of Islamic Law (Kompilasi Hukum Islam)*, and relevant Indonesian legislation. These legal sources functioned as the principal interpretative framework for assessing the empirical findings and determining the compatibility of the *Pataru Indahan* tradition with the normative principles of contemporary Islamic family law.

The research was conducted in Padang Bolak District because *Pataru Indahan* continues to be practiced as an integral component of the seventh-month pregnancy ceremony among the Muslim Angkola-Mandailing community, thereby providing an appropriate setting for examining the interaction between customary practice and Islamic family law. Informants were selected through purposive sampling to ensure the inclusion of individuals possessing direct knowledge and practical experience relevant to the research objectives (Patton, 2015). Eight informants participated in the study, consisting of two customary leaders, two Islamic religious leaders, two representatives of the *Dalihan Na Tolu* customary institution, and two women who had personally experienced the *Pataru Indahan* ceremony during pregnancy. This composition was intended to provide complementary customary, religious, institutional, and experiential perspectives necessary for analysing the legal position of *Pataru Indahan* and its relationship to the husband's responsibility for maternal protection under Islamic family law. For purposes of confidentiality and analytical consistency, each informant was assigned an identification code according to their institutional role: customary leaders (CL1–CL2), religious leaders (RL1–RL2), representatives of the *Dalihan Na Tolu* customary institution (CR1–CR2), and participants (P1–P2).

Fieldwork was carried out between November and December 2025 through a combination of semi-structured interviews and documentary review. Prior to the formal data collection process, preliminary visits were undertaken to identify prospective informants, gain a comprehensive understanding of the local customary context, and refine the interview guide. The empirical evidence generated through interviews was complemented by documentary materials, including customary records, local administrative documents, field documentation, and relevant legal and academic literature, which were used to contextualize and support the interpretation of the research findings. Before each interview commenced, all participants received an explanation of the study's objectives and procedures, after which their informed voluntary consent was obtained. Participant confidentiality was safeguarded throughout every stage of the research, and all information collected was used exclusively for academic purposes.

The data were analysed using qualitative thematic analysis following the procedures proposed by Braun and Clarke (2006). Interview transcripts and documentary materials were systematically organised, coded, and classified into themes reflecting the husband's legal responsibility, maternal protection, customary obligations, and the implementation of the *Pataru Indahan* tradition. To strengthen the credibility and trustworthiness of the findings, source triangulation was applied by comparing information obtained from customary leaders, religious leaders, representatives of the *Dalihan Na Tolu* customary institution, and participants with documentary evidence and relevant Islamic legal sources. This process enabled the consistency of factual information and legal interpretation to be critically assessed across multiple sources. The identified themes were subsequently interpreted through the analytical perspectives of Islamic family law, the doctrine of *urf ʿaḥīḥ*, and *maqāṣid al-sharīʿah*. This interpretative framework was employed to evaluate whether the *Pataru Indahan* tradition functions as a complementary mechanism of maternal protection while preserving the husband's primary legal responsibility for maintenance, care, and protection during pregnancy.

RESULTS AND DISCUSSION

The Islamization Of Pataru Indahan Tradition And Its Contemporary Religious Meaning

Field evidence indicates that the contemporary practice of *Pataru Indahan* in Padang Bolak has undergone a substantial process of religious reinterpretation through which customary expressions have been realigned with Islamic values. Interviews with customary leaders (CL1–CL2)

and religious leaders (RL1–RL2) consistently revealed that the tradition is no longer understood as a ritual possessing autonomous supernatural power, but rather as an expression of gratitude to Allah, collective supplication, and communal support for pregnant women and their families. In its present form, the ceremony is accompanied by Qur'anic recitation, religious advice (*naṣīḥah*), and prayers seeking the well-being of both the mother and the unborn child. This transformation demonstrates that the continuity of *Pataru Indahan* does not depend upon preserving its original ritual elements, but upon its successful reinterpretation within the normative framework of Islamic teachings. Such findings support recent scholarship suggesting that customary institutions in Muslim societies maintain their social legitimacy by adapting to Islamic legal values rather than by preserving pre-Islamic ritual practices unchanged (Amri et al., 2026; Mohsi et al., 2025).

