

# A *Mubādalāh* Based Legal–Cultural Model of *Mak Dijuk Siang* in the Lampung Pepadun Megou Pak Community for Strengthening Family Resilience in Indonesia

M. Anwar Nawawi<sup>1\*</sup> Chalawah Ummy Sa'diyah<sup>2</sup>

<sup>1</sup>. Institut Agama Islam (IAI) Tulang Bawang Lampung, Indonesia

<sup>2</sup>. Universitas Ma'arif Lampung (UMALA), Indonesia

**Abstract:** This article examines the application of customary law regarding the prohibition of divorce (*Mak Dijuk Siang*) within the Lampung Pepadun customary community, where this norm functions as a mechanism for resolving household conflict. The central issue arises from indications that the prohibition generates marital disharmony by limiting the range of conflict-resolution options available to couples. The purpose of this article is to analyze (1) how *Mak Dijuk Siang* is implemented as a binding customary norm, (2) its social and emotional implications for family stability, and (3) the formulation of a culture law integration model grounded in the principle of reciprocity. Employing a qualitative, socio-legal approach informed by the *mubādalāh* framework, the study finds that *Mak Dijuk Siang* is enforced through *nuwo adat*, family deliberation, and formal customary mediation, reflecting the moral values of *pi'il pesenggiri*. While this rule reinforces social cohesion, it may simultaneously intensify domestic tensions. The integration of *mubādalāh* ethics offers a more equitable reinterpetive model that strengthens family resilience. The recommendations call for improving customary institutional policies and enhancing the role of traditional leaders so that dispute-resolution mechanisms become more protective, reciprocal, and oriented toward sustaining family wellbeing.

**Keywords:** Family Resilience, Lampung Pepadun, *Mak Dijuk Siang*, *Mubādalāh* Framework, Tradition

**Abstrak:** Artikel ini mengkaji penerapan hukum adat tentang larangan bercerai (*Mak Dijuk Siang*) dalam masyarakat adat Lampung Pepadun, aturan adat ini diterapkan sebagai resolusi konflik rumah tangga. Permasalahannya disinyalir menimbulkan disharmoni perkawinan akibat larangan aturan adat tersebut, yang berpotensi membatasi pilihan penyelesaian konflik bagi pasangan. Tujuan artikel ini menelaah (1) bagaimana *Mak Dijuk Siang* diterapkan sebagai norma adat yang mengikat, (2) dampak sosial dan emosionalnya terhadap stabilitas keluarga, dan (3) perumusan model integrasi budaya–hukum berbasis prinsip kesalingan. Menggunakan pendekatan kualitatif dengan pendekatan sosio-legal yang berlandaskan teori *mubādalāh*. *Mak Dijuk Siang* diterapkan melalui *nuwo adat*, musyawarah keluarga, dan mediasi adat, mencerminkan nilai *pi'il pesenggiri*. Aturan ini memperkuat kohesi sosial tetapi berpotensi menambah ketegangan domestik. Integrasi etika *mubādalāh* menawarkan model reinterpretasi yang lebih adil dan melindungi ketahanan keluarga. Rekomendasi diarahkan pada penyempurnaan kebijakan lembaga adat serta penguatan peran pemuka adat agar mekanisme penyelesaian sengketa lebih protektif, resiprokal, dan berorientasi pada ketahanan keluarga.

**Kata Kunci:** Tradisi, Kerangka *Mubādalāh*, Ketahanan Keluarga, Lampung Pepadun, *Mak Dijuk Siang*

## Corresponding author:

Correspondence Author: M. Anwar Nawawi\*

Email: [anwarnawawi1961@gmail.com](mailto:anwarnawawi1961@gmail.com)

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## Introduction

The prohibition of divorce within customary communities has long attracted scholarly attention in the fields of family law, legal anthropology, and gender studies (Madden Dempsey, 2009), particularly when customary norms intersect with principles of equality and protection embedded in national and religious legal systems (Kurniawan et al., 2024). Across various regions in Indonesia, customary law continues to play a central role in shaping marital relations, dispute-resolution mechanisms, and family stability (Chua, R. Y., 2021). Consequently, marital conflicts are frequently addressed through communal processes rather than formal legal instruments (Benda-Beckmann & Turner, 2018). Normative values such as deliberation (*musyawarah*), reciprocity, and relational balance constitute essential elements of the social construction of household integrity within customary communities (Pelu & Dakhoir, 2021). Within the Islamic tradition, ethical principles such as *mu'āsyaarah bi al-ma'rūf*, the protection of life (*ḥifẓ al-naḥs*), and mutuality as articulated in the mubādalāh framework emphasize reciprocal and egalitarian relationships within the family (Qodir, 2019a).

Specifically, among the Lampung Pepadun community, a customary norm known as *Mak Dijuk Siang* functions both as a prohibition of divorce and as a mechanism for resolving domestic conflict (Sururi, 2016b). This rule is practiced particularly in the Lampung Pepadun Megou Pak region of Tulang Bawang, where customary authority remains influential in regulating family stability. Empirical observations indicate that while the prohibition is often invoked to preserve marital unity, it may simultaneously generate negative consequences, including marital disharmony, emotional strain, relational tension, and limited access to safer or more effective conflict-resolution pathways (Asnawi et al., 2018).

Preliminary qualitative data show that some couples remain in high-pressure relationships primarily to comply with customary expectations, whereas local quantitative indicators point to rising unresolved domestic disputes despite the prohibition on divorce. This divergence between *das sollen* (the normative aspiration to preserve family unity) and *das sein* (the lived reality of disharmony, emotional burden, and unequal relations) forms the central problem addressed in this study.

Domestic disharmony within the framework of *Mak Dijuk Siang* cannot be understood merely as a private issue; rather, it reflects a broader socio-customary structure that prioritizes communal stability over individual marital choice. In practice, strong social pressure to preserve marriage, the imposition of customary sanctions on couples seeking separation, and the dominance of elder authority often create asymmetric relational dynamics and emotional burdens, particularly for women. Such dynamics are reflected in the growing number of unresolved household conflicts, the normalization of self-suppression in the name of familial or clan honor, and the limited space for couples to renegotiate their relationship.

