

TOWARD A NEW THEOLOGY FOR A RELIGIOUSLY RESTLESS REGION The Accommodation of Local Traditions into Islamic Law in Lombok

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Abstract: The issue of local traditions and their position in Islamic law frequently still sparks disputes, tensions, and conflicts among Muslims in Lombok. Large number of Muslims willingly practice such traditions in their life, such as celebrating Islamic historical events such as *maulūd al-nabī* (the prophet birthday), *isrā mi'rāj*, and collective *zikir* while the others fiercely abhor them. This article aims at delve on such issues to trace the intellectual roots of such difference, and to find further explanation in the view of Islamic legal theory. By qualitative analysis in normative, and sociological perspective, this research finds that the real thoughts of the early pious generation (*salaf al-ṣāliḥ*) are generally not as rigid as imagined, as claimed by many people. Finally, this research also finds, and constructs eight gates for accommodation of various recent cultural innovations, and local traditions, with special reference in Lombok, into the construction of Islamic legal theory with certain conditions.

Keywords: Lombok, *bid'a*, *salaf*, local tradition, Islamic law.

Introduction

The issues of cultural legacies, religious traditions, and their status in Islamic law occasionally still raise debates, tensions, and conflicts among Muslims.¹ That is due to unilateral truth claims by certain

¹ Murdianto and Azwandi, "Dakwah dan Konflik Sosial Jamaah Salafi di Gunungsari Lombok Barat," *Jurnal Penelitian Keislaman*, 9, 2 (July 2013): pp. 53-84. See Khabibi Muhammad Luthfi, "Islam Nusantara dan Relasi Islam dan Budaya Lokal," *Jurnal Sabih*, 1, 1 (January-June 2016): pp. 1-12.

individuals, and groups of vigilantes published in public spaces and social media. Those claims surely originate from textual interpretation of sacred sources and exclusive truth claims as well as the lack of social awareness on life ethics in plural society, and the low appreciation on other communities with different opinions.²

There are many deeply rooted religious traditions vastly practiced by Muslims in Indonesia, including in Lombok Island, recently claimed by certain Muslim groups as deviation, and innovation (*bid'ā*), by a reason that such practices have no explicit, and detail references in textual sources of Islam. Such practices also were not carried out by early pious generation (*salaf al-ṣāliḥ*).³ For example celebrating historical events in Islam such as *maulid nabi* (the prophet birthday), *isrā mi'rāj*, *nuzūl al-qur'ān*, *ḥalāl-biḥalāl*, etc. Generally, the fervent believers of this mindset understand al-Quran and Hadith in literal meaning, so they can also be called as literalist thinkers.⁴

While the other communities who perform, agree, or at least tolerate different opinions do not feel necessary to question them as long as the practices are not clearly contrary to the fundamental teachings of Islam, these Muslim groups state that any tradition neither explained in religious texts (*naṣ*) nor performed precisely by the prophet and the pious early generation should not entirely be concluded as contrary to the Islamic teaching. They are really convinced that application of such religious traditions especially among

² Murdianto, "Dakwah dan Konflik Sosial Jamaah Salafi, pp. 53-84; Saparudin, "Salafism, State Recognition and Local Tensions New Trends in Islamic Education in Lombok," *Ulumuna Journal of Islamic Studies*, 21, 1 (2017): pp. 83-107; Faizah, *Dakwah Salafiyah di Lombok; Suatu Kajian Komunikasi antar Budaya* (Ph.D Dissertation, UIN Syarif Hidayatullah Jakarta, 2010).

³ The term of *salaf al-ṣāliḥ* commonly means three generations after the death of the prophet Muhammad, those are the prophet companions (*al-ṣaḥāba*), the companion disciples (*al-tābi'īn*), and the disciple of the companion disciples (*tābi' al-tābi'īn*). This meaning is based on one saying of the Prophet; *khair al-qurūn qarni thumma al-ladziṇa yalūnabum thumma al-ladziṇa yalūnabum* (the best generation is my generation, then the later, then the later). For further critical analysis on the meaning of *salaf al-ṣāliḥ* see Muhammad Said Ramadhan al-Buthy, *Al-Salafīyya Marḥala Zamāniya la Maṣḥab Islāmī* (Damascus: Dar al-Fikr, 1988), p. 18.

⁴ Jajang Jahroni, "Ritual, Bid'ah and the Negotiation of the Public Sphere in Contemporary Indonesia," *Studia Islamika*, 25, 1 (2018): pp. 1-35; Saparudin, "Salafism, State Recognition, pp. 83-107; Murdianto, "Dakwah dan Konflik Sosial Jamaah Salafi, pp. 53-59.

common people occasionally deviate from true teaching of Islam so it needs some correction and revision. They insist that the best way in this case is not to remove or refuse such practices entirely but by purifying such deviate elements only and to preserve other positive and neutral elements for benefits of human life.

Creating new ventures, such as founding universities, developing *sharia* tourism, using TV and other social media, and utilizing various products of modern culture, will bring positive impacts in certain sides also always bring about negative effects at the same time. So if the total removal mindset used for all cultural wealth contain any religious deviations and refusing any cultural products not found in the prophetic and the *salaf al-sālih*'s era, Muslims will fall again in worst backwardness, intellectual poverty, lack of cultural creativities and they will become less civilized people. By firmly holding on this religious mindset they also have no opportunities to utilize cultural products developed by any other communities across the world, because all of them are also not found in the prophetic era, and therefore they includes in the category of forbidden innovation (*bid'ā*).

