

Resolution of Customary Land Disputes from the Perspective of Maqasid Syari'ah and the Basic Agrarian Law (UUPA): A Case Study in Kadolo Katapi Village, BTN Bukit Sari, Baubau City

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Abstract

This study aims to analyze the forms and characteristics of customary land disputes in Kadolo Katapi Village, BTN Bukit Sari, Baubau City, and to offer resolution solutions through the integration of Maqasid Shari'ah perspectives and the Basic Agrarian Law (UUPA). The study employs a qualitative approach with an empirical legal research design. Data were collected through in-depth interviews, field observations, and documentary studies, then analyzed using the Miles and Huberman interactive model with source and method triangulation to ensure data validity. The findings reveal that land disputes in this area are multidimensional in nature, encompassing ownership disputes, possession conflicts, boundary disagreements, and rights transfer contestations rooted in the dualism between customary norms and national positive law, compounded by the scarcity of formal ownership documents. The tiered resolution mechanisms pursued through customary deliberation, institutional mediation, and litigation have proven insufficient in delivering substantive justice acceptable to all parties. The Maqasid Shari'ah perspective, through the principles of al-shulh (peaceful settlement), al-'adalah (substantive justice), and dar' al-mafasid (prevention of harm), offers an integrative model that complements the UUPA in achieving dispute resolution that is both juridically valid and substantively just, with direct implications for the attainment of SDG 1, SDG 11, and SDG 16.

Keywords

Customary Land Disputes, Maqashid Syari'ah, UUPA

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1. INTRODUCTION

The BTN Bukit Sari area in Kadolo Katapi Village, Baubau City, is one of the regions that has experienced rapid residential development over the past few decades. This dynamic has clearly triggered the emergence of various customary land disputes involving many parties, both between individuals and between extended family groups. The disputes occurring in this area encompass a range of forms, from ownership disputes, land boundary issues, and possession claims, to disputes related to the transfer of land rights from one party to another. This condition is exacerbated by the



scarcity of written evidence held by the customary community to defend their claims, making the process of proof highly complex and time-consuming. The rising economic value of land as the residential area develops has also become a major trigger for the escalation of disputes, since land is no longer viewed merely as ancestral inheritance but has shifted into becoming a high-value economic asset contested by various parties.

The phenomenon of land disputes in the BTN Bukit Sari area shows fairly distinctive characteristics. Empirically, the community in Kadolo Katapi Village, when facing land disputes, tends to first prioritize the mechanism of customary deliberation as an initial resolution step. This approach is chosen because it is considered better able to preserve the social relations and family values that have long been built among residents. However, when customary deliberation fails to produce a binding agreement, the dispute then proceeds to the formal legal channel through the judicial institution. One of the cases found in the field is the dispute between La Ode Feeli and Syaiful over a plot of land in the BTN Bukit Sari area, in which both parties equally lack a land rights certificate that is legally valid under positive law. Mediation efforts facilitated by the Land Office had been pursued, but failed to produce common ground, so the case was subsequently brought to the district court to be resolved through litigation.

The results of the field research show that court rulings in land dispute cases in this area tend to favor the party with a stronger basis of ownership or possession evidence, particularly in the form of a land certificate, which within the national legal system carries the highest evidentiary weight. Formally and juridically, the application of national land law provisions has provided legal certainty and protection of land rights for the party holding valid evidence. The dispute resolution process, whether through customary mediation, institutional mediation, or litigation, has taken place and produced rulings that are final in nature. This tiered resolution mechanism has even been able to encourage various parties to begin realizing the importance of legalizing land rights through certification, as seen in the increase in land registration applications following the disputes. Thus, the overall process of resolving customary land disputes in the BTN Bukit Sari area has proceeded and produced concrete results for the disputing parties.

Ideally, the resolution of customary land disputes should not rely solely on formal legal certainty, but must also be able to deliver substantive justice that can be felt by all disputing parties. Santoso (2022) asserts that the ideal resolution of land rights disputes must attend to the balance between legal certainty, benefit, and justice, rather than merely having one party prevail over the other. Furthermore, Astriani & Indrawati (2024) argue that the resolution of agrarian disputes based on customary rights should ideally integrate juridical recognition of communal land rights (*hak ulayat*) with concrete and measurable legal protection mechanisms, so that customary communities are not continually