These conditions highlight the gap between the protective ideals of customary law (*das sollen*) and the empirical tensions it produces (*das sein*). For this reason, the concept of *mubādalāh* is employed as an analytical lens, as it offers a paradigm of reciprocity, relational equality, and gender justice capable of critiquing and reconstructing customary values without negating local cultural identity. The *mubādalāh* approach enables this study to reassess whether the customary prohibition genuinely safeguards families and how it may be reinterpreted in a more equitable and contextual manner to strengthen family resilience among Lampung Pepadun communities.

This issue warrants scholarly attention because it concerns the protection of marital rights, the continuity of local cultural traditions, and the relevance of Islamic ethical values to contemporary family resilience in Indonesia. Moreover, the integration of customary norms and Islamic ethics has seldom been examined through the lens of *mubādalāh*, despite the framework's potential to harmonize local traditions with more egalitarian and protective principles of family ethics. The findings of this study are expected to contribute to the

development of customary-based policy models and guidelines for culturally grounded family-dispute resolution.

Several previous studies have explored the intersections of customary law, divorce, and family structures across Indonesia, yet none have analyzed *Mak Dijuk Siang* through a *mubāḍalah* perspective. (Mulya, 2024) observes that certain Sumatran customary communities tend to restrict divorce as a means of preserving social stability, yet this study does not address the psychological or relational implications for the couples involved. Similarly (Dewi, 2022) demonstrates that customary law often functions as an instrument of familial control, but does not provide an integrative framework that connects these norms with Islamic ethical principles. Meanwhile (Kau & Suleman, 2016) highlight the role of Lampung customary institutions in resolving domestic disputes, although their analysis does not elaborate on the divorce prohibition itself. (Indrijatiningrum et al., 2022) explores family resilience within an Islamic legal framework, yet does not relate these insights to local customary practices. (Nurul & Nasrulloh, 2025) examine *mubāḍalah* as a relational paradigm, but have not applied it to the domain of customary law or to the Lampung context. Other studies address the broader relationship between customary and national law (Mubarok et al., 2023), divorce prohibitions in customary communities (Fauzi et al., 2022) and the integration of Islamic principles with customary norms in family law (Rosyid & Dhani Dwi Afrizal, 2015). In contrast to these previous works, this article offers a distinct contribution by presenting an integrative analysis that connects the customary prohibition of *Mak Dijuk Siang* with *mubāḍalah* theory as the conceptual basis for formulating a more reciprocal and adaptive culture-law integration model. Accordingly, this study fills a significant scholarly gap by providing a comprehensive examination that brings together Lampung customary norms, Islamic ethical values, and a mutuality-based approach to reinforce family resilience.

In light of the above background, this article addresses three central research questions: (1) how *Mak Dijuk Siang* is implemented as a prohibition of divorce within the Lampung Pepadun community; (2) what implications it carries for household dynamics and family resilience; and (3) how a *mubāḍalah*-based culture-law integration model can be formulated to strengthen family resilience in Indonesia.

## Method

This study employs a qualitative research design aimed at interpreting the meanings, social practices, and cultural legal dynamics surrounding *Mak Dijuk Siang* within the Lampung Pepadun community. A qualitative approach was selected because the application of customary norms is inherently contextual, embedded in lived experience, and cannot be reduced to numerical indicators. This method enables an in-depth examination of how the prohibition of divorce relates to domestic tension and how a reciprocal culture-law integration model may be constructed through the *mubāḍalah* framework.

Fieldwork was conducted in the Lampung Pepadun Megou Pak customary region located in Tulang Bawang Regency, an area where *Mak Dijuk Siang* continues to be actively institutionalized within the Pepadun customary structure. The site was chosen due to its status as a cultural center in which customary deliberation, household mediation, and ritual enforcement of customary law take place. The research was carried out over a two-month period, encompassing observations of customary activities, family deliberations, and household mediation involving customary authorities. These observations were intended to capture authentic socio-cultural dynamics and variations in the practical implementation of the norm.

Primary data were collected through in-depth interviews with traditional leaders (*penyimbang*, clan elders), couples who had undergone *Mak Dijuk Siang* mediation, women who experienced marital disharmony, and village officials involved in family-dispute

resolution. Informants were chosen purposively based on their direct involvement, authoritative knowledge of customary practice, and influence in decision-making processes. Interviews were used to explore how the norm is applied, how it is interpreted by the community, and how it affects family life. Complementing these interviews, participant observation was conducted during customary meetings, family discussions, and deliberative gatherings to document the actual language, patterns of interaction, and forms of social pressure that emerge within the customary dispute-resolution process.

Secondary data consisted of customary documents (customary books, charters, deliberation records), village archives, local news reports, and scholarly literature on Lampung customary law, *mubādalāh* theory, and family resilience. Access to these documents was obtained through customary institutions and village administrations, as the written records are essential for identifying normative foundations, the evolution of customary rules, and the formal structure governing household regulation.

To ensure data validity, triangulation was conducted across sources and methods by comparing interview narratives, observational data, and documentary evidence. Data analysis employed thematic analysis, beginning with coding field data, identifying patterns in the implementation of *Mak Dijuk Siang*, analyzing its socio-emotional implications, and developing a *mubādalāh*-based culture-law integration model to support family resilience. A socio-legal approach served as the analytical foundation, enabling the study to bridge customary norms, Islamic ethical values, and the lived social experiences of the community.

## Results

### Structure of the Lampung Pepadun Megou Pak Customary Community

Customary law continues to persist and be actively practiced in various regions of Indonesia, one of which is the customary legal system of the Lampung community (Sabaruddin, 2020). The Lampung indigenous community is characterized by a distinctive cultural maxim, *Sai Bumi Khua Jukhai* also known as *Sang Bumi Ruwa Jurai* which symbolizes the ethnic and cultural diversity of the region (Hermiawati, 2022). Etymologically, *sang* refers to “one,” *bumi* means “land,” *ruwa* denotes “two,” and *jurai* signifies “branch” or “group.” Taken together, the phrase conveys the idea of “one land inhabited by multiple social groups” (Migotuwio, 2020).