This qualitative research intends to identify academic, and social facts of the disputes among Muslim groups in Lombok island. By introducing new methodological approach of Islamic law people can safely accommodate their local traditions, with certain exceptions, and conditions.

The Nature of Indonesian Islam

Islamization of the Indonesian archipelago generally took place in peaceful process of selection, acculturation, and adaptation of local practices into Islamic values.⁵ In such social change, Islam flowed into the archipelago not through war, imperialism, economic pressure, or harsh indoctrination. It was presented through trades, marriages, healings, and other normal activities. The preachers always allowed, and respected the human right of local people to receive, refuse, or just accept certain parts of Islam, up to their respective likes and readiness.⁶

⁵ Compare with Alma'arif, "Islam Nusantara: Studi Epistemologis dan Kritis," *Analisis Jurnal Studi Keislaman*, 15, 2 (December 2015): pp. 265-291.

⁶ Arthur Darby Nock, as mentioned by Nashir propounded the terms of *adhesion* and *conversion* to distinguish the types of religious conversion. *Adhesion* is conversion to other religion without abandoning all of the previous religious practices and beliefs. Meanwhile, *conversion* is the process of converting into other religion by simultaneously demanding total commitment without any compromise for any other paths of

In this process of social transformation, the values and teachings of Islam naturally were absorbed in various portions and speeds among regions. As results, Islam is manifested in a variety of color in Indonesia. There are different styles between Islam in dry coastal regions,⁷ and Islam in fertile, rainy, and cold hill, or between Islamic ethno-culture of Java and Lombok.⁸

The gradual process of Islamic acculturation, to some extent, unavoidably open possibilities of creative combination or so called syncreticism between genuine literal sources Islam and certain elements of local cultures, knowledge, and faiths. Local traditions, such as *Sekaten* celebration in Yogyakarta,⁹ *Merariq* marital tradition of Sasak ethnic in Lombok,¹⁰ and unique ritual procession of *Tabut* community in Bengkulu.¹¹

Since its initial arrival in Indonesia, Islam grew in the midst of various natures of ethnicity, local cultures, and other sociological landscapes. The results of interaction and dialectics with various environments then bring about colourful Islam, various thoughts of local ‘*Ulama*’,¹² unique religious traditions, practical concepts of Islam that more tolerant, and peaceful,¹³ differ from any regions around the

salvation. By this conceptual distinction, Islamization in Indonesia is closer to the type of *adbesion*. Nashir, “Re-Islamisation: the conversion of subculture, p. 8.

⁷ See Nur Syam, *Islam Pesisir* (Yogyakarta: LKiS, 2005).

⁸ For further description on the Sasak history, and ethno-culture see Fathurrahman Zakaria, *Mozaik Budaya Orang Mataram* (Mataram: Yayasan Sumurmas Al-Hamidy, 1998); Sudirman, *Gumi Sasak dalam Sejarah* (Lombok Timur: Yayasan Budaya Sasak Lestari, 2009); Erni Budiwanti, *Islam Sasak, Wetu Telu Versus Waktu Lima* (Yogyakarta: LKiS, 2000); Muhammad Harfin Zuhdi, *Praktik Merariq Wajah Sosial Masyarakat Sasak* (Mataram: LEPPIM-IAIN Mataram, 2012); Suprpto, *Sembak Dupa di Pulau Seribu Masjid, Kontestasi Integrasi dan Resolusi Konflik Hindu Muslim* (Jakarta: Kencana, 2012).

⁹ See Irwan Abdullah, *Simbol, Makna dan Pandangan Hidup Jawa: Analisis Gunung pada Upacara Grebeg* (Yogyakarta: Balai Kajian Sejarah dan Nilai Tradisional, 2002).

¹⁰ Amilia Fatma, Zusiana Elly and T Samsudin, “Reinterpretasi Tradisi Meraqiq (Kawin Lari) sebagai resolusi Konflik Adat; Studi Pemikiran Tokoh Agama dan Tokoh Adat di NTB,” *Istinbath Jurnal Hukum Islam*, 16, 2 (December, 2017): pp. 471-490.

¹¹ Nelly Marhayatiy and Suryanto, “The Acculturation Strategy of the Tabut Community in Bengkulu,” *Studia Islamika*, 24, 3 (2017): pp. 403-455.

¹² See also Muhammad Kudhori, “*Qaul Al-Mukhtār Al-Navawī* Sebagai Pendapat Alternatif Muslim Nusantara,” *Al-Manahij*, 12, 1 (June 2018): pp. 31-40.

¹³ See Faisar Ananda Arfa, “Problems of Pluralism in Modern Indonesian Islam,” *Journal of Indonesian Islam*, 8, 2 (December 2014): pp. 209-234.

world.¹⁴ The general nature of Islam in Indonesia can be briefly described below:

First is accentuation on substantive spirituality not on symbols, and primordialism. Commitment in performing religious rituals, high concern on honesty, and other universal values have become common characters of Muslims in the archipelago. *Second* is moderate religious attitudes. With the spirit of tolerance, and appreciation on plurality, Muslim can get along harmoniously with other religious communities. They also can present good values of Islam before their other religious friends by good morality, and real works, not only in words, rhetoric, or verbal stipulation of supreme teachings from The Holy Quran or prophetic sayings. Moderation and the spirit of tolerance have made Indonesian archipelago the most diversity in socioreligious, and at the same time also the most stable region in sociopolitics across the world even until nowadays. That is because the differences of faiths, religions, and cultural identities never exploited to discord the people for the sake of certain primordial interest, but conversely used as social glue to unify multicultural people.