disadvantaged in a litigation process that is legalistic-procedural in nature. A similar view is expressed by Sodiq (2023), who states that from the perspective of Maqashid al-Syari'ah, the ideal resolution of customary land disputes must simultaneously fulfill the principles of protection of property (hifz al-mal), justice ('adalah), and prevention of harm (dar' al-mafasid), rather than partially. In the same vein, Roiqoh (2023) asserts that the state's right to control land, from the perspective of Maqashid Syari'ah, should be exercised by prioritizing the comprehensive welfare of the community, so that it does not merely serve the interests of parties able to access the formal legal system. This is reinforced by the view of Pertiwi & Herianingrum (2024), who state that the concept of Maqashid Syari'ah in dispute resolution should be able to create social harmony, protect basic human rights, and prevent the occurrence of prolonged conflict that harms society at large. Thus, theoretically and normatively, the ideal resolution of customary land disputes should go beyond mere procedural success and move toward the realization of comprehensive justice for all parties.

There is a striking gap between the empirical conditions occurring in the field and the ideal standards desired by scholars and legal theory. On the one hand, the research data from the BTN Bukit Sari area show that customary land disputes have been successfully resolved through formal channels with final rulings. On the other hand, field facts show that the losing party in court proceedings often does not accept the ruling and continues to pursue further legal remedies in the form of appeals, which ultimately prolongs the resolution process, drains the parties' resources, and has the potential to further strain social relations within the community. This indicates that although formal legal certainty has juridically been achieved, it has not yet fully delivered a sense of justice acceptable to all parties, sociologically and psychologically. This gap becomes even sharper when confronted with the fact that the dispute resolution process rests almost entirely on a legalistic-formal approach that sidelines customary legal values and the dimension of substantive justice, which is in fact the very spirit of the entire legal system.

The gap between *das sein* and *das sollen* as outlined above gives rise to a fundamental research problem. Conditions in the field show that the BTN Bukit Sari community has succeeded in resolving customary land disputes through existing legal mechanisms, yet this resolution has not been able to deliver the complete and thorough substantive justice desired by the theory of Maqashid Syari'ah and the spirit of the UUPA. At this point, a fundamental question arises: what are the actual forms and characteristics of the customary land disputes occurring in Kadolo Katapi Village, BTN Bukit Sari, such that their resolution through formal channels has not been able to satisfy the sense of justice of all parties? And how can the shariah perspective — particularly through the framework of Maqashid Syari'ah — provide a more comprehensive and meaningful solution for resolving these customary land disputes? These two questions form the core of the problem this study seeks to answer.

Studies on customary land disputes and their resolution have been widely conducted by previous researchers. Most of these studies have focused on aspects of positive law and the formal mechanisms of resolving agrarian conflicts. Herman et al. (2023); Sodik (2023); Roiqoh (2023) have examined the application of Maqashid Syari'ah in the context of land affairs, yet each touches only a single dimension — whether land registration, general dispute resolution, or the state's right to control land — without comprehensively integrating it with a specific case study of customary land disputes in a particular area. Meanwhile, Warsidi et al. (2022); Pertiwi & Herianingrum (2024) focus more on the implementation of Maqashid Syari'ah in judges' considerations in shariah economic disputes and a general conceptual exploration of Maqashid Syari'ah, so their studies have not directly touched upon the dimension of customary land disputes. In the field of agrarian law, Astriani & Indrawati (2024); Santoso (2022); Ismail (2021) have discussed customary land rights, Indonesian agrarian law, and land reform in depth, yet these studies are more normative in nature and have not connected them with the perspective of Maqashid Syari'ah as an analytical framework for dispute resolution.

From the standpoint of methodology and research approach, several studies have also been conducted using empirical approaches in various regions of Indonesia. Soekanto (2020); Rahmawati (2022); Setiadi (2021) examined land conflicts and customary law sociologically and juridically in various contexts, yet these studies have not explored the integration of shariah values with national land law within a single, unified analytical framework. Arba (2019); Harsono (2018); Djakaria (2020) discuss agrarian law and the resolution of land disputes comprehensively from the standpoint of positive law, but without touching upon the shariah dimension at all. Meanwhile, Kurniawan & Rofiq (2020); Syarifuddin (2021); Zuhaili (2019) examine Maqashid al-Syari'ah in contemporary Islamic law in depth at the theoretical level, yet it has not been concretely applied to actual cases of customary land disputes in the field. Thus, from this mapping of previous research, it is clear that no study has specifically examined the resolution of customary land disputes in Kadolo Katapi Village, BTN Bukit Sari, Baubau City, by integrating the perspectives of Maqashid Syari'ah and the UUPA simultaneously within a single, unified case study. This gap is the space in which this study is positioned as an original study, and not a repetition of previous research.