Within its cultural interpretation, *Sai Bumi Ruwa Jurai* is understood as “One Land with Two Branches,” where *Sai Bumi* represents a shared ancestral unity, while *Khua Jukhai* reflects the recognition of two distinct customary traditions within the Lampung community. The maxim also embodies the authentic ancestral identity of Lampung society, commonly described as “One Land with Two Spirits” (Dwi Ramayanti, 2020). Another interpretive strand views *Sai Bumi* as a grand household with several chambers, whereas *Ruwa Jurai* denotes the two major social groups residing in the province of Lampung (Syahputra, 2013).

Building on this cultural maxim, Lampung society adheres to two principal customary systems: *Sai Batin* and *Pepadun*. The term *Sai Batin*, literally meaning “one ruler,” signifies a hierarchical structure centered on a singular leadership authority (Barnawi, 2015). In contrast, *Pepadun* refers to a “ceremonial enthronement seat,” the platform used in the ritual inauguration of customary leaders. Consistent with the broader interpretation of *Sai Bumi Ruwa Jurai* as “One Land with Two Spirits,” the Lampung people are traditionally divided into two major cultural groups: the Lampung *Sai Batin* and the Lampung *Pepadun* communities (Rian Adetiya et al., 2019).

The Lampung *Pepadun* community consists of several major subgroups, including Abung Siwo Mego, Mego Pak Tulang Bawang, Pubian Telu Suku, and Sungkay Way Kanan Buay Lima (Syarifah et al., 2017). Among these groups, Abung Siwo Mego meaning “the nine clans of Abung” constitutes the largest in terms of the number of marga or buay (village-based



lineage groups) that fall under its structure (Saputra, 2023). This diverse socio-genealogical organization demonstrates that the Pepadun system is supported by an expansive and well-organized kinship structure, which serves as one of the central pillars for the continuity and resilience of Lampung customary law (Timbasz et al., 2020).

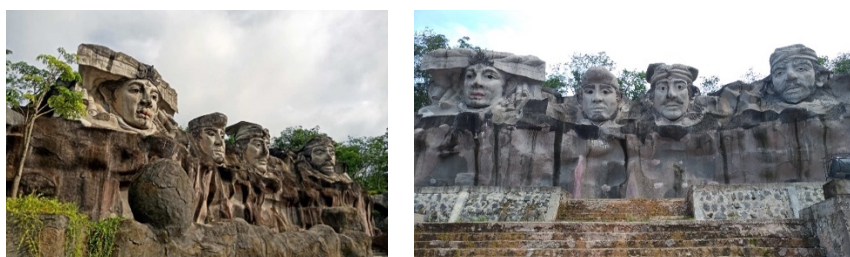


**Figure 1.** Structure of the Kebuaian (Four Lineages / *Jurai Empat*) of the Lampung Pepadun Indigenous Community (JDIH, 2025)

The customary structure illustrated in the diagram is dispersed across various regions of the Lampung Province. This study focuses on the Lampung Pepadun Megou Pak customary community located in Tulang Bawang Regency and West Tulang Bawang Regency. The Tulang Bawang community also referred to as Tulang Bawang Megou Pak constitutes one of the indigenous organizations that continues to exist and evolve within the province. This customary group occupies four principal cultural territories Menggala, Mesuji, Panaragan, and Wiralaga and functions under the broader Pepadun customary legal system. The Pepadun tradition represents one of the two major customary systems that shape the socio-cultural identity of the Lampung people (Nurzafira et al., 2025).

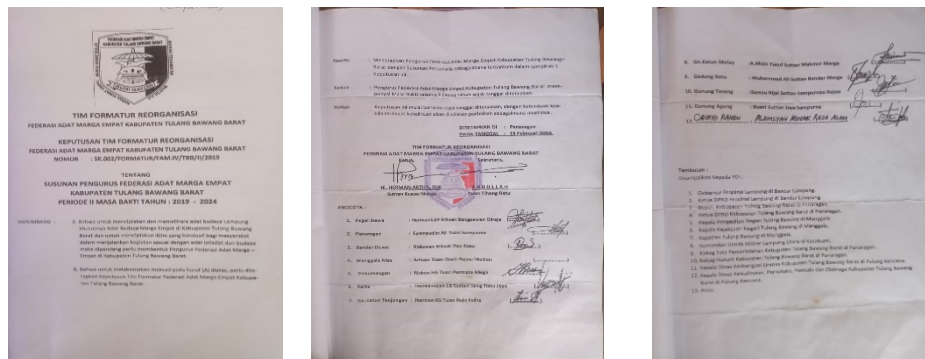
According to oral traditions recounting the origins of the Tulang Bawang people, the ancestors of this community are believed to have descended from the Lampung ethnic group who migrated and settled along the Way Tulang Bawang River. The term *Megou Pak* refers to the four principal *marga* that constitute the core social structure of the Tulang Bawang community. Within the Lampung Pepadun tradition, the lineage system is known as *megou*, and Megou Pak denotes the collective identity of the “Four Clans” (*Marga Empat*) that hold genealogical and ritual significance. (Suri, 2025).

These four *marga* serve not only genealogical and social functions but also embody a symbolic cultural identity for the Lampung Pepadun community. The regional government has institutionalized and visually commemorated the existence of these lineages through the construction of the *Patung Empat Marga* (Four-Clan Monument), which stands as a representation of the enduring nature of this customary structure and its continued relevance as an integral component of Lampung’s cultural heritage.



**Figure 2.** Iconography of the Four *Marga* (*Megou Pak*) of the Lampung Pepadun Community

The following presents the organizational structure of the Formatur Team for the Reorganization of the Federasi Adat Marga Empat (Megou Pak) of Tulang Bawang Regency, as stipulated in Decree No. SK.002/Formatur.FAM.IV/TBB/II/2019.