The field findings demonstrate that the continuity of local traditions within Muslim communities is sustained not through the preservation of their original ritual forms, but through continuous processes of adaptation, negotiation, and religious reinterpretation. From the perspective of Islamic legal theory, a customary practice (*urf*) acquires normative legitimacy not because of its historical origin, but because it is socially accepted, promotes *maṣlaḥah*, and remains consistent with the fundamental principles of Shari'ah (Kamali, 2008). The contemporary practice of *Pataru Indahan* satisfies these criteria by transforming its symbolic expressions into religiously meaningful acts that reinforce maternal care and family solidarity. This finding also supports recent scholarship arguing that the accommodation of customary institutions within Islamic family law should strengthen family protection while preserving the normative objectives of *maqāṣid al-shari'ah* (Guspita et al., 2025; Aghbalou, 2026). Accordingly, the legal significance of *Pataru Indahan* lies not in its customary origin but in its contemporary capacity to function as a socially legitimate institution that advances maternal protection in accordance with Islamic family law.

The findings further demonstrate that the persistence of *Pataru Indahan* cannot be explained solely through religious doctrine or customary continuity, but through an ongoing socio-legal process in which Islamic norms and local practices mutually reinforce one another. Although the tradition is not derived directly from explicit Islamic textual sources, it continues to enjoy normative acceptance because the community has reinterpreted its meaning in accordance with Islamic ethical values. From a socio-legal perspective, law operates not only through formal legal rules but also through socially accepted practices and collective normative understandings that shape family relationships and community obligations (Banakar & Travers, 2005). The experience of *Pataru Indahan* therefore reflects the broader development of Islamic family law in Southeast Asia, where legal norms remain dynamic by accommodating culturally embedded practices that continue to promote family welfare without compromising fundamental Shari'ah principles (Siregar, 2024).

The present findings also provide a more nuanced understanding of the relationship between *adat* and Islamic family law than has been offered in previous studies. Earlier scholarship has demonstrated that customary norms and Islamic legal principles frequently interact through processes of negotiation and legal hybridity, allowing local traditions to remain socially relevant within Islamic normative frameworks (Tabroni et al., 2025). The case of *Pataru Indahan*, however, demonstrates that such interaction extends beyond normative accommodation. Although the ceremony actively involves the wife's extended family through the *Dalihan Na Tolu* kinship structure, empirical evidence confirms that this participation is understood as a form of communal solidarity rather than a redistribution of legally enforceable marital obligations. Consequently, the tradition reinforces the implementation of the husband's responsibility by complementing, rather than replacing, the duties of maintenance, protection, and care prescribed under Islamic family law.

Viewed through the framework of *maqāṣid al-sharīʿah*, the contemporary practice of *Pataru Indahan* promotes *maṣlaḥah* by strengthening both maternal protection and family solidarity during pregnancy. Its contribution extends beyond the preservation of lineage (*ḥifẓ al-nasl*) to include the protection of life (*ḥifẓ al-nafs*), as the tradition encourages emotional support, collective care, and a conducive social environment for maternal well-being. These normative benefits, however, remain conditional upon the absence of excessive financial burden (*isrāf*), social coercion, or beliefs incompatible with *tawḥīd*. The Islamization of *Pataru Indahan* therefore illustrates a process of normative accommodation in which customary institutions acquire contemporary legal relevance through religious reinterpretation rather than through independent legal authority. Accordingly, this study argues that the tradition should be understood as a complementary socio-legal mechanism that advances the objectives of Islamic family law while preserving the husband's non-transferable legal responsibility for maternal protection.

Symbolic Meanings And Social Functions Of Pataru Indahan: Dalihan Na Tolu, Family Solidarity, And Complementary Maternal Support

The *Pataru Indahan* tradition functions not merely as a ceremonial exchange of customary food but as a kinship-based mechanism through which the Angkola-Mandailing Muslim community expresses collective responsibility for maternal well-being during pregnancy. Interviews with representatives of the *Dalihan Na Tolu* customary institution (CR1–CR2) and women who had personally experienced the ceremony (P1–P2) consistently revealed that the preparation and presentation of *indahan* symbolize affection, respect, collective prayer, and moral encouragement extended by the wife's family. Rather than serving only ritual purposes, these symbolic expressions reinforce social cohesion and affirm that pregnancy is regarded as a shared family concern. Within the *Dalihan Na Tolu* kinship system, reciprocal relationships among *Mora*, *Kahanggi*, and *Anak Boru* institutionalize mutual responsibilities, thereby creating a culturally embedded support network that strengthens maternal care through collective family participation.