The novelty of this study lies in its effort to build an integrative analytical model that brings together two normative frameworks that have thus far operated separately — namely, Maqashid Syari'ah as a system of Islamic legal values and the UUPA as an instrument of national positive law — within the context of customary land disputes actually occurring in Kadolo Katapi Village, BTN Bukit Sari, Baubau City. This study does not merely describe the disputes that occur, but conducts an in-depth analysis of how shariah values can provide a dimension of substantive justice that complements and strengthens the provisions of positive law, thereby producing a dispute resolution solution that is not

only valid in juridical-formal terms but also meaningful in moral-spiritual terms for the parties involved. This integrative approach is relevant to the achievement of the Sustainable Development Goals (SDGs), particularly SDG 16 on peace, justice, and strong institutions, SDG 1 on poverty alleviation through certainty of land rights, and SDG 10 on reducing inequality in access to justice.

The urgency of this study rests on the fact that customary land disputes are an issue that affects not only the legal domain, but also touches broadly on social, economic, and humanitarian dimensions. Prolonged uncertainty over land rights can undermine the social order of a community, obstruct residents' access to a decent livelihood, and weaken public trust in the prevailing legal system. This study is therefore presented as an urgent scientific contribution to fill the existing gap in research, while also offering a more holistic and just perspective on dispute resolution. Within the SDGs framework, this study contributes directly to the achievement of SDG 16, which mandates access to justice for all and the building of accountable and inclusive institutions, as well as SDG 11, which promotes the formation of inclusive, safe, resilient, and sustainable communities and cities, in which certainty of land rights is one of the fundamental pillars. By integrating the values of Maqashid Syari'ah into the framework of resolving customary land disputes, this study is expected to serve as a reference for policymakers, legal practitioners, and the community in building a fairer, more humane, and more sustainable land conflict resolution system.

Based on the background presented above, this study formulates two central and interrelated research problems that complement one another in building a coherent analytical framework. The first problem concerns the factual and juridical dimension, namely how the customary land disputes occurring in Kadolo Katapi Village, BTN Bukit Sari, Baubau City, take shape and are characterized; this question is important to answer first in order to obtain a comprehensive and accurate picture of the reality of the disputes occurring in the field as a basis for further analysis. The second problem concerns the normative-shariah dimension, namely how the shariah perspective, particularly through the framework of Maqashid Syari'ah, can provide a comprehensive solution for resolving these customary land disputes; this question aims to identify a proposed solution that is not only valid under positive law but also meets the standard of substantive justice and welfare (*maslahah*) that lies at the core of Islamic teachings. These two research problems are deliberately designed so as not to overlap, with the first formulation focusing on the descriptive-empirical dimension while the second formulation focuses on the analytical-normative dimension, so that together they synergistically form a complete, balanced, and well-directed research structure.

2. METHOD

This study employs a qualitative approach (Creswell, 2014) with an empirical legal research design, examining not only the normative provisions of the UUPA and Maqashid Syari'ah, but also the

actual practice of resolving customary land disputes in Kadolo Katapi Village, BTN Bukit Sari, Baubau City (Marzuki, 2017). Data were collected through in-depth interviews with the disputing parties, customary leaders, kelurahan (sub-district) officials, and mediators; direct observation at the dispute location; and documentary study of case files and relevant land documents (Sugiyono, 2018).

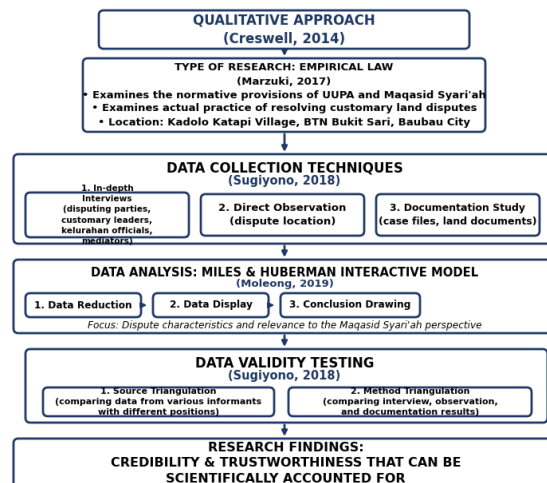


Figure 1. Research Method Framework

The data were analyzed using the interactive model of Miles and Huberman, comprising data reduction, data display, and conclusion drawing, with the focus of analysis directed at the characteristics of the disputes and their relevance to the perspective of Maqashid Syari'ah (Moleong, 2019). The validity of the data was ensured through source triangulation and method triangulation, namely by comparing the results of interviews, observation, and documentation from various informants holding different positions in the dispute, so that the research findings possess a degree of credibility and trustworthiness that can be scientifically accounted for (Sugiyono, 2018).