Third is moderate way in propagating Islam in public space.¹⁵ Islamic propagation always uses soft approaches and persuasion in their efforts to transform local people into Islamic faith, in order to avoid unrest and conflict. *Fourth* is respectful and appreciative upon previous generations by appreciating their efforts and intellectual legacy (*khaṣanah al-fikr*). Such respectful attitudes enable later intellectuals to see all various opinions in more critical, objective, and appreciative as well. In certain cases that they find certain mistakes, or apparently shortcomings in the religious opinions of the previous generation, the duty of later intellectuals is to make correction and revise them wisely and respectfully without condemnation and insults.¹⁶ By the same token, it is also become responsibility of the next

¹⁴ Campare with Mutawalli, "Moderate Islam In Lombok; The Dialectic Between Islam And Local Culture," *Journal of Indonesian Islam*, 10, 2 (December 2016): pp. 309-334; Mohammad Hamid Mohammad Aharish, "al-Islām al-Indunīsiy wa Tahāddiyat al-Waqi' baina Ghars Ru'ay wa Tatbiq al-Ḥulūl," *Journal of Indonesian Islam*, 11, 2 (December 2017): pp. 551-568.

¹⁵ Mutawalli, "Moderate Islam In Lombok, pp. 309-334.

¹⁶ See also Khoirun Niam, "Nahdlatul Ulama and the Production of Muslim Intellectuals in the Beginning of 21st Century Indonesia," *Journal of Indonesian Islam*, 11, 2 (December 2017): pp. 351-388.

generations if they find any shortcomings in the opinion of nowadays intellectuals. This appreciation to the previous generations also indicated their personal ethics and intellectual integrity toward people who precede them in the propagation of Islam to people according to the contemporary situation, and challenges.

Fifth is accommodative on innovations, cultural wealth, and other social capitals as long as not contrary to the fundamental principles of sharia. Certainly, this is a contentious issue, but many social capitals such as economic-based associations, customary institutions, arts, and hobby-based clubs among millennial youths can be utilized as tool for presenting the message Islam. *Sixth* is deep feeling of nationalism parallel with the spirit of religiosity. The long way process of cultural Islamization, and bloody fighting experiences against foreign colonial powers for centuries have grown sense of belonging and affection of Muslims to their respective homeland, and to their other-faith fellow countrymen who previously fought together with them. Consequently, they could not consider any other political systems that undermine this feeling. Islam then blends with spirit of nationalism to make a multicultural democratic nation states in each regions. They firmly refuse the Pan-Islamic ideal of global *caliphate* and other similar ideals which is recently campaigned by certain pan-Islamic Muslims.¹⁷

Nahdlatul Ulama (NU), an Islamic mass organization for traditional Muslims in Indonesia, become one of the front guards of the nation, promoting the motto of “Islam is my religion, and Indonesia is my country”. NU insists to promote political concept of three spirits of human brotherhood previously constructed by the founding father of the organization, Kyai Haji Hasyim Asy’ari; namely Islamic brotherhood (*ukhuwwa Islāmiyya*), national brotherhood (*ukhuwwa waṭaniyya*), and human brotherhood (*ukhuwwa bashariyya*). All of the three should be functioned in their respective proportion from daily personal life up to the international relationship. All legal, and political aspirations of Muslims must be adjusted with the fundamental concept of their democratic nation state.¹⁸

¹⁷ See Ali Maksum, “Discourses on Islam and Democracy in Indonesia; A Study on the Intellectual Debate Between Liberal Islam Network (JIL) and Hizbut Tahrir Indonesia (HTI),” *Journal of Indonesian Islam*, 11, 02 (December 2017): pp. 405-422.

¹⁸ Pepen Irpan Fauzan and Ahmad Khoirul Fata, “Model Penerapan Syari’ah dalam Negara Modern: Studi Kasus Arab Saudi, Iran, Turki dan Indonesia,” *al-Manahij*, 12, 1 (June 2018): pp. 51-70.

Religious Tensions in Lombok

Lombok is the name of an island in Indonesia, situated precisely eastward of the Bali Island. Recently, this exotic island become one of new favorite destinations for domestic and foreign travelers. The majority population of the island, is the indigenous ethnic group of *Sasak*, that comprise approximately 90 % of about 3.5 million people, who almost all of them are Muslims with little exception. The rest population consists of outsider ethnics such as Javanese, Sumbawanese, Bimanese, Balinese, Banjarese, Bugisenese, Chinese, and Arab commonly formed their respective enclaves in certain regions.¹⁹

The formative history of the Sasak's cultural identity was closely related to the dynamic relationship with some kingdoms in Java, Bali, Sulawesi, and Dutch colonial administration.²⁰ The ancient religious culture of the Sasak was rooted from spiritual culture called *Boda* that was not entirely identical with Buddhism.²¹ Islam was estimated came from Java in the beginning of XVI century, through two formative stages, firstly Islam *wetu telu*²² and then followed by Islam *wetu lima*. Penetration of Islam *wetu lima* led by the religious leaders called *Tuan Guru* (grand teacher) rapidly blurred traditional influence of the previous Islam *wetu telu* almost in all regions of the island except in northern region of Tanjung and Bayan.²³ Interestingly, eventhough the mainstream Islam has been dominant in all regions of the island, the traces of certain ancient cultures, and local wisdoms still exist, and

¹⁹ M. Fachrir Rahman, *Pernikahan di Nusa Tenggara Barat antara Islam & Tradisi* (Mataram: LEPPIM - IAIN Mataram, 2013), pp. 97-102.