The operation of *Dalihan Na Tolu* demonstrates that responsibility for maternal well-being in the Angkola-Mandailing community extends beyond the nuclear family through culturally recognized forms of collective support. This finding provides concrete evidence of legal pluralism in practice, illustrating how Islamic norms, customary institutions, and state law interact to shape family protection within Indonesian Muslim communities. While Zainuddin et al. (2024) argue that these normative systems coexist in regulating the protection of women and children, the present study further demonstrates the specific mechanism through which that interaction is realized. Empirical evidence indicates that *Dalihan Na Tolu* strengthens maternal protection by mobilizing kinship-based solidarity without altering the normative allocation of marital responsibilities prescribed by Islamic family law. The husband's obligation to provide *nafaqah*, protection, and care therefore remains legally intact, whereas the participation of the wife's extended family functions as complementary social support that enhances family resilience rather than redistributing legally enforceable duties. This distinction constitutes an important socio-legal contribution of the present study, demonstrating that customary institutions may reinforce the implementation of Islamic family law without modifying its fundamental structure of rights and obligations.

From a socio-legal perspective, the empirical findings demonstrate that the persistence of *Pataru Indahan* is sustained not by formal legal compulsion but by its continuing acceptance as a socially legitimate institution within the Angkola-Mandailing community. The interviews reveal that community members participate in the tradition because it embodies shared expectations of

mutual care, kinship solidarity, and responsibility toward pregnant women rather than because it is imposed through statutory regulation or explicit religious obligation. This finding illustrates the operation of *living law*, whereby customary norms acquire practical legal significance through collective acceptance and their capacity to regulate social relationships within the family (Banakar & Travers, 2005). Accordingly, *Pataru Indahan* functions as a socio-legal mechanism that reinforces reciprocity, mutual assistance, and maternal protection while remaining compatible with the broader normative framework of Islamic family law.

The symbolic dimension of *Pataru Indahan* likewise demonstrates how cultural meanings are reconstructed within an Islamic normative framework. The presentation of *indahan* is understood not merely as material assistance but as a symbolic affirmation of compassion, collective prayer, and shared responsibility for the well-being of the mother and her unborn child. Consistent with the observations of Tabroni et al. (2025), this finding illustrates that Muslim communities preserve customary traditions by reinterpreting their meanings in ways that remain compatible with Islamic values. The present study extends this argument by demonstrating that the symbolic transformation of *Pataru Indahan* serves not only to maintain cultural identity but also to strengthen the implementation of Islamic family law through enhanced maternal protection and kinship solidarity. Accordingly, the tradition should be understood as a culturally embedded practice that supports the objectives of *maqāṣid al-sharīʿah*, particularly the protection of life (*ḥifẓ al-nafs*) and progeny (*ḥifẓ al-nasl*), without creating legal obligations independent of those established by Islamic family law.

The empirical findings further indicate that the contribution of *Pataru Indahan* to maternal protection extends beyond symbolic solidarity by strengthening family resilience throughout pregnancy. Interviews with participants revealed that the collective involvement of relatives provides emotional reassurance, spiritual encouragement, and practical support during a period often characterised by heightened physical and psychological vulnerability. These findings are consistent with Walsh's (2003) conception of family resilience, which emphasizes that shared belief systems, collaborative organizational patterns, and supportive communication enable families to respond more effectively to life challenges. Within the context of Islamic family law, such collective support does not replace individual legal obligations but enhances the family's overall capacity to fulfil its protective functions. This interpretation also corresponds with contemporary scholarship emphasizing that family resilience constitutes an important objective of Islamic family law in safeguarding the well-being of women and children (Guspita et al., 2025; Aghbalou, 2026).

