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Understanding of Modern Society Perception on Sociology of Islamic Law in Indonesia

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Abstract---*We are sure that the public's understanding of the sociology of Islamic law will shape the development and behavior of social relations in Indonesian society that is cultured to uphold religious law. Increasing knowledge of Islamic law's sociology for modern Muslims is closely related to the progress and awakening of Islamic civilization in Indonesia. To find out, we have done a series of preliminary reads with an assembled online data-based searching system with the above theme variables. Furthermore, an in-depth study and analysis carried out using a phenomenological study approach to answer the problems of this research so that findings that meet the principles of validity and reliability. Considering all these research variables and data analysis, we can finally explain some of our findings, including how modern Indonesian society changes and understands the sociology of Islamic law and the relationship between the two changes. This change concerns the social life of Islamic law. How do Muslim societies understand their religious laws when living and working in modern societies that sometimes experience changes and differences in understanding the social order of religious law and social life. These findings will become a scientific treasure of the sociology of Islamic religious law in Indonesia.*

Keywords--- *Islamic law, modern society, modern sociology, understanding society perception.*

Introduction

The issue of Islamic law in Indonesia is interesting to discuss because Indonesia is a nation that gets the largest Muslim population in the world, so that the space for this will be filled with exciting studies and discussion of Islamic or sharia law so that a cultural and cultural sharia legal system will be formed (Van Wichelen, 2010; Manullang, 2019). Social in a society that is heading towards modern life. Islam demands that its adherents, wherever they are, look at Islam and acknowledge that Islam's existence always gives new colors with acceptable morals to the actions and ways of life of its ummah and other humans. Because Islam is present in this world not only as an individualistic ritual function, worship of God, but its presence will have to benefit and protect the entire community of its adherents. That is the totality of understanding Islamic law or Islamic law for its adherents in modern Islam, which will discuss next.

Understanding Islam and applying its totality in life is essential for the Islamic ummah because it is an obligatory law for Muslims in Islamic teachings and views for its adherents in both traditional and modern living conditions. Ramakrishna (2009), said that radical pathways to understanding in Indonesia with the presence of modernization in all areas of life make it clear that it will give birth to modernization in other life fields, such as economy, social, and religious life. The emphasis of religious modernization is on developing progress in life-based on Islam; religion's progress in life must reflect the Islamic religion. It marks the Muslim community's level of participation in all life activities, which tends to increase steadily, such as modernization in technology, economy, and all other life.

Because the largest numb of the population is Muslim, Indonesia, in this case, cannot be separated from Islamic law as a set of rules that govern the lives of Muslim citizens in religious and state life – starting from matters that regulate worship to interacting in social life. In this regard, this project will analyze the Indonesian Muslim community's understanding of the context of modern life. It bases on the assumption that it must adhere to state law ideally, even though, as a country, it must adhere to state law. Islamic law also gets a large portion by the configuration of the majority of its people and participates in the power of coloring the existing politics. Hasan

(2009), stated that the making of public Islam is piety, agency, and commodification of the Indonesian public sphere's landscape. Therefore, this paper will explain and analyze Muslims' understanding of Islamic law in modern Indonesia and between the state's political configuration and Islamic law's position and development, which has become a vital force in Indonesia. Understand the application of Islamic law in Indonesia in modern life so that later the role of Islamic law in building modern Indonesian civilization can be accumulated (Heryanto, 2014; Kersten, 2015; Setiawan, 2020; Geels, 2004).

Islamic law role

The role of Islamic law in Indonesia has not yet functioned as a legal system that also applies to Indonesia. Because Islamic law does not have an official position and meaning in implementing complete development, in the material field and the mental-spiritual field, this law remains still weak. So Islamic law is still part of the Islamic ummah's life, which regulates worship and society. In this case, Indonesia already has its legal basis, which, in its concept, has the basis and principles in Islam, namely 'Pancasila.' For Islamic law to become formal law, it still requires amendments and consensus in parliament and political mechanisms so that ultimately the role of Islamic law is enormous and official. However, Islamic law is a universal law, Because when the status of Islamic law was still part of Islam. So automatically, Islamic law only applies to Muslims wherever they are.