**Figure 3.** Organizational Structure of the Formatur Team for the Reorganization of the Federasi Adat Marga Empat (Megou Pak) of Tulang Bawang Regency

The indigenous population of Lampung residing in Tulang Bawang Regency originates from the *Megou Pak* Tulang Bawang or the *Marga Empat* genealogical system, which comprises four principal lineage groups. These lineages include *Buai Bulan*, *Buai Tegamoan*, *Buai Umpu*, and *Buai Aji* (Sumargono et al., 2022). Each *kebuaian* occupies a specific territory within Tulang Bawang and forms a customary community characterized by traditional settlement patterns, the everyday use of the Lampung language, and the preservation of intergenerational cultural practices. The existence of these *marga* and *kebuaian* is reflected in the spatial distribution of local settlements as well as in the sustained preservation of Lampung's indigenous cultural identity. The structure of the Four *Kebuaian* (*Megou Pak*) of Tulang Bawang Regency is illustrated in the following diagram (Hartati & Putri, 2019):



**Figure 4.** The Four Lineage Groups (*Jurai*) of the Lampung Pepadun Community (Sabarudin, 2013)

Within the *Kebuaian Megou Pak* Tulang Bawang structure, as shown in the preceding diagram, the sequence of these lineage groups represents a genealogical hierarchy in which the first-mentioned *kebuaian* is regarded as the eldest, while the fourth is considered the youngest. This hierarchical arrangement is not merely administrative but signifies the historical development of the community and the kinship relationships among the *marga* within the Tulang Bawang customary society. The validity of this genealogical order is reinforced by statements from local customary leaders Fattahilah *Warga Negara* of *Buai Bulan* and Herman SP of *Buai Tegamoan* who affirm that this lineage hierarchy has long been recognized and transmitted through generations within Lampung's customary tradition. (Antoni & Kafrawi, 2024).

### Konsep Mak Dijuk Siang

The findings indicate that the Lampung Pepadun Megou Pak customary community upholds a specific customary rule governing the prohibition of divorce, known locally as *Mak Dijuk Siang* (Asnawi et al., 2018). The term consists of three lexical elements: *mak*, meaning “do not,” *dijuk*, meaning “may” or “allowed,” and *siang*, an archaic Lampung term referring to “separation” or “divorce.” Consequently, *Mak Dijuk Siang* may be translated literally as “divorce is not permitted” (Asnawi et al., 2024).

In contemporary usage, the term *siang* has largely been replaced by *cekai*, a loanword from Indonesian, although both expressions continue to refer to the concept of marital dissolution. A well-known customary maxim still preserved within the Lampung Pepadun Megou Pak community states: *Siang matey, mak kow siang ughik*, meaning “divorce occurs only at death; there is no divorce during one’s lifetime,” illustrating the community’s strong normative rejection of divorce while both spouses are still living (Sururi, 2012).

Historically, the *Mak Dijuk Siang* tradition is believed to have emerged during the early formation of the Lampung Pepadun community in Sumatra, possibly dating back to the twelfth century. Over time, the prohibition appears to have evolved from habitual practice into a binding customary norm transmitted across generations. Because the values embedded in this tradition were perceived to offer social, spiritual, and moral benefits to the community, ancestral leaders deemed it necessary to formalize these rules in written form to ensure their preservation amid sociocultural change.

This normative consolidation is consistent with the philosophical framework of *Pi’il Pesenggiri*, the foundational ethical system of the Lampung people emphasizing honor, dignity, and social propriety. The principle was later codified in *Kuntara Raja Niti*, a Lampung customary legal manuscript believed to have been produced in the sixteenth century and still regarded as an authoritative reference for understanding Lampung customary norms (Isdiyanto et al., 2023).

Within the broader socio-cultural context, *Mak Dijuk Siang* is regarded as a key manifestation of the *Pi’il Pesenggiri* philosophy (Samsuri, 2020), particularly among the Pepadun Megou Pak community. Violating this rule is not perceived merely as a domestic impropriety but as a breach of ancestral honor and a disruption of established customary values (Yusuf, 2013). Consequently, couples who pursue divorce without legitimate customary justification are viewed as undermining the intergenerational teachings that constitute the core identity of the Lampung people (Agnes, 2011a; Mutiya et al., 2016). From the customary perspective, such an act is interpreted as a rupture not only in the marital relationship but also in the continuity of *Pi’il Pesenggiri*, the moral ethos upheld by the Lampung Pepadun community (Sururi, 2016a).

The consequences of violating *Mak Dijuk Siang* have been further articulated by customary leaders of the Lampung Pepadun Megou Pak community in West Tulang Bawang Regency, who emphasize that any breach of this rule results in customary sanctions. These sanctions carry both social and symbolic dimensions, reflecting the community’s judgment that the couple has disrupted the established moral and cultural order. Accordingly, the function of *Mak Dijuk Siang* extends beyond a technical prohibition of divorce; it forms an integral part of the normative system shaping the cultural identity and social stability of the Lampung Pepadun community (Sururi, 2016a).

The consequences of violating the *Mak Dijuk Siang* customary rule are clearly articulated by customary leaders of the Lampung Pepadun Megou Pak community in West Tulang Bawang Regency. According to one of the prominent customary figures, Drs. Abu Tholib, M.Hum., Ph.D., who holds the customary title Tuan Gusti Adat, the Pepadun community adheres to the belief that:



“...individuals who violate this customary provision are regarded as having undermined their own dignity as well as that of their families, as they have transgressed the fundamental principle of *Fi'il Pesenggiri*, the philosophical foundation of honor in Lampung society. He emphasized that the social sanction resulting from a violation of *Mak Dijuk Siang* is far more severe than any ritual sanction, such as the slaughtering of a buffalo or the performance of other customary ceremonies. Social sanctions, he noted, directly affect one's honor, which is considered permanent and carries extensive implications within the social structure of the community (Interview with Drs. Abu Tholib, M.Hum., Ph.D., Customary Leader of Megou Pak, n.d).