Viewed through the framework of *maqāṣid al-sharīʿah*, the social functions performed by *Pataru Indahan* contribute simultaneously to the protection of life (*ḥifẓ al-nafs*) and the preservation of lineage (*ḥifẓ al-nasl*) by fostering a supportive family environment during pregnancy. Its normative value, however, remains conditional upon preserving proportionality, avoiding excessive financial burden (*isrāʾ*), social coercion, and beliefs incompatible with *tawḥīd*. When these conditions are satisfied, *Pataru Indahan* represents a legitimate customary institution that operates within the framework of Islamic family law by strengthening maternal protection, reinforcing family resilience, and encouraging kinship solidarity without creating autonomous legal obligations. This finding constitutes an important contribution of the present study, demonstrating that culturally embedded customary institutions may complement the implementation of Islamic family law through socio-legal support mechanisms while preserving the integrity of its normative structure.

Husband's Responsibility And Maternal Protection Under Islamic Family Law

Interviews with religious leaders (RL1–RL2), customary leaders (CL1–CL2), and women who had personally experienced *Pataru Indahan* (P1–P2) consistently confirmed that the tradition is understood as a form of kinship solidarity rather than a mechanism for transferring the husband's legal obligations during pregnancy. Although the wife's extended family actively participates in preparing and presenting the customary food, community members clearly distinguish between customary assistance and the husband's legally enforceable responsibility to provide maintenance, care, and protection. This distinction is particularly significant because it demonstrates that the accommodation of local custom does not modify the normative structure of marital obligations but instead strengthens their practical implementation through collective family support. Aghbalou (2026) similarly argues that contemporary Islamic family law should reinforce legally enforceable mechanisms of family protection, while Guspita et al. (2025) emphasize that family resilience is best achieved when customary institutions complement rather than replace the legal responsibilities established by Islamic family law. The present findings provide empirical support for these arguments within the context of the *Pataru Indahan* tradition.

The empirical interpretation emerging from this study is fully consistent with the normative principles of Islamic family law concerning maternal protection. The Qur'an establishes that fathers are responsible for providing food, clothing, and maintenance for mothers according to reasonable standards (*bi al-ma'rūf*) during breastfeeding (Qur'an 2:233), while pregnant women are likewise entitled to accommodation and financial support even following divorce (Qur'an 65:6). These Qur'anic provisions indicate that maternal protection constitutes a legally enforceable marital obligation rather than merely an ethical expectation. The field findings confirm that members of the Angkola-Mandailing Muslim community continue to uphold this normative distinction by recognizing that *Pataru Indahan* complements but does not replace the husband's legal responsibility. Nasohah (2024) likewise argues that contemporary Islamic family law should preserve the normative allocation of marital rights and obligations while remaining responsive to changing social realities. In the same vein, Aghbalou (2026) maintains that the objectives of *maqāṣid al-sharī'ah* are realized only when family protection is translated into concrete legal obligations. The present findings demonstrate how these normative principles operate within a living customary institution without compromising the legal integrity of Islamic family law.

Classical Islamic jurisprudence consistently recognizes *nafaqah* as a legally enforceable obligation arising from a valid marriage. Al-Zuhaylī (2007) explains that although the four Sunni schools differ regarding certain subsidiary aspects of maintenance, they unanimously affirm the husband's responsibility to provide financial support, accommodation, and protection according to the wife's circumstances and needs. Rather than treating these obligations merely as ethical recommendations, Islamic jurisprudence regards them as integral components of the legal relationship between spouses. This classical framework remains highly relevant within contemporary Islamic family law, where the protection of women during pregnancy is increasingly understood as a concrete legal responsibility rather than solely a moral expectation, as argued by Nasohah (2024) and further developed by Aghbalou (2026).

The field findings demonstrate that these classical legal principles continue to be reflected in the contemporary practice of *Pataru Indahan* in Padang Bolak. Although the wife's family particularly through the *Mora* within the *Dalihan Na Tolu* kinship system actively participates in preparing and presenting the customary meal, community members consistently distinguish this customary involvement from the husband's legally enforceable marital obligations. Interviews further reveal that social expectations remain directed toward the husband's continuous presence,

emotional support, and financial responsibility throughout pregnancy. The participation of the wife's relatives is therefore understood as an expression of kinship solidarity rather than a transfer of legal responsibility. This distinction provides important empirical evidence that customary institutions may strengthen the implementation of Islamic family law without modifying its normative allocation of marital rights and obligations.