3. FINDINGS AND DISCUSSION

3.1 Forms and Characteristics of Customary Land Disputes in Kadolo Katapi Village, BTN Bukit Sari, Baubau City

Based on the research conducted in Kadolo Katapi Village, BTN Bukit Sari, Baubau City, it was found that the customary land disputes occurring in this area possess fairly high complexity and are multidimensional in nature. The most prominent dispute is the conflict between La Ode Feeli and Syaiful over a plot of land in the BTN Bukit Sari area, which originated from a historical ownership claim unsupported by valid administrative evidence. Both parties equally lack a land rights certificate, so each relies only on witness testimony, oral acknowledgment from customary elders, and a history of physical possession passed down through generations as the basis for their ownership claim. This

condition became the starting point of a chain of conflict that subsequently developed into a long and exhausting legal dispute for both parties.

In more detail, the forms of dispute occurring in this area can be identified as covering four main dimensions. First, ownership disputes, namely disagreements over who is truly the rightful owner of the disputed plot of land, which in this case is complicated by the absence of formal ownership documents from both parties. Second, possession disputes, namely issues concerning who is factually entitled to control and make use of the land, which often differ from the ownership claims put forward. Third, land boundary disputes, in which there are differing perceptions regarding the size and physical boundaries of the disputed land, given the absence of any official map or survey document. Fourth, rights transfer disputes, namely issues concerning the validity of the process by which control of the land passed from one party to another in the past, without going through a formal and verified legal procedure.

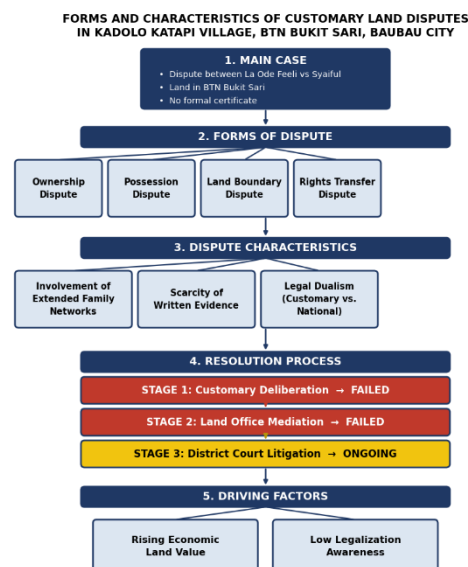


Figure 2. Forms and Characteristics of Customary Land Disputes

The characteristics of the disputes in this area are also marked by several distinctive features that set them apart from land disputes in general. One of the most prominent features is the involvement of the extended family networks of each disputing party. A dispute that formally involves only two individuals, in practice draws in the involvement of family members, relatives, and even neighboring residents who feel they have an interest in, or solidarity with, one of the parties. This makes land disputes not merely an individual matter, but something that has developed into a social conflict with the potential to disrupt community harmony more broadly. The second feature is the scarcity of written evidence held by the customary community to defend their claims. The community in this area generally obtains land through customary inheritance that is oral in nature and not administratively

documented, so that when a dispute arises, proving ownership becomes very difficult and vulnerable to the fabrication of testimony.

The third, and most striking, feature is the occurrence of legal dualism in the dispute resolution process. On the one hand, the customary community views land possession based on the norms and traditions that have applied for generations within their community, where the acknowledgment of customary elders and a history of physical possession are considered sufficient and valid evidence. On the other hand, the national legal system, through the UUPA, requires proof of ownership through administrative documents issued by state authorities, particularly a land certificate issued by the National Land Agency. This dualism is the root of the disagreement between the parties and causes the dispute resolution process to become protracted. The party who feels legitimate under customary law feels treated unjustly by the formal legal system, while the party with superior administrative evidence feels that their claim is already fully substantiated.

The dispute resolution process pursued in this case took place in stages. At the first stage, the parties attempted to resolve the dispute through the mechanism of customary deliberation facilitated by local customary leaders. This mechanism was chosen as the initial step because it was considered better able to preserve social relations and avoid the escalation of conflict. Nevertheless, this customary deliberation did not produce a binding agreement, because each party firmly maintained its claim and no mutually acceptable common ground could be found. At the second stage, the dispute was brought to a mediation mechanism facilitated by the Baubau City Land Office as an alternative dispute resolution effort outside the court. This mediation involved land office officials as neutral mediators who sought to bring together the interests of both parties. Unfortunately, this mediation also failed to produce results, because the absence of formal ownership evidence from both parties left each position equally weak yet equally firm in maintaining its claim. At the third and final stage, the case was then brought to the district court to be resolved through litigation, with both parties currently undergoing the process of presenting evidence before the panel of judges.