**Figure 5.** Interview with a Lampung Pepadun Megou Pak Customary Leader (12-10-25)

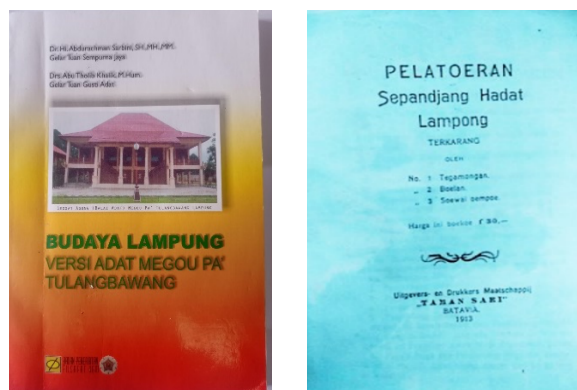
The findings indicate that violations of *Mak Dijuk Siang* produce not only detrimental consequences for the married couple and their immediate family but also undermine the reputation of the *Pepadun*, the customary association responsible for overseeing a particular *marga*. The damage in question is not material but rather pertains to the erosion of the collective honor of the association in the eyes of the wider customary community.

When a *paguyuban* is perceived as failing to safeguard customary authority and social order, its standing is considered to decline, and it is no longer regarded as influential within customary interactions. A similar view was conveyed by Ahmad Isnani, who emphasized that violations of *Mak Dijuk Siang* also affect the descendants of the violators, as the extended family and subsequent generations are believed to bear the shame associated with actions that tarnish the dignity of their ancestors (Hakiki, 2011).

In its implementation, the *Mak Dijuk Siang* rule within the Lampung Pepadun Megou Pak customary community applies not only to couples in which both spouses originate from the Lampung ethnic group but also to interethnic marriages between Lampung and non-Lampung individuals, provided that the couple undergoes the full sequence of recognized Lampung customary marriage rituals. However, if one spouse originates from outside Lampung such as from the Minangkabau or Makassar communities and the marriage is conducted without an acknowledged customary ceremony, the *Mak Dijuk Siang* provision does not apply. This exemption occurs because there is no *penyimbang* (customary guardian) or responsible customary authority to affirm that the couple has been formally integrated into the Pepadun kinship system (A. I. & K. M. Hakiki, 2016).

The codification of traditions and customary norms of the Lampung Pepadun Megou Pak community particularly those governing *Mak Dijuk Siang* is documented in a customary text, as illustrated in the figure below:





**Figure 6.** Lampung Cultural Guidelines of the Megou Pak Tulang Bawang Tradition by Drs. Abu Tholib, M.Hum., Ph.D., and Pelatoeran Sepandjang Book

### Implementation of *Mak Dijuk Siang* in Customary Practice

The implementation of *Mak Dijuk Siang* within the Lampung Pepadun customary community constitutes an integral component of the indigenous mechanism designed to maintain family stability and social harmony. In practice, this rule is enforced through a series of established customary procedures, beginning with the *nuwo adat* process an initial notification to the *penyimbang* or customary leader when marital conflict arises (Ali, 2019).

Once the report is received, the *penyimbang* convenes the extended families of both parties to conduct a deliberative meeting aimed at identifying the root of the problem and determining an appropriate resolution. Mediation is carried out in a communal atmosphere, emphasizing restraint, mutual respect, and the restoration of harmony. If the conflict remains unresolved, a more formal customary hearing is held to assess whether the actions of the couple constitute a violation of the *Mak Dijuk Siang* principle. This multistage procedure demonstrates that the prohibition of divorce is not applied rigidly; rather, it is governed through a series of conciliatory efforts that position customary practices as the primary mechanism of reconciliation (Sumarja, 2010).

The consistency with which the Lampung Pepadun community maintains the *Mak Dijuk Siang* rule is rooted in the collective belief that divorce not only disrupts familial harmony but also negatively affects the broader social order. Customary teachings place the family as the fundamental unit that shapes dignity (*pi'il*) and kinship identity. Therefore, divorce is viewed not merely as the failure of a personal relationship but as a violation of ancestral values that uphold family honor and self-respect.

The tradition is also believed to contribute to the preservation of communal resilience, reducing vertical conflict between families and strengthening solidarity among members of the customary community. The conviction that marriage constitutes a sacred bond and that its dissolution is legitimate only through death further reinforces the community's commitment to preserving *Mak Dijuk Siang* as a normative principle (Karsiwan, 2020).

When the *Mak Dijuk Siang* rule is violated, the customary community enforces several forms of sanctions, encompassing material, moral, and social dimensions. Material sanctions typically involve the payment of customary fines, such as the slaughtering of a buffalo or other livestock, as a form of accountability to the community. Moral and social sanctions are considerably more severe, involving the loss of family honor, a decline in status within the *pepadun* structure, and social stigmatization for failing to uphold ancestral customs.

The reputation of the kinship group is also affected, as such violations are perceived as tarnishing the dignity of the entire *marga* and generating long-term shame for future generations. In some cases, families or *marga* that violate the rule may be temporarily excluded from certain customary activities until they restore their relationships and fulfill the customary obligations imposed upon them. This sanctioning mechanism underscores that

*Mak Dijuk Siang* functions not merely as a normative rule but as a living socio-cultural system that is rigorously protected as a core element of the Lampung Pepadun cultural identity (Sururi, 2016b).

### Harmony Between Customary Norms and the Principle of *Mubādalāh*

The concept of *mubādalāh* represents an ethical approach within Islamic gender studies that emphasizes reciprocity, justice, and cooperation between men and women across all spheres of life (Kodir, 2019). The term was popularized by the Indonesian progressive Islamic thinker Faqihuddin Abdul Kodir, who argues that human relationships must be understood as reciprocal engagements (*al-mu'āmalah al-mutabādalāh*) that strengthen one another, rather than relations of domination or subordination (Kodir, 2006).

The Qur'anic foundation for the *mubādalāh* principle is reflected in several verses, including QS. At-Taubah (9):71, which states that “believing men and believing women are protectors of one another (*ba'duhum awliyā'u ba'd*).” This verse underscores the equality of moral responsibilities and social roles between men and women within both the family and the wider community (Kodir, 2021). The *mubādalāh* framework is also connected to QS. An-Nisā' (4):1 and QS. Ar-Rūm (30):21, which highlight human creation from a single origin and the purpose of marriage as a space of tranquility and compassion (Kodir, 2019).