²⁰ Zuhdi, *Praktik Merariq Wajah Sosial Masyarakat Sasak* (Mataram: LEPPIM-IAIN Mataram, 2012), pp. 7-9.

²¹ Budiwanti, *Islam Sasak, Wetu Telu Versus Waktu Lima*, p.5

²² For further elaboration on *Wetu Telu*, see Ibid.; Tawalinudin Haris, "Masuk dan Berkembangnya Islam di Lombok; Kajian Data Arkeologi dan Sejarah," *Jurnal Pemikiran Sosial Ekonomi*, 1, 1 (Feb-March 2002); Leena Marjatta Avonius, *Reforming Wetu Telu: Islam, Adat, and the Promises of Regionalism in Post-New Order Lombok* (Helsinki: Yopistopaino, 2004); Sven Cederroth, *A Sacred Cloth Religion?: Ceremonies of the Big Feast Among the Wetu Telu Sasak (Lombok, Indonesia)* (Copenhagen, Denmark: NIAS Books, 1999); Adi Fadli, *Pemikiran Islam Lokal TGH. M. Shaleh Hambali Bengkel* (Mataram: Pustaka Lombok, 2016), pp. 36-38

²³ See also Suprpto, "Sasak Muslim and Interreligious Harmony Ethnographic Study of the *Perang Topat* Festival in Lombok – Indonesia," *Journal of Indonesian Islam*, 11, 1 (June 2017): pp. 77-98.

even well integrated in various social, and religious life of Muslim people live in the island.²⁴

The moderate Islamic organizations of NU and *Muhammadiyah* have arrived in Lombok since the first half of XX century and formed enclaves in certain regions. While the Sasak-based and the most influential Islamic organization in Lombok, *Nabdlatul Watan* (NW) also holds on similar religious vision. As underscored by its founding father, Mualana Syaikh Tuan Guru Haji (TGH)²⁵ Zainuddin bin Abdul Majid (1889-1997), the NW still consistent in moderate line and cultural color of Islam until nowadays. As told by one of his outstanding disciples, TGH. Zainal Arifin Munir,²⁶ the religious vision of Maulana Syaikh was moderate, and accommodative for various cultural wisdoms. Maulana Syaikh always seriously considered the real complexity of social problems. He also accentuated the spirit of social harmony, and avoided conflicts, and tensions among multicultural people. As result, the general feature and mainstream of Islam in Lombok Island in so far is moderate and peaceful with very little exception in certain regions.

Recently, especially after Reformasi in 1998, however, the waves of interisland, and transnational Islam movements have flooded Lombok, and continuously strengthen their presence, such as MMI (*Majelis Mujahidin Indonesia*), FPI (*Front Pembela Islam*), LDII (*Lembaga Dakwah Islam Indonesia*), DDI (*Dewan Dakwah Indonesia*), HTI (*Hizbut Tahrir Indonesia*), Ahmadiyah,²⁷ *Salafi* networks,²⁸ Shiah, and *Jamaah Tabligh*. They compete each other to implant, and disseminate their version of Islam in the island. These Such Islamic movements recently have their

²⁴ See also Lalu Muhsin Efendi and Faizah, "Islam Sufistik: Respons Masyarakat terhadap Gerakan dan Ajaran Komunitas *Pengajian Dalem* di Lombok Utara," *Jurnal Penelitian Keislaman*, 9, 2 (July 2013): pp. 33-52.

²⁵ TGH is abbreviation of *Tuan Guru Haji*. In local tongue it means traditional call of grand religious preachers or teachers who has performed pilgrim or *hajj* to the Holy Site of Mecca. The lower level of religious figures commonly called *Ustaẓ*.

²⁶ Interview, January 9 2018

²⁷ Musawar, et.al., "Pemahaman dan Penerapan Konsep Persaudaraan Dalam Kelompok Persaudaraan, Studi atas Jamaah Salafi dan Ahmadiyah di Lombok," unpublished research report (Mataram: Lembaga Penelitian IAIN Mataram, 2009).

²⁸ For further studies on the Salafi development in Lombok see Saparudin, "Salafism, State Recognition, pp. 83-107; Faizah, *Dakwah Salafiyah di Lombok; Suatu Kajian Komunikasi antar Budaya* (Unpublished Ph.D Thesis, UIN Syarif Hidayatullah Jakarta, 2010); Murdianto, "Dakwah dan Konflik Sosial Jamaah Salafi, pp. 53-84.

respective focal theme of Islamic teaching, and market "share" among the Lombok people. There are certain movements, among mentioned above, focused their attention on political issues, or international worldview, while others preferred to promote the issues of daily ritual activities, social developments, preaching, education, etc.

The *Hizbut at-Tahrir* for example, continuously promoted the ideal of worldly political entity of Muslim (caliphate), and other political issues by distributing bulletins for university students, lecturers, mobilizing people strikes, and street open orations until formally banned in 2017. The Salafis disseminate their teachings and religious traditions through regular meetings in many mosques and by founding formal Islamic schools in many places.²⁹ Recently they are also using FM radio and TV broadcasting as media to disseminate their teachings. While the Indian-origin movement of *Jama'ah Tabligh* preferred to promote daily rituals as like congregational prayer (*ṣalāh jamā'ah*), quranic recitation, and periodically religious journeys for proselytizing and daily rituals from one mosque to others for 1 hour everyday, 3 days every month, 40 days every year, and 3 months along life.³⁰