The research findings also reveal that economic factors play a highly significant role in driving the escalation of the dispute. As the BTN Bukit Sari area has developed into one of the sought-after residential areas in Baubau City, the value of land in this area has risen quite drastically in recent years. This rise in economic value is what then drives the parties to insist on maintaining their ownership claims, even by pursuing a lengthy and costly legal process. In addition, the low level of public awareness regarding the importance of legalizing land rights through the certification process is also a factor that worsens the situation. Many residents still consider that a history of physical possession and acknowledgment from the customary community are sufficient as a basis for ownership, without

realizing that within the national legal system, a land certificate is the sole form of ownership evidence carrying the highest legal force and one that can be upheld in court.

3.2. Shariah Perspective in Providing Solutions for the Resolution of Customary Land Disputes in Kadolo Katapi Village, BTN Bukit Sari

When analyzed through the framework of Maqashid Syari'ah, the resolution of customary land disputes occurring in Kadolo Katapi Village, BTN Bukit Sari, is in fact closely related to the primary objective of Islamic shariah in comprehensively safeguarding human welfare. In the context of this study, the land dispute touches upon at least two of the five core elements protected by Maqashid Syari'ah, namely *hifz al-mal* (protection of property) and *hifz al-nafs* (protection of life in the broad sense, including human social and psychological safety). Land, as a form of property, holds a highly strategic position in community life, so that its ownership and possession must be safeguarded from any form of control that is unlawful, unjust, and devoid of meaning for the common good.

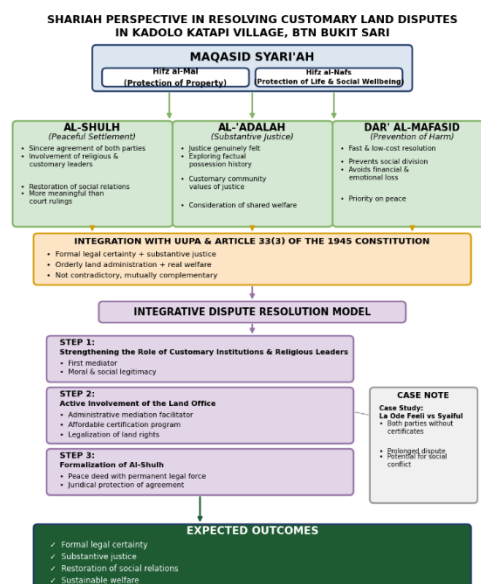


Figure 3. Shariah Perspective in Providing Solutions for the Resolution of Customary Land Disputes

Based on the research findings, the shariah perspective offers several substantive solutions that can be concretely applied in resolving customary land disputes in this area. The first solution concerns the strengthening of the *al-shulh*, or peaceful settlement, mechanism as the primary approach to dispute resolution. In Islamic law, *al-shulh* is one of the dispute resolution instruments that is highly recommended, because it is capable of producing an agreement that both parties accept sincerely, without either party feeling defeated or humiliated. In the context of the case between La Ode Feeli and Syaiful, an *al-shulh* approach strengthened by the simultaneous involvement of religious and customary leaders has the potential to produce an agreement that is more meaningful and more durable

than a court ruling that is coercive in nature. This process of al-shulh not only resolves the formal legal issue, but also restores the social relations damaged by the prolonged dispute.

The second solution concerns the application of the principle of al-'adalah, or substantive justice, at every stage of dispute resolution. The shariah perspective holds that true justice is not merely justice produced by a correct legal procedure, but justice genuinely felt by all parties involved. In this case, the fact that both parties equally lack a land certificate in fact opens up broad space for the application of this principle of substantive justice. Rather than relying solely on which party holds stronger formal evidence, the shariah perspective encourages the parties and mediators to dig deeper into the factual history of land possession, the values of justice that live within the customary community, and considerations of the greater welfare for both families and the surrounding community. Thus, the dispute resolution process does not merely become an arena for contesting formal evidence, but becomes an open space for dialogue oriented toward true justice.

The third solution is the application of the principle of dar' al-mafasid, or the prevention of greater harm. In the shariah perspective, every legal action must consider the impact it will produce, both for the parties directly involved and for the wider community. In the context of the dispute in BTN Bukit Sari, the continuation of a lengthy litigation process not only harms both parties financially and emotionally, but also has the potential to give rise to broader social division among the residents of the area. Therefore, the shariah perspective encourages efforts toward a faster, cheaper, and more peaceful dispute resolution, prioritizing mechanisms capable of preventing greater harm before the dispute develops into a social conflict that is difficult to resolve.