The principle of reciprocity (*mubādalāh*), as articulated by Kodir, emphasizes that the marital relationship is not a subordinative arrangement but an equitable partnership grounded in deliberation, compassion, and the preservation of mutual dignity (Adib & Mujahidah, 2021). These values strongly intersect with numerous local traditions across the Indonesian archipelago, including Lampung customary norms, which uphold social balance, familial deliberation, and the safeguarding of dignity (*pi'il*) in communal life.

Within the Lampung Pepadun customary system, the resolution of household conflicts is never conducted unilaterally; rather, it proceeds through dialogic procedures that involve the extended family and customary leaders, with the aim of identifying solutions that prioritize the continuity of the marital relationship. This practice aligns closely with the *mubādalāh* framework, which conceptualizes marriage as a cooperative and moral partnership between husband and wife, where conflict resolution must consider the interests and voices of both parties in an equitable manner (Hosen et al., 2024).

The strongest point of convergence between the *mubādalāh* principle and Lampung customary norms is evident in the divorce prohibition tradition (*Mak Dijuk Siang*) practiced by the Lampung Pepadun Megou Pak community. This tradition stipulates that divorce is permissible only in cases of severe violations and only after multiple stages of mediation have been exhausted, reflecting the communal commitment to preserving marital harmony. From a *mubādalāh* viewpoint, the obligation to exhaust all efforts before dissolving a marriage represents a shared moral responsibility of both spouses to safeguard *sakīnah* and family dignity.

The divorce prohibition thus functions not merely as a normative restriction but as a customary mechanism ensuring that household decisions do not disadvantage either party and remain rooted in reciprocity, respect, and protection. Accordingly, the implementation of *Mak Dijuk Siang* may be understood as a localized expression of cultural wisdom that aligns closely with the *mubādalāh* principle, as both emphasize family stability, social harmony, and collective responsibility in sustaining the marital bond (Sururi, 2016b).

## Discussion

### Normative Analysis of the Application of *Mak Dijuk Siang*

Normatively, the implementation of *Mak Dijuk Siang* within the Lampung Pepadun Megou Pak customary community is grounded in the foundational principles of *adat*, which position the family as the most essential social unit responsible for maintaining communal

harmony. This customary rule represents a concrete manifestation of the values of *pi'il pesenggiri*, which emphasize dignity, social shame, and moral responsibility in every individual action. The norm emerges from the belief that divorce does not merely affect the husband and wife involved but also compromises the honor of the extended family and disrupts the social stability of the community (Koesno, 1992). In this regard, *Mak Dijuk Siang* can be understood as a collective norm that binds community members both morally and socially, functioning as a mechanism of social control to preserve the integrity of customary order (Sururi, 2016b).

From a legal-anthropological standpoint, *Mak Dijuk Siang* reflects the fundamental characteristics of Indonesian customary law as articulated by *adat* law scholars, namely that *adat* norms are unwritten, living, and regulate social behavior through value systems transmitted across generations. This norm obliges community members to preserve the marital relationship through stages of mediation, extended-family deliberation, and formal customary resolution before any decision on divorce is deemed acceptable. Such a multilevel approach demonstrates that Lampung customary law prioritizes restorative principles seeking to repair relationships rather than imposing punitive measures (Setiady, 2009). In a normative-legal perspective, the implementation of *Mak Dijuk Siang* illustrates the harmony between customary law and societal moral values, while simultaneously affirming the normative function of *adat* law as a regulator of social equilibrium (M. Anwar Nawawi, 2022).

Ethically and normatively, the application of *Mak Dijuk Siang* may also be analyzed through the lens of local Islamic jurisprudence (*Islam Nusantara*), which emphasizes family harmony, *maslahah* (public welfare), and *'urf* (local customs aligned with Islamic principles). From a *maslahah* perspective, the prohibition of divorce is viewed as an effort to maintain marital unity and prevent broader social harm for both the couple and the customary community.

From the standpoint of *'urf*, this tradition is considered legitimate so long as it does not contradict broader principles of Islamic law, particularly because *adat* does not absolutely forbid divorce; rather, it ensures that such a decision is undertaken through a process of deliberation and comprehensive social consideration (Abubakar, 2013). Accordingly, the implementation of *Mak Dijuk Siang* may be deemed normatively sound, as it aligns with customary values, social ethics, and Islamic principles that situate communal welfare as their primary objective.

Although the *Mak Dijuk Siang* tradition is often framed as a social mechanism for preserving marital stability and preventing divorce, the findings of this study indicate that it also entails significant structural risks for vulnerable family members, particularly women. In practice, *adat*-based restrictions on divorce tend to position women in a subordinate role, as the burden of compliance and family endurance is disproportionately imposed upon wives.

When domestic conflicts involve intimate partner violence, economic neglect, or asymmetrical power relations, the enforcement of *Mak Dijuk Siang* may constrain women's ability to exit harmful and unsafe situations. In such contexts, family resilience no longer functions as a form of collective protection; rather, it is transformed into a normative instrument that perpetuates injustice and restricts individual agency. As a result, the very dimensions of welfare and personal security that family resilience is intended to safeguard are substantially undermined (Hamidah, T., 2024).

Furthermore, the findings suggest that the *Mak Dijuk Siang* tradition may weaken, rather than strengthen, family resilience when it is applied rigidly, ahistorically, and detached from principles of relational justice. Forms of family resilience constructed through social coercion and *adat* sanctions, without ethical mechanisms for evaluating power relations and lived experiences of suffering, tend to produce what may be described as *illusory stability*.

Under such conditions, domestic conflicts are not substantively resolved but are instead silenced through communal pressure. This article argues that the tension between the preservation of *adat* traditions and the protection of individual rights must be subjected to critical academic analysis,

rather than being merely affirmed on normative grounds. Drawing on the *mubādalāh* framework, adat traditions such as *Mak Dijuk Siang* should be reconstructed as relational mechanisms grounded in reciprocity, shared responsibility, and the protection of vulnerable parties. Without such normative and institutional recalibration, traditions originally intended to reinforce family resilience risk reproducing structural vulnerability and gender-based injustice.