However, Islamic law will slowly become part of national law, such as Islamic banking law. For the condition of Indonesia today, Islamic law cannot replace national law. It does not mean the Indonesian nation established Islamic law after independence did not always apply to Indonesia's Muslim population. So the opportunity to apply Islamic law in Indonesia has specific reasons for making it happen, including historical, cultural, population composition, juridical, constitutional, and eastern education. It is compatible with civilization in Islam. Admittedly, the application of sharia law in Indonesia through statutory regulations is not easy. However, if it seriously pursues, it must involve political discussion through the mechanism of people's representation in parliament. It does not be easy because not all members support the Islamic legal system is applied. Other obstacles that complicate legalizing Islamic law in Indonesia are cultural constraints, the dualism of terminology, and even gaps between general legal terminology and Islamic law. It is an academic area and is the responsibility of academics.

Islamic law and politics

In terms of constitutionality, some basic rules and legal provisions govern government institutions' functions and structures. It is the basis for cooperative relations between the state and society in the nation's life and state framework. So the constitution is several basic rules and legal provisions that form to regulate government institutions' functions and structures, including the basis for cooperative relations between the state and society in the framework of the nation's life and state. A constitution's existence in constitutional life is crucial because it will not work without a state constitution. It will not work is fundamental as a government in running the country and guarantees citizens and every resident on the other hand. Thus, it hoped that citizens' rights would be better protected (Van Wichelen, 2010).

However, Fealy (2008), sees Islam as a commodified religion and aspirational pietism in contemporary Indonesia. So, Islamic law in Indonesia in the last decade has bright space. None other than this is closely related to Islam's rise supported by an era of openness, democracy, and technological advances. It is also the spirit of religious feeling among Muslims, which tends to increase, so awareness of the activities and obligations to carry out Islamic teachings is believed to be an outpouring of grace. In line with that, the spirit of making Islamic law becomes an integral part of Islamic teachings that cannot separate from the life of Muslims (Deeb & Harb, 2013; Aspinall, 2013). Therefore, Muslims will experience inner peace in their religious life if Islamic law becomes the basis and order of their lives, which has the state's full support and confirmed statutory regulations.

Purpose

Research on understanding how modern society's perceptions of the sociology of Islamic law in Indonesia are essential. Feener (2013), wrote about Shari'a and social engineering. He mentioned that the implementation of Islamic law in contemporary Aceh, Indonesia, has brought new hope for Indonesia's law reform. This study is increasingly helping many parties understand the majority of the Indonesian nation or Muslims in modern times. This kind of understanding will play an essential role in finding the next steps to advance Islam's struggle in a new Indonesia. The study will also ensure that Indonesia, as a predominantly Muslim country, gets the correct and best

understanding of Islamic law. Through a study of the understanding of modern Muslim communities' thoughts in Indonesia on Islamic sociology law, it will be easier for the Islamic community to identify and familiarize Muslim readers with the topics discussed so that this understanding will satisfy the understanding and knowledge of modern society to add to a better understanding of Islamic law in the context of social science.

This study can test modern citizens' feasibility to undertake a broader study of Islamic law in Indonesia to help develop new ways of understanding Islam that will use in advancing a correct understanding of Islamic law. [Atia \(2012\)](#), argued that a way to paradise is to pious neoliberalism, Islam, and faith-based development. The study of Islamic law among modern Indonesian Muslims will answer many questions about what Islamic law is, where it will be applied, why it is useful to understand, and the latest developments.