When linked to the provisions of the UUPA, the perspective of Maqashid Syari'ah is in fact not contradictory, but rather complementary. In its fundamental spirit, the UUPA also contains the values of social justice, equitable distribution, and protection of community rights over land, as mandated by Article 33 paragraph (3) of the 1945 Constitution. The point of convergence between Maqashid Syari'ah and the UUPA lies in their shared commitment to realizing justice in the management and control of land for the welfare of the entire population. The difference lies only in the approach and instruments used, where the UUPA places greater emphasis on legal certainty through orderly land administration, while Maqashid Syari'ah places greater emphasis on substantive justice and welfare that is genuinely felt. The integration of these two approaches offers a more comprehensive model of dispute resolution, in which formal legal certainty is strengthened by the values of substantive justice derived from Islamic teachings.

Concretely, the integrative dispute resolution model offered by the shariah perspective in this study comprises several interrelated steps. First, strengthening the role of customary institutions and religious leaders as the first mediators, who hold moral and social legitimacy before the community.

Second, involving the Land Office not merely as a facilitator of administrative mediation, but also as a party that actively promotes the acceleration of land rights legalization through an affordable certification program that is easily accessible to the customary community. Third, applying the al-shulh mechanism formalized through a peace deed carrying permanent legal force, so that an agreement reached through peaceful means is not only morally meaningful but also juridically protected. By applying this integrative model, the resolution of customary land disputes in Kadolo Katapi Village, BTN Bukit Sari, is expected not only to produce formal legal certainty, but also to realize substantive justice, restore disrupted social relations, and sustainably safeguard community welfare, as desired by Maqashid Syari'ah.

4. CONCLUSIONS

Customary land disputes in Kadolo Katapi Village, BTN Bukit Sari, Baubau City, are multidimensional in nature, encompassing ownership, possession, boundary, and rights transfer disputes rooted in the absence of formal ownership documents and the dualism between customary norms and the national legal system. Although resolution has passed through three stages of mechanism customary deliberation, Land Office mediation, and litigation the formal legal certainty achieved has not been able to deliver substantive justice acceptable to all parties, with the potential to deepen social tension and hinder the achievement of SDG 1, SDG 10, and SDG 16.

The perspective of Maqashid Syari'ah offers an integrative solution through three main principles, namely al-shulh (legally formalized peaceful settlement), al-'adalah (substantive justice grounded in factual history and customary values), and dar' al-mafasid (prevention of broader social harm). The integration of shariah values with the fundamental spirit of the UUPA produces a dispute resolution model that is juridically valid while also being morally and socially meaningful, directly contributing to the achievement of SDG 11 on sustainable communities, SDG 16 on accountable legal institutions, and SDG 1 on the protection of community economic rights through just certainty of land ownership.

REFERENCES

- Abdul Manan. *Aneka Masalah Hukum Perdata Islam di Indonesia*. Jakarta: Kencana, 2017.
- Abdurrahman. *Kompilasi Hukum Islam di Indonesia*. Jakarta: Akademika Pressindo, 2018.
- Ali, Achmad. *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicial Prudence)*. Jakarta: Kencana, 2019.
- Ali, Zainuddin. *Metode Penelitian Hukum*. Jakarta: Sinar Grafika, 2018.
- Anshori, Abdul Ghofur. *Hukum Perjanjian Islam di Indonesia (Konsep, Regulasi, dan Implementasi)*. Yogyakarta: Gadjah Mada University Press, 2018.
- Arba. *Hukum Agraria Indonesia*. Jakarta: Sinar Grafika, 2019.
- Astriani, Bibit Ayu, dan Septi Indrawati. "Kajian Yuridis terhadap Hak Atas Tanah Adat dalam Penyelesaian Sengketa Agraria di Indonesia." *Eksaminasi: Jurnal Hukum* 3, no. 4, 2024.
- Bakar, M. Y. A., Firmansyah, E., & Abdeljelil, M. B. (2024). Legal framework analysis of Islamic religious education policy implementation. *International Journal of Law and Society*, 3(3), 217-237.