The present findings also contribute to broader debates in contemporary Islamic family law concerning the relationship between customary institutions and legally enforceable marital obligations. (Nasohah, 2024) argues that Islamic family law should continue to develop through principles of justice, welfare, and legal protection while remaining responsive to evolving social realities. (Likewise, Husain et al., 2026) emphasize that contemporary legal interpretation must preserve substantive protection for vulnerable family members rather than merely maintaining formal legal rules. The findings of this study support these perspectives while extending them in an important respect. Whereas recent scholarship has primarily examined the accommodation of customary practices within Islamic family law, the present study demonstrates the specific socio-legal mechanism through which *Pataru Indahan* reinforces maternal protection without redistributing the husband's legally enforceable obligations. This conclusion is also consistent with the comparative observations of (Tanjung et al, 2025), who argue that customary institutions may coexist with Islamic legal norms when they strengthen family welfare without undermining the normative structure of Islamic family law.

Interview data further reveal that the collective prayers, family visits, and symbolic sharing of customary food practiced during *Pataru Indahan* foster pregnant women's emotional security, social inclusion, and sense of familial support. These findings suggest that maternal protection within Islamic family law should not be understood solely in terms of financial maintenance but also as encompassing psychological, emotional, and social well-being throughout pregnancy. This broader understanding is consistent with contemporary approaches to Islamic family law, which increasingly emphasize substantive protection for vulnerable family members rather than limiting legal responsibility to material obligations. Guspita et al. (2025) argue that family resilience is strengthened when legal responsibilities are supported by cohesive family relationships, while Aghbalou (2026) similarly maintains that effective realization of *maqāṣid al-sharī'ah* requires legal norms to produce tangible protection within family life. In the present study, the supportive practices associated with *Pataru Indahan* contribute to these objectives by reinforcing the social conditions that enable husbands to fulfil their legal responsibilities more effectively. This interpretation also accords with the family resilience perspective advanced by Indarsih and Sarwoprasodjo (2025), who demonstrate that supportive family networks enhance families' capacity to navigate periods of vulnerability and strengthen emotional security during critical stages of family life.

Taken together, these findings demonstrate that the relationship between *Pataru Indahan* and Islamic family law should be understood as a complementary socio-legal mechanism rather than a competing normative system. The tradition neither modifies nor redistributes the husband's legally enforceable responsibility for maintenance, protection, and care during pregnancy. Instead, it strengthens the practical implementation of those obligations by mobilizing kinship solidarity, emotional support, and collective family participation. Interpreted through the principles of '*urf ṣaḥīḥ*' and *maqāṣid al-sharī'ah*, *Pataru Indahan* illustrates how customary institutions may reinforce the substantive objectives of Islamic family law without altering its normative allocation of marital rights and obligations. This finding extends contemporary scholarship on Islamic family law by demonstrating that pregnancy-related customary institutions can function not merely as cultural

traditions but as complementary socio-legal mechanisms that enhance maternal protection while preserving the husband's primary legal responsibility.

The Legal Status Of *Pataru Indahan*: Between 'urf *Ṣaḥīḥ* And Islamic Legal Principles

The empirical findings indicate that the Muslim community in Padang Bolak does not regard *Pataru Indahan* as a religious obligation (*wājib*) prescribed by Islamic law. Interviews with religious leaders (RL1–RL2), customary leaders (CL1–CL2), and participants (P1–P2) consistently reveal that the tradition is understood as a culturally embedded practice whose legal value depends upon its intention, manner of implementation, and social consequences. Informants generally classify *Pataru Indahan* as *mubāḥ* (permissible), while recognizing that it may attain the status of *mandūb* (recommended) when performed sincerely to strengthen kinship ties, express gratitude to Allah, and provide emotional and social support for pregnant women. Conversely, its normative value is considered diminished when the practice encourages *isrāf* (extravagance), *riyā'* (social ostentation), financial coercion, or beliefs inconsistent with the principle of *tawḥīd*. These findings demonstrate that, within contemporary Islamic legal reasoning, the juridical assessment of a customary institution depends not upon its historical origin as local tradition but upon whether its implementation remains consistent with the objectives and normative principles of Islamic family law.