### Implementation of *Mak Dijuk Siang* and Its Implications for Family Resilience

The implementation of *Mak Dijuk Siang* as a customary norm within the Lampung Pepadun Megou Pak community has a direct correlation with the strengthening of family resilience. This prohibition of divorce is designed to preserve family stability through dispute-resolution mechanisms grounded in deliberation and restorative approaches. The tradition positions the family as a fundamental social institution that contributes to the overall order of society.

Thus, *Mak Dijuk Siang* is not merely a normative prohibition but also a social strategy aimed at preventing household disintegration that may escalate into conflicts between extended families or clans. The customary emphasis on maximizing efforts to maintain marital unity reflects the value of family resilience, which situates emotional, economic, and social stability as essential foundations for community continuity (Wagianto, 2021a).

From the perspective of family sociology, family resilience is defined as the capacity of a family to overcome challenges, maintain its social functions, and respond to change through constructive adaptation (Nastangin & Huda, 2022). The implementation of *Mak Dijuk Siang* supports this function by requiring customary mediation before divorce is permitted. This mediation process, involving the extended family and customary leaders, creates a dialogic space that enables couples to understand the root of their problems comprehensively. Such an approach reduces the tendency toward impulsive decisions, such as sudden divorce, and underscores the importance of reconstructing the relationship through structured communication (Engels & Untermann, 2021; Susanti, 2019). Family studies show that community-based conflict resolution mechanisms significantly enhance a family's adaptability and reinforce emotional bonds among its members (Wagianto, 2021b).

From a family psychology perspective, the implementation of *Mak Dijuk Siang* has implications for improving the resilience of married couples. The prohibition of divorce paired with layered resolution procedures encourages the development of interpersonal skills such as empathy, negotiation, and conflict management. When couples are guided to restrain themselves and seek compromise through customary structures, this contributes to forming more stable and mature relationship patterns (Agnes, 2011b).

Additionally, the involvement of the extended family in conflict resolution creates an emotional support system that strengthens the family's capacity to confront internal and external pressures. Contemporary family resilience theories recognize the importance of such social support as a key indicator of a healthy and empowered family (Mahmood, 1972).

However, the implementation of *Mak Dijuk Siang* also contains normative-ecological implications that require critical examination. On the one hand, this tradition preserves social harmony and helps prevent rising divorce rates; on the other hand, the potential rigidity of customary norms warrants attention, particularly in cases involving violence or violations of fundamental rights. Therefore, the family resilience promoted by this custom must align with principles of protection for vulnerable family members.

In this context, the integration of *maṣlaḥah* (public welfare) values (Shulton, 2004), the reciprocity principles within *mubādalāh*, and modern legal perspectives may provide a synchronized approach to ensuring that the implementation of *Mak Dijuk Siang* remains relevant, ethical, and responsive to contemporary social needs. This allows adat to continue functioning as a moral and social force without disregarding the broader need for family protection (Siti Zulaikha, Muhamad Nasrudin, 2021).



A key implication of this study is the necessity of culturally grounded reinterpretation to ensure the continued relevance of traditional values amid contemporary social dynamics. The practice of *Mak Dijuk Siang* has constructive regulatory dimensions yet requires interpretive flexibility to prevent it from evolving into a restrictive norm. This perspective aligns with cultural resilience theory (Agnes, 2011a), which emphasizes that communities endure when traditional values adapt to new demands (Mursyid Djawas, Gamal Achyar, Nursyirwan Bustanul Arifin, Masri Reza, 2022). At the family level, such reinterpretation can be carried out through intergenerational communication, reformulation of customary meanings, and strengthened cultural literacy that fosters mutual understanding within the family (Hasballah, 2020).

From a risk perspective, this study underscores that without reinterpretation, the implementation of the *Mak Dijuk Siang* tradition may become harmful if it is used to legitimize power imbalances, restrict roles, or suppress the aspirations of family members. This risk becomes particularly evident when customary norms are interpreted in a strictly hierarchical manner rather than as reciprocal moral guidelines.

Numerous studies on family dynamics emphasize that norms employed as disproportionate instruments of control have the potential to undermine family resilience and increase the risk of internal conflict (Patterson, 2002). Integrating family resilience and family stress theory (Iman et al., 2023). In this context, the study affirms the urgency of a humanistic, interpretive approach.

The findings also carry significant implications for social programs and policymaking. By understanding how *Mak Dijuk Siang* functions in regulating family life, community-based interventions can be developed through public campaigns, cultural education, and dialogic spaces that involve customary and religious actors. The study shows that integrating local values into family-strengthening programs is not only essential but also strategic for building a contextual and sustainable model of family resilience. Accordingly, this research provides not only empirical insight but also practical guidance for the development of culturally grounded family-strengthening initiatives.

### Model of Culture–Law Integration Based on *Mubādalāh*

The model of culture–law integration based on *mubādalāh* constitutes a normative judicial and social approach that harmonizes local cultural values with Islamic legal principles through a framework of reciprocity and partnership. The term *mubādalāh*, as articulated by Faqihuddin Abdul Kodir, denotes “mutual giving and receiving” within social relations, emphasizing equality, interdependence, and cooperation between parties (Idris, in IJIS) in the context of law and values (Qodir, 2019b). This model offers a form of integration that does not merely subordinate culture to legal texts, but instead promotes a dialogical relationship in which customary and cultural norms may adapt to and mutually enrich Islamic legal principles, thereby producing a local legal framework that is both inclusive and contextually grounded.

The operational mechanism of *mubādalāh* in culture law integration is carried out through three primary processes (Habib Ismail, 2020). First, the identification of local values, which involves examining customary norms, traditions, and social practices that embody principles such as justice, deliberation, mutual assistance, and balance. These values are then interpreted through the lens of *mubādalāh* to align with the *maqāṣid al-sharīʿah* including justice, public welfare (*maṣlaḥah*), and equilibrium.