Among mentioned movements, the literalist-colored Salafi is the most highlighted and frequently raised controversies, tensions and conflicts among people. Because beside introducing their new Islamic traditions the Salafi proponents also tend to state their truth claims and fiercely criticize and accuse many religious traditions vastly practiced in Lombok as heresy and innovation (*bid'a*). For example social tensions between Salafi believers and local Muslims in Bagiknyaka village of East Lombok district which is still unresolved until now. As told by Jamaludin, a local religious leader,³¹ social tensions between Salafi community in one side, and local religious communities like NW and NU in other side, occasionally still emerge until nowadays. Daily ritual activities like collective prayer (*doa bersama*) loudly, *qunūt* in *Ṣubuh* prayer, *wirid* rituals, and other ritual practices frequently become focal points of debates among them. The disputes and debates not only take place collectively in the mosques, or preaching forums, but also taken place personally in houses, streets, rice fields, and other places. Reactions and resistances of local people now led by TGH Ruslan

²⁹ Saparudin, "Salafism, State Recognition, pp. 83-107.

³⁰ Interview with Kamaludin, December 8, 2018.

³¹ Interview, December 4 2018.

against Salafi movement led by TGH Muharrir, recently intensifies following the increasing verbal attacks of the Salafi movement against local cultural Muslims.

Many incidents involved Salafi movement also occurred in many places in western region of Lombok. As told by one intellectual figure in Kediri, Baharudin, a Salafi group led by Haji Humaidi in Gelogor village of Kediri subdistrict, were attacked by surrounding people led by TGH. Mazhar, because the Salafi activist incessantly criticize, and insult their religious traditions, such as *talqin* in burial procession, collective *zikir*, and celebration of the prophet birthday (*maulid al-nabi*). Such disputes once caused a massive violent accident of so called "the bloody Friday" in the village many years ago. Fortunately, the police authority could contain it soon. Despite there was no death victims in this incident, but one man named Haji Idris was badly wounded, because he was attacked by unidentified angry people. The mentioned Haji Humaidi, also was once stoned by people in another village, Lembar, when he was explaining Salafi teaching in the village mosque, and insulting religious traditions which vastly practiced by the local people.³²

Other tensions, and resistances against Salafis are also occurred in western subdistrict of Gunungsari.³³ Many believers of Salafi were expelled by people in Sesela village due to their curse on local religious figure, TGH. Munajib Khalid. One renowned Islamic educational institution (pesantren) in Kapek Gunungsari subdistrict, *al-'Azzīyah*, make strict policy of screening to prevent Salafi believers entering the institution as lecturer, teacher, or official.³⁴

The arrival of other transnational movements *Jamā'ah Tabligh*, *Ahmadiyah*, *ikhwan al-Muslimin*, *Hizbut at-tahrir*, to some extent, also raise social tensions or at least inconveniences for the surrounding people despite less severe.

However, in certain regions, the arrival of *Jamā'ah Tabligh* also raise tensions and resistances as well. In Sukamaju Midang village of West Lombok district the people eventually refute their arrival, and their long stay in mosque, because their presence does not give significant

³² Interview, December 4 2018

³³ See again Murdianto, "Dakwah dan Konflik Sosial Jamaah Salafi, pp. 53-84.

³⁴ Interview with Haji Muhammad Nasir, December 6, 2018.

and useful contribution for the people, but conversely just made their mosque dirty, and slum.³⁵

In other moment, the arrival of other Indian-based of Ahmadiya sect also raised resistances, and social tensions in many places. In November 2010, tens houses of the Ahmadiya believers in Ketapang West Lombok district were burned, and destroyed by the surrounding people because the Ahmadiya believers tend to create an exclusive association and interaction among them, and make efforts to spread their deviated religious teachings, different from the religious tradition of local people.³⁶ The most crucial teaching of Ahmadiya led into social tensions, and conflict is their teaching that the founder of the Ahmadiya movement, Mirza Ghulam Ahmad is the successor of The Prophet Muhammad, while the Muslims in general, based on Quranic verse, always suggest that The prophet Muhammad is the last prophet of God.

In a society in which religion often blends with culture like Lombok and other places in Indonesia, a wise way to do is to find common ground and to locate justifications for such local practices. This is much better than to abruptly deconstruct the whole values and practices altogether because the stake is very high. Gradual and evolutionary processes should be the choice. According to many muslim leaders all tensions, violence, and social conflicts among people are due to the muslim incapability to perceive and select different opinions of Islamic intellectual legacy. That is due to incapability to understand principles and values of Islam completely, that based on the principle of *rahmatan li al-‘ālamīn*.³⁷ Islam should bring peace and harmony, not conflict and chaos. Therefore, there is a pressing need to a framework that enable all persuasions of Islam live together peacefully.

Legal Construction of Accomodation

In the history of Islamic legal theory, when realized that the literal meanings of *naṣ* only no longer enough to respond, and resolve all social problems in technical details, early Muslim jurist’ (*fuqahā*) then

³⁵ Interview with Haji Muhammad Nasir, December 6, 2018

³⁶ Interview with TGH. M. S. Udin, December 5, 2018

³⁷ Interview with TGH. Shafwan Hakim, Juni 2 2017; Interview with Haji Saiful Muslim, May 29, 2017; Interview with Haji Syahdan Ilyas, May 29, 2017.

developed their respective concepts of so called secondary sources of Islamic law as supplement, and methodological instruments in interpreting al-Quran and al-Sunnah. Among such secondary sources are *al-Ijmā'* (consensus of all Muslim jurists), *Qawl al-Ṣāḥabī* (opinion of prophet companion), *al-Qiyās* (rational analogy), *al-Istiḥsān*, *al-Maṣlaḥa al-Mursala* (free benefits), *'Amal ahl al-Madīna* (tradition of Madīnah people), *Syar'u man Qablana* (laws and regulations ever issued in previous prophetic era before prophet Muhammad SAW) *al-Zarī'ah* (the nature of implication), *al-Istiḥāb* (maintaining *status quo*), and *al-'Urf* (living customs). By using such secondary sources, all legal problems faced by the people can be resolved despite any textual sources from al-Quran and Hadith were silent.