Efforts to answer the questions above can do with various explanatory analysis studies of existing data to answer how Muslims understand Islamic law as mandatory law for its adherents. This effort will answer the importance of understanding Islamic law in modern Islamic times. Based on existing data, modern Indonesian society now needs an understanding of concrete Islamic law to quickly take a stand against Indonesian Islamic law in the future. Besides that, a further study of the understanding of modern society about Islamic law and the orientation of Muslims' struggle in advancing Islam will help them with a more in-depth explanation of the problems related to the correct understanding of Islamic law.

[Pepinsky et al. \(2018\)](#), argue that piety and public opinion in understanding Indonesian Islam require many studies so that new findings will be more prosperous, which are useful in the course of understanding this theme, is that the results of this study of the sociology of Islamic law will open and add new understanding and insights in thinking in solving problems. Moreover, the challenges of developing legal conflicts in Indonesian society which are very complex. Finally, it can conceptualize the sociological problems of the Islamic law that occur and provide a new picture for citizens who uphold religion and state law.

Method and Materials

This study aimed to understand the modern Indonesian society of the sociology of Islamic law in Indonesia. Previous findings confirmed that the increase in social awareness of Islamic law by Muslims in modern times is closely related to Indonesia's rise of religious civilization. For that matter, we have done a series of preliminary reads, searching for data based on the variable theme assembly of this study. [Housley et al. \(2014\)](#), said that the designed this sociological law study in a qualitative design because our study is related to determining why the importance of understanding modern Indonesian society must understand the sociology of religious law and explore this phenomenon and be easily understood. Therefore, we could define this qualitative research as more subject matter research supported by in-depth study and discussion of the findings we analyzed and collected in a descriptive format without any numbers like a quantitative design study. Furthermore, through in-depth analysis using a phenomenological approach, we try to answer this research question to say that these findings meet validity and reliability principles. By referring to all these variables and data analysis, we can finally summarize our findings, how Muslims living in modern times can adapt to modernization changes by understanding social science and Islamic law and the relationship between the two ([Marres, 2017](#); [Sloan et al., 2015](#)).

Result

Modernization

An attempt to find out what modern society's understanding of the Sociology of Islamic Law in Indonesia may divide into several parts. First, people's understanding of Islamic sociology's law influences the factors of modernism itself, which we can define by adhering to a scientific dictionary's language. So the understanding of modern Indonesian society is based on the premise of modernization. It means a massive social movement of the Indonesian people to reform the mind from the old way of thinking with non-religion in overcoming all the problems of life from the old way to the way and approach to life models that are influenced by all objects of technology and modernization based on religious values and laws. In the modern way of thinking and understanding the work, however, the application of new models tends to relate to the relationship of religious law, which socializes all life areas.

Understanding modern Indonesian society towards the sociology of Islamic law is no more comprehensive understanding of the old way of seeing Islam as a ritual or worship of God alone. Current understanding is like a movement towards social change driven by general awareness from a traditional or old way of life to a new or

advanced and complex way of life and in the direction of progress. Progress in many things such as the political system, economy, education, and society to the right to freedom of life following Islamic law is cultured in all spheres of life.

Globalization

The current globalization factors also influence the understanding and awareness of the majority of Indonesian Muslims towards Islamic law or Islamic sharia. Knowledge of Islamic law and social society is part of understanding the impact of changes in all aspects of the Muslim community's life, which has changed due to changes and the phenomenon of globalization. Theoretically, the Indonesian Muslim community generally sees this change in understanding worldwide. The sophistication of technology has a speed of information; globalization has helped to accelerate the spread of all aspects of life to all regions of the world with different impacts. For the Indonesian people, the most visible effect is the globalization of understanding of the sociology of Islamic law's mindset on how the fate and resurrection of Islam on other earth will instinctively be witnessed by the Indonesian people to fall unconscious. This change is unconsciously contributing to a new understanding of Islam's togetherness with all the inherent flaws. The globe's effect is the home of humans, and the word global identified with the word international- namely, the relationship between one nation with the same understanding and respect between countries to another.