- Busroh, Abu Daud. Ilmu Negara. Jakarta: Bumi Aksara, 2017.
- Djakaria, H. M. Sengketa Pertanahan dan Penyelesaiannya. Jakarta: Rajawali Pers, 2020.
- Fajar, Mukti, dan Yulianto Achmad. Dualisme Penelitian Hukum Normatif dan Empiris. Yogyakarta: Pustaka Pelajar, 2017.
- Faridi, F., & Firmansyah, E. (2024). Kelembagaan pendidikan Islam di Nusantara: Surau, meunasah, masjid, pesantren, madrasah. *Iqra: Jurnal Ilmu Kependidikan Dan Keislaman*, 19(1), 93-97.
- Firmansyah, E. (2023). Various Paradigms in Islamic Educational Thought: Fundamentalism, Modernism, and Liberalism. *International Journal of Health, Economics, and Social Sciences (IJHESS)*, 5(2), 139-145.
- Firmansyah, E., & Khozin, K. (2022). Teologi dan filsafat sebagai basis Pengembangan Kurikulum pendidikan agama Islam. *Research and Development Journal of Education*, 8(2), 546-550.
- Firmansyah, E., & Romelah, R. (2022). Implementasi Pembelajaran Pai Dengan Metode Discovery Learning Dalam Upaya Melatih Kemandirian Siswa (Studi Kasus: Sd Alam Ar-Rohmah Kec. Dau, Kab. Malang). *Research and Development Journal of Education*, 8(1), 322-326.
- Firmansyah, E., Anwar, S., & Khozin, K. (2023). Anthropological Approach to Islamic Education: Establishing Noble Spirituality in Overcoming Social Conflict. *Al-Hayat: Journal of Islamic Education*, 7(1), 163-172.
- Firmansyah, E., Arifin, S., & Humaidi, M. N. (2023). Kebijakan Pendidikan Agama Islam di Sekolah Umum Zaman Jepang. *JlIP-Jurnal Ilmiah Ilmu Pendidikan*, 6(12), 10446-10453.
- Firmansyah, E., Khozin, K., & Masdul, M. R. (2022). Implementasi Paud Terhadap Anak-Anak Suku Kaili Pedalaman Di Desa Kalora Kabupaten Sigi. *Research and Development Journal of Education*, 8(1), 386-390.
- Firmansyah, E., Tobroni, T., & Romelah, R. (2023). Anthropology of Islamic Education as A Socio-Cultural-Religious Modernization Strategy in Alam Al-Kudus Islamic Boarding School. *Edukasi Islami: Jurnal Pendidikan Islam*, 12(03).
- Firmansyah, E., Tobroni, T., & Rusady, A. T. (2023). Internalisasi Ajaran Islam Dalam Aktivitas Budaya Etnik Kaili Prespektif Antropologi Pendidikan Islam. *Research and Development Journal of Education*, 9(1), 285-299.
- Hadi, Sutrisno. Metodologi Research. Yogyakarta: Andi Offset, 2018.
- Harsono, Boedi. Hukum Agraria Indonesia: Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi dan Pelaksanaannya. Jakarta: Djambatan, 2018.
- Hasbi Ash-Shiddieqy, Teungku Muhammad. Pengantar Ilmu Fiqh. Semarang: Pustaka Rizki Putra, 2016.
- Herman, Muhammad Akbar, Andi Tenripadang, dan Nur Aisyah. "Optimalisasi Pendaftaran Tanah oleh Badan Pertanahan Nasional Kabupaten Pangkajene dan Kepulauan Perspektif Maqāṣid al-Sharī'ah." *Siyasatuna: Jurnal Ilmiah Mahasiswa Siyasah Syar'iyah*, 2023.
- Husna, Asmaul, dan Budi Suryana. Metodologi Penelitian dan Statistik. Jakarta, 2017.
- Ismail, Nurul. Hukum Agraria: Prinsip, Reformasi, dan Tantangan. Bandung: Refika Aditama, 2021.
- Kurniawan, Edi, dan Ahmad Rofiq. Maqāṣid al-Syarī'ah dalam Hukum Islam Kontemporer. Jakarta: Prenadamedia Group, 2020.
- Latif, Abdul, dan Hasbi Ali. Politik Hukum. Jakarta: Sinar Grafika, 2019.
- Mahfud MD, Moh. Politik Hukum di Indonesia. Jakarta: RajaGrafindo Persada, 2019.
- Marwan, M. Pengantar Ilmu Hukum. Jakarta: Ghalia Indonesia, 2018.
- Marzuki, Peter Mahmud. Penelitian Hukum. Jakarta: Kencana Prenada Media Group, 2017.
- Mertokusumo, Sudikno. Mengenal Hukum (Suatu Pengantar). Yogyakarta: Cahaya Atma Pustaka, 2017.
- Moleong, Lexy J. Metodologi Penelitian Kualitatif. Bandung: Remaja Rosdakarya, 2019.
- Nazir, Moh. Metode Penelitian. Bogor: Ghalia Indonesia, 2014.
- Nurjaya, I Nyoman. Hukum Adat dalam Perspektif Negara Kesatuan Republik Indonesia. Malang: Universitas Brawijaya Press, 2015.

