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Living Fiqh In The Practice Of Maniliak Bulan Among The Syattariah Ulakan Tapakis Congregation

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Abstract

The *Maniliak Bulan* tradition among the Syattariyah Order congregation in Ulakan Tapakis is a traditional practice of crescent moon sighting that has been passed down since the time of Syekh Burhanuddin Ulakan. Amidst the development of modern astronomy and the standardisation of the determination of the start of the month based on astronomical technology, this practice has endured and was designated as an Indonesian Intangible Cultural Heritage (WBTBI) in 2025. This study aims to analyse the social practice of *Maniliak Bulan*, its position within the discourse of astronomy, and its continuity as a form of *living fiqh*. The research employs a qualitative-descriptive approach through interviews, participant observation, and documentary analysis. The research findings indicate that the *Maniliak Bulan* no longer functions as the formal basis for determining the start of the Hijri month, but rather as a socio-religious tradition that strengthens social solidarity, preserves religious identity, and reproduces the collective memory of the Syattariyah community. This tradition demonstrates that Islamic law exists in an adaptive and contextual manner within the social reality of local Muslim communities.

Keywords:
Maniliak Bulan, Living Fiqih, 'Urf Fāsid, Syattariyah, Ulakan

Abstrak

Tradisi *Maniliak Bulan* pada Jemaah Tarekat Syattariyah di Ulakan Tapakis merupakan praktik rukyat hilal tradisional yang diwariskan sejak masa Syekh Burhanuddin Ulakan. Di tengah perkembangan ilmu falak modern dan standarisasi penentuan awal bulan berbasis teknologi astronomi, praktik ini tetap bertahan dan ditetapkan sebagai Warisan Budaya Tak Benda Indonesia (WBTBI) tahun 2025. Penelitian ini bertujuan menganalisis praktik sosial *Maniliak Bulan*, posisinya dalam diskursus ilmu falak, serta keberlangsungannya sebagai bentuk

living fiqh. Penelitian menggunakan pendekatan kualitatif-deskriptif melalui wawancara, observasi partisipatif, dan studi dokumentasi. Hasil penelitian menunjukkan bahwa *Maniliak Bulan* tidak lagi berfungsi sebagai dasar formal penentuan awal bulan Hijriah, melainkan sebagai tradisi sosial-keagamaan yang memperkuat solidaritas sosial, menjaga identitas religius, dan mereproduksi memori kolektif masyarakat Syattariyah. Tradisi ini menunjukkan bahwa hukum Islam hidup secara adaptif dan kontekstual dalam realitas sosial masyarakat Muslim lokal.

Kata Kunci:
Maniliak Bulan, Living Fiqih, 'Urf Fāsid, Syattariyah, Ulakan

A. Introduction

The practice of religious teachings essentially always takes place within a specific social and cultural context. The understanding and practice of religion are not formed separately from the realities of society, but rather develop thru interaction with the values, traditions, and social experiences that thrive within the community. Therefore, the way Muslims understand and practice their religion often shows different patterns according to their respective local contexts. In a conceptual perspective, this phenomenon can be understood as part of living fiqh, which is fiqh not only understood as a normative text but also as a living practice that interacts with the traditions, culture, and social realities of society.[1]

Diversity of religious practices is clearly evident in Minangkabau, a region with a variety of Islamic traditions. In addition to the development of large organizations such as Nahdlatul Ulama and Muhammadiyah, the Minangkabau community has also become a fertile ground for various Sufi traditions, such as the Naqsyabandiyah and Syattariyah orders. The ongoing waves of modernization and social change do not completely erase local religious

[1] Zelfeni Wimra et al., "The Living Fiqh: Anatomy, Philosophical Formulation, and Scope of Study," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 1 (June 29, 2023): 185, https://doi.org/10.31958/juris.v22i1.9491; Zelfeni Wimra et al., "An Interlegality-Based Ethnography of Living Fiqh in Minangkabau Marriage Practices," *Akademika: Jurnal Pemikiran Islam* 30, no. 2 (2025), https://doi.org/10.32332/akademika.v30i2.11259.

traditions. Some traditional Muslim communities continue to uphold the religious heritage passed down by their predecessors.[2]

The Ulakan Tapakis community is one of the communities that still preserves that tradition. For the people of Ulakan, the teachings and religious heritage of Sheik Burhanuddin Ulakan are not only seen as part of history but also as a religious identity that continues to live on in daily practices. The heritage is preserved thru various religious traditions, one of which is the practice of determining the beginning of the Hijri month known as Maniliak Bulan.[3]

Maniliak Bulan tradition is not only understood as the activity of sighting the crescent moon to determine the beginning of Ramadan or Syawal. The practice also encompasses interconnected social, spiritual, and cultural dimensions. The activity of the community gathering to observe the young crescent moon is not merely a process of determining the religious calendar, but also a collective space that strengthens social relationships, revives religious memory, and reinforces the local Islamic identity inherited from the Syattariyah scholars. This practice shows that the religiosity of the community is not only oriented toward legal-formal aspects but also toward spiritual experiences and communal solidarity.[4]

Ideally, the Maniliak Bulan tradition in that context can be understood as a form of '*urf ṣaḥīḥ*, which is a custom that has grown and been passed down thru generations and does not contradict the principles of Islamic law. Its presence shows that local traditions and sharia are not always in opposing

[2] Putiviola Elian Nasir et al., "Minangkabau Matriliny and Gender Equality: Cultural Contribution to Sustainable Development Goals," *Andalas Journal of International Studies* X, no. 1 (2021): 16–33, https://doi.org/https://doi.org/10.25077/ajis.9.2.%p.2020.