The empirical findings may be further interpreted through the doctrine of 'urf *ṣaḥīḥ*, which recognizes customary practices as legally relevant when they are widely accepted by society, promote *maṣlaḥah* (public welfare), and do not contradict explicit provisions of the Qur'an, the Sunnah, or established principles of Islamic law. Andriyaldi (2022) explains that the juridical validity of custom depends not upon its historical continuity alone but upon its conformity with Islamic legal objectives and its beneficial social function. This interpretation is reinforced by Nasohah (2024), who argues that the dynamic character of contemporary Islamic family law enables local customary institutions to be continuously evaluated and accommodated while preserving the objectives of the Sharī'ah in changing social contexts. A comparable conclusion is reached by Malik and Haris (2022) in their analysis of the *Erang-Erang* marriage tradition in South Sulawesi, where the practice is classified as 'urf *ṣaḥīḥ* because it strengthens family relationships without conflicting with Islamic legal principles. The present findings extend this line of scholarship by demonstrating that *Pataru Indahan* likewise satisfies the characteristics of 'urf *ṣaḥīḥ*. More importantly, this study shows that its juridical legitimacy derives not merely from its social acceptance but from its function in strengthening maternal protection, reinforcing kinship solidarity, and supporting the effective implementation of the husband's non-transferable legal responsibility within the framework of Islamic family law.

The legal recognition of *Pataru Indahan* within Islamic family law is therefore conditional rather than absolute. Interviews with religious leaders (RL1–RL2) consistently indicate that the tradition retains its positive legal status only when it serves legitimate religious and social purposes without imposing unnecessary hardship upon participating families. Informants emphasized that *Pataru Indahan* should remain a voluntary expression of gratitude to Allah, kinship solidarity, and maternal support rather than a socially coercive obligation. Accordingly, its normative legitimacy may be diminished when the practice encourages *isrāf* (extravagance), *riyā'* (ostentation), financial coercion that compels families to incur debt, or superstitious beliefs incompatible with the doctrine of *tawḥīd*. These empirical findings correspond with the Islamic legal principle of *ma'ālāt al-af'āl*, which requires customary practices to be evaluated according to their practical consequences and

their capacity to realize *maṣlaḥah* while preventing *mafsadah* (Kamali, 2008). Likewise, (Auda, 2008) argues that contemporary Islamic legal reasoning should evaluate legal norms according to whether they effectively achieve the higher objectives of the Shari'ah rather than merely preserving inherited forms. Consequently, the juridical validity of *Pataru Indahan* depends not simply upon its continued observance as a local tradition, but upon its continuing ability to promote family welfare while remaining fully consistent with the ethical and legal objectives of contemporary Islamic family law.

The legal assessment of *Pataru Indahan* should also be understood through the framework of *maqāṣid al-shari'ah*, particularly the protection of lineage (*ḥifẓ al-nasl*) and the preservation of family welfare. Contemporary *maqāṣid* scholarship emphasizes that Islamic legal rulings should be evaluated according to their capacity to realize human well-being (*maṣlaḥah*) while preventing harm (*mafsadah*) (Auda, 2008). The interview data demonstrate that *Pataru Indahan* contributes to these objectives by strengthening kinship solidarity, providing emotional and spiritual support for pregnant women, and reinforcing collective responsibility throughout pregnancy. This interpretation is further supported by (Zainuddin et al, 2024), who argue that customary institutions may complement the implementation of Islamic family law by providing culturally legitimate mechanisms for protecting women and children, provided that such institutions do not undermine rights guaranteed under Islamic law and national law. The present findings extend this scholarship by demonstrating that the juridical legitimacy of *Pataru Indahan* derives not from its customary status alone but from its ability to reinforce the implementation of the husband's legally enforceable responsibilities through culturally embedded forms of family support. Accordingly, *Pataru Indahan* should be understood as a valid form of '*urf ṣaḥīḥ*' that strengthens maternal protection and family resilience while preserving the normative allocation of marital rights and obligations established by Islamic family law.