Role of religious law

Religious law originates from the human belief in the unseen world, which has supernatural powers beyond human ability both in reason and passion with rules and regulations. The word religious law comes from the Sanskrit "a," which means "not" and "gama," which means "chaotic." From these two words, it means that religion is a rule that regulates human life so that it is not chaotic, messy with one another. Faith's function with its legal authorities is how individuals and communities act or do something in their lives with a basis and rules and regulations and the penalty if something comes out of religious practices and customs. Apart from the function of religion and its law as a legal basis in the community's actions, religious law is also a controller and observer in people's lives. Besides that, religion is a unifying tool for humanity because of others' equality of beliefs and standard treatment.

Modernization of Islamic law

For the Indonesian people, Islamic law in the modern era is part of modernity and globalization in social life. It admitted that Islam and its tools are the same part of the concept of coming from outside. Islam from the East and modern from the West. Both of them have shaped the view of Indonesian society that was previously traditional to advance with religious rules and the influence of modernizing forces. Many scientists consider this two-sided power. Faith and belief are in the heart, while logic and modernity are in the mind or brain. The development of this mind itself, in which there synchronized complementary elements that are universal, is under the values and principles of Islamic meaning, namely, *Rahmatan Lil Alamin*. In a positive form, the Muslims acknowledge their "debt of gratitude" to the West, especially in eroding the shackles of traditionalism, then accept a new order that encourages various innovations to answer the challenges of the times in their respective environments. The theme's location: Muslims lose their identity in seeing an all-foreign order, then place them proportionally both as "friends" and as "opponents." Of course, for those who are tolerant, this is full of humanity and the modernization of universal Islam.

Islamic law and modern society

For the Indonesian Muslim community, the understanding of Islamic law has recently tended to increase. They have realized the role of religion and the formation of the nation's cultural character and personality. It can be seen from the older generation's higher motivation to their younger generation to live within the framework of Islamic law so that it is not surprising that the trend of religious education is getting higher, either through Islamic boarding schools or Islamic schools that have adopted general education and Islam content. The older generation is starting to believe in the values possessed by Islamic education in the modernization era, which they think that modernization has is not following the value in a more conservative and traditional religion. Living in this modern age, their children must have a firmly traditional religion among the younger generation. It is said that almost all subcultures and customs in Indonesia have existed since ancient times in religious law and local wisdom. In other words, the value of religion

for Indonesia's people has become one of the most vital elements in the journey of civilization to the modernization era, which is sometimes counterproductive to the old generation's wishes.

Islamic sociological domination

The history of Islam's coming to the archipelago is inseparable from Arab traders' role and the welcome of the local community. Long before Islam came and spread, a series of other religions existed. But why can Islam become a religion with a legal system that dominates the lives of the archipelago? Many studies have recorded it, making Islam gain majority support in this country, which eventually later became a great country. In the presence of Islam in this country, it experienced various revolutionaries that were quite winding until then the spread of Islamic teachings began to develop rapidly until modern times today.

After the European nation carried out the colonialism, the Muslims themselves tried to fight and paralyze colonialism in this archipelago. These Muslims' efforts in facing foreign colonization marked by the establishment of Islamic education known as Islamic boarding schools. With the establishment of this Islamic boarding school, the archipelago people initially studied Islam as a ritual religion and as a religion with laws and civilizations that were proven to prevent foreign colonization. So this trip was followed by the development of Islamic boarding schools that taught reform of Islamic law by cleaning Islam from cultural dominance, customs, and the influence of all the animism of the archipelago community's ancestral beliefs in old life into new thinking patterns and views. With this renewal, scholars, scholars, students, and traders have increasingly dominated Islamic modernization in Indonesia until now.