In such mentioned secondary sources the most suitable one to the main topic of this article is what called *al-'Urf* (living customs) or usually also called *al-'Ādah* (living traditions). It means that when the ulama did not find any *naṣ* explicitly explained certain problem in technical detail, they used relevant elements of local traditions, cultural heritage, or existing social capitals as consideration to resolve it, provided not contrary to the fundamental values of sharia.

There are many kinds of innovations and cultural heritage can be received and not regarded as part of forbidden innovation (*bid'a*), despite there is no explicit reference in the *naṣ* and actual practice of *salaf* generations. Those are:

First, accommodation of cultural heritage and innovation results in technical aspects of worldly life that does not include in the category of religious affairs such as using certain types of architectural designs for mosques and houses, cloth modes, sports, means of transportation, and communication, education management system, sciences, technologies, healing method, arts, celebrations of historical days, and the likes. The *Lumbung* building architectural design widely used in Lombok is part of this case.

The legal status of such issues are not determined by formal practices or popular academic terminology but on their compatibility to the substantial values of *sharia* (such as principles of freedom, justice, equality, honesty, empathy, benefit, religiosity, sincerity, social solidarity) and also by considering concrete impacts resulted from the application of certain concepts of laws.

Such kind of innovation and social capitals fundamentally is considered Islamic if they really bring benefits, and good effects for

human life, despite the names are not taken from quranic verses or Arabic vocabularies. Conversely if the innovations are essentially contrary to the principles mentioned above, or cause destructive effects on human life, they cannot fundamentally be justified by *sharia*, despite the terms used is taken from quranic verses or Arabic words. It must be underlined that the Arabic-based cultural symbols, daily languages, life styles, and cultures are not regarded more virtuous than cultural heritage of any regions across the world, because the real virtue of everyone in Islam is not determined by social status, nationality, ethnics, daily languages, or genealogy of nobility, but by intensity of their obedience (*taqwā*) to Allah.³⁸

In present time and future what is urgently expected is the appearance of initiatives, innovations, and creativities of all Muslims in their respective competences, so they can present significant contributions in various efforts to improve quality of *taqwā*, social welfare, realize desired moral values of *sharīʿa* (*maqāṣid al-sharīʿa*), the wisdoms of the authentic values of *sharia* (*ḥikmat al-tashrīʿ*) and to prevent any losses and damages (*mafsada*) on human dignity (*karāmah al-insān*).

Second, religious practices fundamentally include in general teachings, and regulations of *sharia*, despite the religious texts (*naṣ*) do not explain them in technical details, such as regulations concerning time, place, frequency, chronology, and technical devices. For example there is local tradition in Lombok and other regions in Indonesia to recitate certain chapter(s) of al-Quran collectively (commonly *Sūrah Yasin* or other preferred *sūrahs*) every Thursday evening or other days depend to their collective agreement that usually followed with collective religious chant (*ẓikr*), religious learning (*taʿlīm*), collective prayer (*duʿā*) and feast. Likewise, general order on alms (*sadaqa*) that in local language called *begawe* or *rowah* (in Lombok island), *slametan* (in Java island), and any other local vernacular terms that commonly conducted by the people in certain family moments, and cultural events.

This religious tradition should not be considered in the category of forbidden innovation (*bidʿa*) despite it was not performed by early pious generation in the similar chronological details. The reason is that such practices have included in general order of *sharia* especially

³⁸ Qs. 49 (*al-Hujurat*): 13

concerning encouragement to read al-Quran, command to preach, and spreading Islamic teaching (*ta'lim*), performing *ẓikr*,³⁹ prayer (*du'ā*),⁴⁰ and alms (*sadaqa*).⁴¹ Furthermore, the excellences (*faḍā'il*) of surah Yasin⁴² and all kinds of recitation and chanting have valid and clear arguments (*ṣaḥīḥ* and *ṣarīḥ*) in religious texts, and have been carried out by the Muslims since the prophet life, and early pious generation (*salaf al-ṣāliḥ*) until nowadays with various detail practices. Such religious traditions are not explained in detail practice in religious texts (*naṣ*), such as concerning time, place, and chronological sequence. Hence, such ritual practices may be performed anytime, anywhere, and any chronological sequence.

Third, innovations and traditions relating to the religious affairs concerning aspect of technical, instrumental, or supporting devices, or complementary elements of religious practices. For example uttering *istighfār* or *ẓikr* by using traditional counter device commonly called *taṣbīḥ*,⁴³ conducting daily prayers by wearing black cap (*songkok/peci*), traditional cloths for prayer (*kain sarung*), and prayer mat (*sajadah*); using loud speaker equipments in sounding *aẓan*, congregational prayer (*ṣalat jama'ah*), and Friday congregational sermon (*khotba Jum'ah*), recitating al-Quran by wearing eye glasses, *wuquf* in Arafah by utilizing tent, fan, and carpet, *fiṭrah* alm payment by rice or money (not dates nor wheat),⁴⁴ reminding the prayer time using traditional drum (*bedug*) then followed with *aẓan*, and any other forms of innovations and local practices are vastly used in Muslims' life in Lombok and other regions in Indonesia. All of such technical devices were really not yet used in the prophetic era and early pious generation (*salaf al-ṣāliḥ*), but the

³⁹ Qs. 76 (*al-Insān*): 25; 52 (*al-Thur*): 45-46; 50 (*Qaf*): 40.