***Pataru Indahan*, Family Resilience, And Maternal Protection Within Islamic Family Welfare.**

The empirical findings indicate that *Pataru Indahan* functions as a culturally embedded support system that strengthens maternal protection by enhancing family resilience throughout pregnancy. Interviews with customary leaders (CL1–CL2), religious leaders (RL1–RL2), representatives of the *Dalihan Na Tolu* customary institution (CR1–CR2), and women who had experienced the ceremony (P1–P2) consistently reveal that the tradition provides emotional reassurance, spiritual encouragement, and practical assistance through the collective participation of relatives and community members. Rather than functioning merely as a ceremonial event, *Pataru Indahan* creates a supportive family environment in which pregnancy is understood as a shared social responsibility, thereby reducing maternal vulnerability and reinforcing the fulfilment of family obligations during pregnancy. This finding corresponds with (Walsh's, 2016) concept of family resilience, which understands resilience as a dynamic process developed through supportive relationships, shared belief systems, and collaborative responses to major life transitions. Within the context of Islamic family law, these forms of collective support do not replace the husband's primary legal responsibility but strengthen the social conditions necessary for its effective implementation.

From the perspective of family resilience, the significance of *Pataru Indahan* lies not merely in its ceremonial form but in its capacity to mobilize family resources during one of the most critical stages of the family life cycle. (Walsh, 2016) explains that resilient families develop through three interrelated dimensions: shared belief systems, organizational patterns, and effective communication. The empirical findings demonstrate that each of these dimensions is reflected in

the implementation of *Pataru Indahan*. Shared religious beliefs are expressed through collective prayers and Qur'anic recitation; organizational resilience is manifested through the complementary roles of *Mora*, *Kahanggi*, and *Anak Boru* within the *Dalihan Na Tolu* kinship system; while family communication is reinforced through customary advice, consultation, and collective moral support for the expectant mother and her husband. These findings are consistent with (Al-Mutawtah et al., 2023), who demonstrate that emotional support, practical assistance, spiritual encouragement, and active family involvement constitute essential components of maternal well-being when embedded within culturally meaningful family relationships. Extending this perspective, the present study demonstrates that *Pataru Indahan* transforms these social resources into a culturally legitimate mechanism that complements the implementation of Islamic family law by strengthening maternal protection while preserving the husband's primary legal responsibility.

The findings further demonstrate that the social function of *Pataru Indahan* extends beyond symbolic representation by institutionalizing a reciprocal network of family support that strengthens maternal protection throughout pregnancy. Within the *Dalihan Na Tolu* kinship structure, the participation of *Mora*, *Kahanggi*, and *Anak Boru* provides coordinated emotional, spiritual, and practical assistance, thereby reducing maternal vulnerability and reinforcing collective responsibility during pregnancy. This interpretation is consistent with (Al-Mutawtah et al., 2023), who argue that maternal well-being is significantly enhanced when emotional support, practical assistance, and spiritual care are integrated within culturally meaningful family relationships. Extending these findings, the present study demonstrates that *Pataru Indahan* transforms such social support into a culturally institutionalized mechanism that complements the implementation of maternal protection under Islamic family law without creating additional legal obligations beyond those already imposed upon the husband.

From the perspective of Islamic family law, these findings further illustrate how legal pluralism operates through complementary rather than competing normative orders within Muslim communities. Customary institutions and Islamic legal norms interact not to redistribute legal responsibilities but to strengthen the practical realization of family protection through culturally legitimate forms of social participation. (Zainuddin et al., 2024) similarly argue that the interaction between Islamic law, customary law, and state law in Indonesia contributes to community-based mechanisms for protecting women and children, provided that customary practices remain consistent with rights guaranteed under Islamic law and national legislation. The present findings advance this scholarship by demonstrating that *Pataru Indahan* constitutes a legally acceptable customary institution whose contribution lies not in generating new legal obligations but in strengthening the effective implementation of existing marital responsibilities through kinship-based maternal support. Accordingly, *Pataru Indahan* should be understood as a complementary socio-legal institution that enhances family resilience and maternal protection while preserving the husband's primary legal responsibility within the normative framework of Islamic family law.