Sociology of Islamic law on modernization

Over time, the social life of the community will inevitably go through changes either quickly or gradually. The social view of Islamic law on modernization is essentially a dynamic view by its adherents. As long as it does not conflict with the spirit of Islam, it is still accepted. Because Islam itself understands that change is absolute, it cannot stop as long as the change follows the laws and customs in the past and the present. In other words, the sociological view of Islamic law towards change by its society, Islam is very open, wisely accepts the conditions of non-principal change, especially in the fields of economy, life, and daily life patterns change sometimes interspersed with conflicts and interests. If something happens to conflict with Islamic law, this conflict will resolve under Islamic law, namely the basis of religious law and fatwas (Çokgezen & Kuran, 2015; Imamah et al., 2019). All Islamic law is on society's interests, which people dissolve from a better understanding. Then if there is something related to changes in society in the modern era, the solution required is the thoughts and opinions of scholars and the general public regarding modernization of the interests of society that are often studied, among others: scientific ways of thinking but not against sharia, data analysis systems or facts methodical but still one view with faith, an efficient administrative system is undoubtedly under the law of the principle of justice, there is a climate that supports new changes, namely with Islamic leadership, high discipline at times and rules of the game regulated in law, innovation and modification in all fields it absolute accepts because it has taught in religion that matters of changing the world are the affairs of society, but matters of law and worship rest with the ulama and the fundamental laws of religion. Here there is nothing counterproductive in the Islamic view of modernization in Indonesia.

Discussion

There is no room in Indonesia for citizens who want to live in a state without rules and belief in God. Why, because if the community lives without law, it will be easy for society to punish the innocent and vice versa with difficulty punishing those proven to be very guilty. The assumption that society until now has lived a simple life without betrayal. Of course, there is no need for laws, state law, and religious law to regulate all relationships with God and fellow humans. Likewise, when people live in a large country like Indonesia, of course, they need spiritual direction and rules so that both functions to create order and a shared vision. We conducted this research to understand modern society's perceptions in Indonesia towards the sociology of Islamic law. It is hoping that intellectuals and the wider community can understand how most Muslims view their religious laws while living in modern times.

Malick (2005), reminds us that there are three very complex Arab histories; modernization, democracy, and Islamic law sociology. He said the Muslim community in Arab history had a poor record of looking at modernization, democracy, and Islamic law within its ranks. However, he did not accuse that the source of this problem was from Islamic law and everything binding on Islam, but there were non-religious factors. The main

problems are the influence of colonialism and internationalization, the trade and justice system, the liberal economy, and the state's role being carried out by a militaristic system to answer all state problems. Late Arabic lagged in that field. Furthermore, [Kuran \(2012\)](#), examines the differences in Islamic law length in the Middle East. By the year 1000, the Middle East economies were at least as advanced as the economies. Europe. Then in 1800, the region lagged dramatically in standards of living, technology, and economic institutions. He briefly said that the Middle East has failed to modernize its country in every way. The keyword is the failure to modernize the country and its people to leave the Middle East.

Related to the study of [Jackson & Parker \(2008\)](#), modernization is like a country, and Islam, which is enriched with knowledge, will continue and be modernized. So education and the search for knowledge are the essences of Islam. Because the purpose of education in Islam is to produce good Muslims and understand the strict Islamic is to carrying out knowledge and a commitment to faith. So the three studies above clearly see that Muslims must accept modernization both in the state and in the Indonesian people's daily lives, which are the largest Muslim population globally.