⁴⁰ Qs. 2 (*al-Baqarah*): 186.

⁴¹ Qs. 2 (*al-Baqarah*): 267.

⁴² The Hadith explained this matters frequently mentioned by Ibnu Katsir in his masterpiece of exegesis work, *Tafsir al-Quran al-'Azhim*. He explained that the prophet has once said: "Surah Yasin is the heart of the Quran. Anyone who read it by comprehension to seek blessing of Allah SWT and safety in hereafter will be forgiven (by Him), and please read it (*Surah Yasin*) for the benefit of your deaths". See Abu al-Fida Isma'il ibn Katsir, *Tafsir al-Quran al-'Azhim* (Semarang: Karya Toha Putra, n.d.) vol. I, p. 32.

⁴³ See also Nassiruddin al-Albani, *Fatāwā al-Madīnah al-Munawwarah*, translated by Taqdir Muhammad Arsyad (Yogyakarta: Media Hidayah, 2004), p. 33 and p. 34.

⁴⁴ See also Muslim, *Ṣaḥīḥ Muslim*, vol. II: 392.

usage of such equipment principally does not need to be questioned in present time, because all of them are just supporting, and technical devices, and do not change or replace the main religious orders that are more essential.

Fourth, performing certain religious practices in a portion more than explicitly explained in the *naş* or as practiced by the *salaf* generation for the sake of improving personal approach to God (*taqarrub*), and gratitude (*shukr*) to God provided there is no clear prohibition in *sharia* regulations agreed by '*ulama'*', for example, permission and suggestion to continuously increase quranic memorization everyday, performing *tabajjud* and *dhuḥā* prayer continuously everyday. Despite there are certain *nass* relating to the excellence and virtues of quranic memorization, command to perform *tabajjud*, and *dhuḥā* prayers, but there is no command to do them continuously everyday. Likewise, preserving *wuḍū'* any time, adding alms portion more than the required (for example paying alms for 5 percent from required amount of 2.5 percent), reciting the Quran through the end regularly every month, adjusting thousands times of *ẓikr* everyday, giving *infāq* and *ṣadaqa* every month, using more respectful call and attitudes toward Prophet Muhammad, his companions, '*ulama'*', teachers, and parents or the likes are part of this category. The calls of *Tuan Guru*, *Mamik Tuan*, *Kak Tuan*, *Pelunggub* and any other respectful calls are real examples commonly found in Lombok people.

However, it must be underlined that in certain matters already have fixed orders approved by all ulama, it is forbidden to increase portion from the prescribed orders, despite it is intended to improve '*ibādah*'. For example increasing *raka'at* (cycle in prayer) in daily obliged prayers, increasing the circles of *ṭawāf* in *ḥajj* and '*umra*' more than seven circles, increasing duration of fasting by delaying break fasting till *Isba'* prayer time or until 24 hours (*wisal* or a full day and night fasting), and the likes. Similarly, it is also forbidden if such increase causes negative effects on other sides of life, such as fasting for sick people if it would aggravated his health, adding activities of '*ibādah*' (ritual) and *da'wa* (propagation of Islam) if it would ignore responsibility to provide support to family or leave work responsibilities.

Fifth, forms of inovations and practices with the purpose of intensification, technical application, and further development of the existing Islamic teaching with the adjustment to the contemporary

situations, needs, and challenges. In this case, despite the innovative formal application, chronologies, and technical orders, the moral values and substantial objectives are not something new. The new construction and development are often required to make *sharia* implementation reaching their moral objectives (*al-maqāyid al-sharī'a*) at maximum extend. For example, the regulation of marriage registration by government official is to regulate demographic administration and to improve legal protection to the rights of wives and and children. Similarly, establishing official alms institution BAZIS (*Badan Amil Zakat Infaq, dan Shadaqah*) is to improve alms management, founding *Sharia* Bank is to protect people from usury. Similar efforts also have this intention in mind, such as, establishing institution for religious preaching (*Lembaga Dakwah*), founding Islamic universities, and conducting competition for quranic recitation or MTQ (*Musābaqah Tilāwah al-Qur'an*). All forms of mentioned activities are really not explicitly explained in the religious text (*naṣ*) in details, and not performed completely by early pious generation (*salaf*) as well. Still, all of them are performed in recent time as implementation, improvement, and further development of Islamic teaching relating to marriage, alms, quranic learning, teaching religion, and prohibition of *riba*, all of which have been explained explicitly in several religious texts (*naṣ*).

Sixth, performing certain technical practices of Islamic laws (*furu'iyya*) excepted, and exempted from general regulation. These efforts are aimed to open wider achievement of more substantial. and universal objectives of *sharia* (*fath al-dzari'a*) or to avoid larger bad effects (*sadd al-zari'a*). Such as drawing up minimum age for marriage, official decrees to regulate polygamy and divorce, medical vaccination before departing for *hajj*, examination of pregnancy, and child-birth treatment by male doctor, and teaching and reciting the Quran (*taḥsin/tajwīd*) for children by woman in her days of menstruation. However, such exceptional norms must not be contrary to the principles of Islam and not abuse the fundamental laws (*al-kabā'ir*). For example to obtain recovery from illness or gaining economic relief by doing illicit sex in certain viewed sacred places, improving social integration by performing collective rituals practiced by people from different faiths and religions, throwing wedding party (*walimah al-'arūsh*) by erotic and pornographic dances, serving forbidden (*ḥarām*) food and alcoholic beverages, and any other sinful acts. All of these mentioned

examples are clearly forbidden, due to the abusing fundamental principles of *sharia*.