The findings of this study demonstrate that *Pataru Indahan* functions as a culturally embedded socio-legal institution that strengthens maternal protection and family resilience without modifying the normative allocation of marital rights and obligations established by Islamic family law. Its juridical significance lies in integrating customary institutions with Islamic legal values while preserving the husband's non-transferable responsibility for maintenance (*nafaqah*), care, and protection throughout pregnancy. This interpretation reinforces (Nasohah's, (2024) argument that contemporary Islamic family law remains dynamic and responsive to social change by accommodating local customs that promote justice, family welfare, and social cohesion, provided

that such customs remain consistent with the objectives of the Shari'ah. The present findings further demonstrate that the accommodation of customary institutions serves not to expand or redistribute legal obligations, but to strengthen the practical realization of responsibilities already prescribed by Islamic family law.

Unlike previous studies, which have predominantly examined pregnancy-related traditions from anthropological, cultural, or sociological perspectives, the present study demonstrates that *Pataru Indahan* possesses independent juridical significance within Islamic family law when analysed through the integrated framework of '*urf ṣaḥīḥ*', *maqāṣid al-sharī'ah*, legal pluralism, and empirical socio-legal inquiry. Rather than treating customary institutions as normative alternatives to Islamic law, this study shows that they may operate as complementary legal mechanisms that facilitate the effective implementation of the husband's legally enforceable responsibilities, provided that they promote *maṣlaḥah*, preserve family welfare, and remain consistent with the principles of the Shari'ah. Accordingly, the principal contribution of this study lies in developing an integrated socio-legal framework for evaluating pregnancy-related customary institutions within contemporary Islamic family law, thereby demonstrating how culturally embedded practices may strengthen maternal protection and family resilience without altering the normative structure of marital rights and obligations.

CONCLUSION

The findings establish that *Pataru Indahan* constitutes a legally legitimate customary institution within contemporary Islamic family law when interpreted through the complementary frameworks of '*urf ṣaḥīḥ*' and *maqāṣid al-sharī'ah*. Rather than redistributing marital responsibilities, the tradition functions as a culturally embedded mechanism that strengthens maternal protection through collective kinship support while preserving the husband's non-transferable legal obligation to provide maintenance (*nafaqah*), care, and protection throughout pregnancy. The study further demonstrates that the Islamization of *Pataru Indahan* has transformed the tradition into a religiously compatible institution that reinforces gratitude, collective prayer, family solidarity, and maternal well-being without departing from the normative principles of Islamic family law.

Beyond recognizing *Pataru Indahan* as a valid form of '*urf ṣaḥīḥ*', the study demonstrates its independent juridical significance within contemporary Islamic family law. By integrating empirical socio-legal evidence with the doctrines of '*urf ṣaḥīḥ*' and *maqāṣid al-sharī'ah*, the research develops an analytical framework for evaluating pregnancy-related customary institutions according to their contribution to maternal protection, family resilience, and the effective implementation of legally enforceable marital obligations. This integrated framework represents the principal theoretical contribution of the study to contemporary Islamic family law scholarship.

The findings also have broader theoretical and practical implications. Theoretically, the study demonstrates that the relationship between Islamic law and customary institutions should be assessed through normative compatibility and their capacity to realize the objectives of the Shari'ah rather than through a simple dichotomy of acceptance or rejection. Practically, the findings provide guidance for religious authorities, customary leaders, and policymakers seeking to strengthen culturally appropriate mechanisms of maternal protection while safeguarding the husband's legally enforceable responsibilities under Islamic family law. More broadly, the study supports ongoing efforts to integrate Islamic legal principles with culturally legitimate customary institutions in promoting family welfare within legally plural Muslim societies.

Several limitations should be acknowledged. The empirical investigation was confined to the Muslim community of Padang Bolak and relied upon purposively selected informants whose perspectives reflect the characteristics of this specific customary setting. Consequently, the findings should be interpreted as contextually grounded rather than universally applicable to all pregnancy-related traditions within Muslim societies. Future research may adopt comparative socio-legal designs involving multiple customary communities across Indonesia or Southeast Asia to examine how different kinship systems and cultural institutions interact with Islamic family law in strengthening maternal protection, family resilience, and legally enforceable family responsibilities. Such comparative inquiry would contribute to a broader understanding of the diversity of customary institutions within contemporary Islamic family law

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