Second, normative dialogue, conducted among religious scholars, customary leaders, and community members to formulate culturally informed legal norms that remain consistent with *sharīʿah* while respecting local cultural character. Third, implementation and conflict resolution, whereby interactions between customary norms and Islamic law in practice (e.g., in courts or community deliberations) employ the principles of *mubādalāh* as the foundation

for resolving disputes through reciprocal cooperation rather than unilateral concession. This is reflected in studies on *fiqh mubādalāh* as a method of household conflict resolution (Rofi'i, Qohar, Khudlori, & Muslimin, 2024), which demonstrate the formation of balanced roles and responsibilities through reciprocal engagement.

In the context of social reform and action planning, the culture-law integration model grounded in *mubādalāh* may serve as a basis for public campaigns aimed at reshaping societal perceptions of outdated or unjust legal norms. These campaigns may take the form of public education, community dialogue, and workshops involving religious scholars, cultural intellectuals, customary leaders, and citizens.

Their purpose is to foster an understanding that cultural norms are not obstacles to Islamic justice but dynamic partners that can be reformulated reciprocally to become more equitable, humane, and contextually relevant. For example, campaigns may promote *mubādalāh* principles within family life, illustrating that marital relations, inheritance rights, or household conflict resolution can be governed through reciprocal practices that advance gender balance and justice (Nafi & Ali, 2024; Ramadhan & Awaluddin, 2022).

Furthermore, the long-term impact of this integrative framework may strengthen social cohesion and foster harmony across generations and among diverse customary communities. By grounding public campaigns in the normative foundation of *mubādalāh*, such initiatives not only advocate formal legal changes but also cultivate a renewed legal culture rooted in equality, partnership, and mutual respect. The principles of *mubādalāh* also hold potential for addressing social-political identity conflicts, as they offer a logic of persuasion and shared empowerment rather than domination as highlighted in studies on identity politics in Indonesia (Arifin et al., 2024).

As a lesson learned, the implementation of the culture-law integration model based on *mubādalāh* within public campaigns facilitates collective learning: communities come to understand that customary norms and religious values can co-evolve into more inclusive, just, and contextual legal frameworks. Action plans for such campaigns should prioritize dialogue, advocacy, and community-based education, targeting not only policymakers (legislators and courts) but also grassroots communities. Through a *mubādalāh* approach, law and culture are engaged in a balanced manner, thereby strengthening the social legitimacy of law and fostering a legal system that adapts to local traditions without compromising universal values of justice and humanity.

Research on the Culture Law Integration Model grounded in *mubādalāh* offers significant theoretical and practical contributions to the development of Islamic legal studies, legal anthropology, and culturally informed social transformation. Theoretically, this research reinforces the argument that *mubādalāh* is not merely a relational concept in gender discourse but can also serve as an epistemological framework for integrating customary norms with Islamic law through reciprocity, mutuality, and justice.

This approach provides a methodological alternative to hierarchical or subordinative models of legal integration, as *mubādalāh* advances a dialogical, participatory, and welfare-oriented relational pattern. Practically, this research contributes to strengthening public campaign models rooted in local cultural and religious values, thereby enabling social change strategies to gain broader acceptance within society.

By demonstrating that cultural values can evolve through reciprocal *sharī'ah* principles, the study supports the development of community-based policies that are inclusive, culturally sensitive, and responsive to contemporary social dynamics. Its principal strength lies in its capacity to synthesize progressive *fiqh* theoretical insights, local sociocultural data, and actionable public frameworks, producing an integrative model that may serve as a practical reference for academics, policymakers, and grassroots actors alike.

## Conclusion

This study concludes that the customary prohibition of divorce known as *Mak Dijuk Siang* functions as a binding socio-legal norm within the Lampung Pepadun community particularly within the kinship structure of *Megou Pak* where this rule governs household conflict dynamics and safeguards the collective dignity of the customary community. First, the findings demonstrate that *Mak Dijuk Siang* is implemented through a multilayered mechanism, including *nuwo adat*, extended-family deliberation, and formal customary mediation, indicating that the prohibition is deeply embedded within the moral framework of *pi'il pesenggiri* and the restorative orientation of Lampung customary law. Second, the implementation of this prohibition carries dual implications for family resilience: on the one hand, it strengthens social cohesion and communal authority; on the other hand, it may intensify domestic tension when couples have limited space to resolve conflicts, particularly in situations involving power asymmetry or potential violence. Third, the study confirms that integrating the ethical framework of *mubādalāh* with its principles of reciprocity, mutual care, and relational justice offers a constructive model for reinterpreting *Mak Dijuk Siang* in a way that aligns with cultural values while also meeting contemporary standards of family protection. Thus, this article contributes a novel theoretical perspective by bridging Islamic ethical discourse, anthropological insights on customary law, and sociological studies of family resilience, resulting in an integrated culture-law model relevant to strengthening family resilience within Indonesia's plural social landscape.

Based on the findings, it is recommended that efforts to reformulate *Mak Dijuk Siang* adopt an adaptive, dialogical, and protection-oriented approach that harmonizes customary tradition with contemporary legal and ethical frameworks. First, customary institutions should develop interpretive guidelines grounded in *mubādalāh* to ensure that the divorce prohibition is applied with attention to reciprocity, safety, and justice for all family members. Second, policymakers at both regional and national levels may strengthen legal pluralism by integrating culturally responsive dispute-resolution mechanisms into the national family-law system, including collaborative mediation involving *penyimbang* (customary leaders), religious figures, and state legal authorities. Third, public education initiatives and public campaigns are needed to enhance community literacy on family resilience grounded in local wisdom, while promoting the understanding that tradition and Islamic ethics can evolve harmoniously and mutually reinforce one another. Finally, future policy frameworks in Indonesia should foster synergy between customary law, Islamic family law, and state law so that norms such as *Mak Dijuk Siang* not only preserve cultural continuity but also contribute to the development of an equitable, inclusive, and sustainable family-protection system.

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