Seventh, decision to apply more moderate or easier certain legal opinions (*al-ahkām al-fiqhiyyah*) for the sake of benefit and convenience of society at large as long as in conformity with the principles of *uṣūl fiqh*. In more obvious words, it is advisable to choose legal conclusions of *sunna*, *makrūh*, or *jawāz* (do not chose legal conclusion of *wajīb* or *ḥarām*). Some examples of this category are choosing the legal status of *Sunna* (not *wajīb*) to participate in congregational prayer (*shalat jama'ah*) for the neighbors of mosques,⁴⁵ to recitate surah *al-Jumu'ah* and *al-Munāfiqūn* for leader (*imām*) of Friday prayer,⁴⁶ and performing *tahajjud* prayer.⁴⁷ Likewise, the legal status of taking bath in Friday, in which the majority of 'Ulamā' lean to choose legal status of *Sunna* (not *wajīb*), despite Imam Muslim in his *ṣaḥīḥ* put a Hadith concerning the issue under title of "the obligation of taking bath on Friday" (*bāb wujūb ghusl al-Jumu'a*).⁴⁸

In such examples, some ulama choose stricter opinions that tend to weight on the people (*'aẓima* or *tashdid*) namely by deciding the status of obligation (*wajīb*) because there are many quranic verses, and valid (*ṣaḥīḥ*) prophetic sayings clearly explained them (*ṣarīḥ*) and clearly indicate the status of obligation. On the other hand, other 'ulamā' tend to choose easier opinions by deciding status of *Sunna* (recommended) or easier orders (*tahfīf* or *rukhsa*) for situational considerations not to burden the people with heavier duties, and difficulties in their life. In such cases and the likes, Muslims who willingly choose heavier order (*'aẓima*) to achieve The God blessing are regarded as virtuous persons because they are more committed in implementing Islamic teaching. As to those who do not, they should not be regarded sinful nor being bad Muslims.

Eighth, when certain old traditions, and cultures previously contained deviations from true teaching of Islam have been purified and modified with the new meaning and comprehension so that they become Islamic or at least not contradictory to Islamic teaching, they should not be considered as deviations any more. Examples of this

⁴⁵ Muslim, *Ṣaḥīḥ Muslim*, vol. I: 263.

⁴⁶ Muslim, *Ṣaḥīḥ Muslim*, vol. I: 348.

⁴⁷ Qs. 17 (*al-Isrā'*): 79.

⁴⁸ Muslim, *Ṣaḥīḥ Muslim*, vol. I: 337.

category are healing physical diseases with fresh water or salt water that in ancient time maybe enclosed with certain charms (*mantera*), pilgrimage to places of veneration, and attending cultural events that in the past might be considered of having deviated from Islamic faith. Thus, by strengthening the conviction that only Allah can give cure for any diseases, drinking water is just comprehended and utilized as means of normal physical efforts as like as drinking antibiotics, honey, *zamzam* water or black cumin all of which have the purpose for healing or preventing disease. Likewise, it can also be true for pilgrimage to places of veneration, if the pilgrimage is not for ritual practices, worships, or ask any helps from the idols as practiced in ancient times, but for historical tourism or research, then the reason for considering it as *shirk* (idolatry) is nonexistent.⁴⁹ From the above mentioned examples, it can be concluded that by more moderate and accomodative religious mindset, various cultural heritage can be preserved, developed, and utilized constructively to achieve benefits for human life.

Furthermore, there is no culture in human history is that absolutely free of deviation from true religious values. Building splendor and beautiful mosques, founding universities, Islamic banks, using TV and other social media, and utilizing various products of modern culture have two opposing impacts. Besides bringing positive impacts in certain sides, they also always bring about negative effects on the other. So, if the total removal mindset used for all cultural practices contain any religious deviation and refusing any cultural product not found in the prophetic and the *salaf al-ṣāliḥ*'s era, Muslims will fall again in worst backwardness, intellectual poverty, lack of cultural creativities. Thus, they will become less civilized. By firmly holding on the textual/literal religious mindset, unfortunately, many cultural development of any other communities in the world are potentially considered forbidden innovation (*bid'a*), because all of them are also not found in the prophetic era.

⁴⁹ As a comparison, many parts of practices in *hajj* rituals as such *thawaf*, *sa'i*, and *wuqūf* also have practiced by the previous people (*jāhiliyyah*) in Mecca before the appearance of Muhammad's prophetic message with some differences in theological foundation, and practical details. Eventually such practices remain maintained and used in Islam with certain revisions, new meaning orientations, comprehension, and modification on certain technical orders. Ibn Katsir, *Tafsir*, vol. I: 52.

Conclusion

The Islamic traditions in Lombok and in Indonesia in general, can be accommodated in the construction of Islamic legal thoughts, and safely applied by Muslims in their daily life with some exception and conditions. Any innovations and local traditions will be regarded as forbidden innovations (*bid'a*) just if it clearly contrary to the fundamental values of Islamic faiths, and socio-moral messages. Conversely, if such traditions conform or at least not contrary to the fundamental teachings of Islam there should be no barrier for Muslims to practice and preserve them for the sake of their benefits (*maṣlaḥa*). There are eight methodological gates in Islamic law which enable Muslims to accommodate their local traditions. All of them do not include in the category of forbidden *bid'a*. So Muslims can safely practice them in their daily life.[]

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