Following is a study of Islamic religious law's role in the Indonesian community's view; according to [Bush \(2008\)](#) study, there are ten regional sharia regulations in Indonesia. He said something is an anomaly or a symptom of expressing Islamic law in the religious life and the current political arena. He regretted that Indonesia is now the best example of a thriving and perpetual democracy in Southeast Asia. However, the phenomenon of Qanun rules is on Islamic legal regulations, which, in several ways, according to Bush, will limit democratic freedom in Indonesia. It is an essential input for any study so that the public does not feel troubled by other laws in state law. Our findings of the views of modern society towards Islamic law in Indonesia, a study by [Salim \(2008\)](#), can be used as a measure to what extent the understanding and support of the Indonesian people for the existence of Islamic law in balancing secular state law, the legacy of colonial law. He said that one region in Indonesia tried to Islamize the law in Indonesia in modern times after the fall of the New Order regime. The view of modern society towards Islamic law is considered an improvement by certain groups so that Muslims have sharia that is legalized and implemented by the state even though some think that the existence of Islamic law will burn and divide the harmony of the Islamic ummah.

Likewise, [Feener \(2013\)](#), the study views modern Indonesian society with Islamic legal views in modern Indonesia. His study confirms that Indonesia has become the home of Islamic law for some parts of society who want changes in law besides national regulations. This view is possible as very dynamic and complex developments in modern Indonesian society, modern Islamic thought worldwide ([Realini & Marcos, 2014](#); [Dalla Chiara & Pellicelli, 2016](#)). However, few people in the world understand that Islamic law in Indonesia is the most developed in Southeast Asia, namely the view of Indonesian people towards Islamic law in Aceh.

The dominance of Islamic law in modern Indonesian society came from converting to Islam and a series of events so that Islam and its laws have become popular in the country. [Hadiz \(2016\)](#), proves Islam's fame in Indonesia and the Middle East by studying how Islam transformed through national political reform. So that modern Indonesian society increasingly understands the emergence and popularity of Islam in Indonesia. For example, through the 2014 presidential election, two rival candidates brandished somewhat different nationalist-populist ideas leaning towards conservative Islamist currents and one more towards historically secular and nationalist roots.

Meanwhile, [Hefner \(2011\)](#), through his study of Civil Islam, proves that Muslim societies living in modern times can be democratic in Indonesia in a balanced way. He argued that Muslim society and Islamic law and democratic freedom in Indonesia constitute the most extensive democratic practice in the world and Muslim societies. His study is to have straightened out stereotypes of Islam as the antagonist of modern democracy. The courage of a democratic way of reforming in the face of terror from a foreign country that disagrees with Islamic law implies that the modern Muslim community truly understands rights and struggles politically and socio-culture in Indonesia.

Meanwhile, in the sociology study of Islamic law on modernization in Indonesia, [Nurlaelawati \(2010\)](#), examines the modernization, tradition, and identity of modern Indonesian society's views due to the compilation of Islamic law and legal practice in the Indonesian Religious Court. She also said that the three elements above were the result of collaborating with Islamic law and state law in Islamic religious institutions, which saw the extent to which the judges in religious courts had adhered to Islamic law as the law regulating religion and laws on matters that not regulated in national regulations. All the findings and support of related studies have supported this study's question, aiming to understand the modern Muslim community's views in Indonesia on the sociology of law and other Islamic traditions.

Conclusion

The key points here are some of the study's findings, which aim to understand modern society's views on the sociology of applying Islamic law in Indonesia. From the results of the review and analysis to answer the questions of this study, we can finally present some of the main findings: *First*, The effect of modernization has shaped the Indonesian people's mindset towards applying the sociology of Islamic law so that the majority of Muslim communities understand more about what its role and function are in society in the modern era. *Second*, Globalization's impact is that the Muslim community has a higher understanding of Islamic sociology and law. This impact is increasingly forming a new awareness in the state and society with society's norms and Islamic law, which is increasingly popular among society, education, and the economy. *Third*, Islamic law's understanding and role have become increasingly dominant in various social activities and state institutions. *Fourth*, The modernization of Islamic law and sociology has been very good, where people are familiar with the recent development and revival of Islam. *Fifth*, Islam and modern society are no longer new to Indonesian companies in line with understanding democracy and freedom of religion and culture. *Sixth*, Islamic law and social society's dominance has got a place in modern Indonesian society in various public and state activities.

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