- Pertiwi, T. D., dan Sri Herianingrum. "Menggali Konsep Maqāṣid Syarī'ah: Perspektif Pemikiran Tokoh Islam." *Jurnal Ilmiah Ekonomi Islam* 10, no. 1 (2024).
- Prasetyo, Teguh. *Hukum dan Sistem Hukum Berdasarkan Pancasila*. Yogyakarta: Media Perkasa, 2016.
- Rahardjo, Satjipto. *Hukum dan Masyarakat*. Bandung: Angkasa, 2009.
- Rahmawati, Ana. *Hukum Tanah dan Konflik Agraria di Indonesia*. Jakarta: Kencana, 2022.
- Rofiq, Ahmad. *Hukum Perdata Islam di Indonesia*. Jakarta: RajaGrafindo Persada, 2020.
- Roiqoh, Surur. "Hak Menguasai Negara atas Tanah Perspektif Hukum Positif Indonesia dan Maqāṣid Syarī'ah." *Al-Zayn: Jurnal Ilmu Sosial dan Hukum* 3, no. 3 (2023).
- Salim HS. *Pengantar Hukum Perdata Tertulis (BW)*. Jakarta: Sinar Grafika, 2017.
- Santoso, Urip. *Hukum Agraria dan Hak-Hak Atas Tanah*. Jakarta: Kencana, 2022.
- Setiadi, Wicipto. *Hukum Pertanahan Indonesia dalam Perspektif Reformasi Agraria*. Bandung: Alumnus, 2021.
- Setiyawan, R., Hamsiah, W., Wahyuni, H. I., Ramadhan, S., & Firmansyah, E. (2026). Local Kyai's Religious Elite Transformation and Governance Paradox: A Comparative Study of Indonesia and Iran. *International Journal of Law and Society*, 5(2), 290-306.
- Sodiq, Ahmad. "Penyelesaian Sengketa Tanah Adat dalam Perspektif Maqāṣid al-Syarī'ah." *Jurnal Al-Ahkam* 33, no. 2 (2023).
- Soekanto, Soerjono, dan Sri Mamudji. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*. Jakarta: RajaGrafindo Persada, 2019.
- Soekanto, Soerjono. *Hukum Adat Indonesia*. Jakarta: RajaGrafindo Persada, 2020.
- Sugiyono. *Metode Penelitian Kualitatif, Kuantitatif, dan R&D*. Bandung: Alfabeta, 2018.
- Suhrawardi K. Lubis, dan Farid Wajdi. *Hukum Ekonomi Islam*. Jakarta: Sinar Grafika, 2019.
- Syamsuddin, S. D., & Firmansyah, E. (2025). Developing Khuluqin'Adzim Through Tarbiyah Yaumiyah Program. *Al-Hayat: Journal of Islamic Education*, 9(4), 766-781.
- Syarifuddin, Amir. *Ushul Fiqh*. Jakarta: Kencana, 2021.
- Tobroni, T., & Firmansyah, E. (2022). Tipologi manajemen tradisional dan modern dalam perkembangan pendidikan pesantren. *Research and Development Journal of Education*, 8(1), 333-338.
- Tobroni, T., Firmansyah, E., Rajindra, R., & Fadli, N. (2023). Spirituality as a paradigm of peace education. *Multicultural Islamic Education Review*, 23-32.
- Warsidi, Warsidi, Sami Ullah Khan, dan Suhartono. "Implementasi Maqāṣid al-Syarī'ah dalam Pertimbangan Hakim pada Sengketa Ekonomi Syariah." *Maqasid: Jurnal Studi Hukum Islam* 14, no. 3 (2022).
- Wignodipuro, Soerojo. *Pengantar dan Asas-Asas Hukum Adat*. Jakarta: Gunung Agung, 2019.
- Yamin, Muhammad. *Hukum Agraria*. Jakarta: Pustaka Sinar Harapan, 2017.
- Yazid, S., & Firmansyah, E. (2022). Analisis problematika dan solusi atas motivasi belajar peserta didik dalam pendidikan Islam. *Research and Development Journal of Education*, 8(1), 339-344.
- Yunus, Mahmud. *Kamus Hukum Islam*. Jakarta: Hidakarya Agung, 2018.
- Zuhaili, Wahbah. *Ushul Al-Fiqh Al-Islami*. Jakarta: Gema Insani, 2019.