[3] Roni Faslah et al., "Islam, Adat, Dan Tarekat Syattariyah Di Minangkabau" 6, no. 2 (2020): 1–19.

[4] Ridhokimura Soderi, "Eksistensi Maniliak Awal Bulan Oleh Tarekat Syattariyah Pariaman," *ELFALAKY: Jurnal Ilmu Falak* 6, no. 1 (2022): 80–95; Abu Bakar, *Perkembangan Tarekat Syattariyah Ulakan–Minangkabau* (Penerbit Adab, 2024).

positions. The relationship between the two can actually strengthen each other and form a distinctive, vibrant, and deeply rooted religious practice in the social consciousness of the community.[5]

However, the development of modern science and technology in the field of astronomy has brought significant changes to the way Muslims determine the beginning of the lunar month.[6] The determination of the beginning of the month no longer solely relies on direct observation with the naked eye, but has utilized modern astronomical devices such as digital telescopes, CCD cameras, and crescent visibility computation systems that can produce more accurate and measurable data. The Ministry of Religious Affairs of the Republic of Indonesia even determines the beginning of the month thru the Isbat Session, which involves experts in hisab-rukyat, astronomers, and national scientific institutions. The shift indicates an epistemological change from knowledge based on empirical-religious experience to scientific knowledge grounded in data validation, technology, and institutional authority.[7]

These changes are gradually influencing the way society views the Maniliak Bulan practice. Some circles are beginning to consider that the traditional naked-eye observation practice is no longer sufficient to meet the need for moon sighting, which demands accuracy and uniformity.[8] The Maniliak Bulan practice, which is heavily influenced by weather conditions, the observer's

[5] Malil Gafur, "Tradisi Maniliak Bulan Syattariyah - ANTARA Sumatera Barat," 2023.

[6] Roslan Umar et al., "Observations of the New Moon Using Optical Telescopes and Radio Telescope from the Perspective of Islam," *International Journal of Academic Research in Business and Social Sciences* 7, no. 8 (September 29, 2017), https://doi.org/10.6007/IJARBSS/v7-i8/3262.

[7] M. Nur Hidayat, "Maqasid Al-Syari'ah Analysis of Dualism of Authority in Determining the Beginning of The Lunar Month: A Study of The Isbat of the Ministry of Religious Affairs and the Ikhbar of the Council of Tarjih Muhammadiyah," *Jurisdictie*, 2012, 767–74; Judith Camino-Singcolan, "The Beliefs and Practices Embedded in the Pasanghid Ritual of the Talaandig Tribe," *Journal of Arts, Humanities and Social Science* 2, no. 2 (May 11, 2025): 49–57, https://doi.org/10.69739/jahss.v2i2.490.

[8] Muhammad Akbar Herman, Qadir Gassing, and Muhammad Shuhufi, "Kontroversi Hisab Dan Rukyat Dalam Penentuan Kalender Islam Di Era Modern Pendekatan Fikih Kontemporer," *Media Hukum Indonesia (MHI)* 2, no. 4 (2024): 617.

ability, and the observation location, is considered to have the potential to cause differences in observation results. This condition gives rise to the assumption that the practice is more symbolic and ritualistic than scientific. On the other hand, the people of Ulakan continue to uphold the tradition because it is considered to have strong religious, social, and historical value in their lives. This situation shows a shift in perspective toward local religious traditions amidst the rise of modern astronomical authority.

On the other hand, the people of Ulakan continue to uphold this tradition because it is considered to have strong religious, social, and historical value in their lives. Initial research observations indicate that Maniliak Bulan today is no longer practiced solely as a technical method for determining the beginning of the Hijri month, but has undergone a transformation in meaning into a socio-religious tradition of the community. The activity has become a collective medium that strengthens social solidarity, reinforces local religious identity, and reproduces spiritual memory of the Syattariyah scholars' heritage. This tradition is maintained not only because of its practical function in determining the beginning of the month but also because its existence is seen as part of the cultural identity and the continuity of the collective memory of the traditional Muslim community in Ulakan.

That condition raises interesting questions in the study of Islamic law and socio-religious issues. On one hand, the development of modern astronomy encourages the standardization of moon sighting based on technology and scientific approaches. On the other hand, the community continues to uphold local rukyat practices that thrive within their cultural structures and religious experiences. This phenomenon shows that the religious practices of the community do not always move in a linear fashion following changes in scientific authority. Certain religious traditions persist precisely because they have social functions and symbolic meanings that are deeply embedded in the community's life.

This issue becomes important to study because it shows how Islamic law lives and is practiced in the social reality of the local Muslim community. The practice of Maniliak Bulan is not only related to the determination of the beginning of the Hijri month but also involves the relationship between tradition, religious authority, the development of knowledge, and the cultural identity of the community. In this context, Maniliak Bulan becomes interesting to understand as a form of living fiqh, that is, Islamic law that lives thru social practices, adaptation processes, and social rationalization within the community.

Based on these conditions, this research is directed to examine three main aspects. First, discussing the social practices and contextualization of the Maniliak Bulan tradition in the life of the Ulakan community today. Second, placing Maniliak Bulan within the discourse of astronomy to understand the position of local rukyat traditions amidst the development of modern astronomical methods and the standardization of determining the beginning of the Hijri month. Third, analyzing Maniliak Bulan as a form of living fiqh, which is Islamic law that evolves thru processes of adaptation, reinterpretation, and social rationalization within the local Muslim community.

This research starts from the initial assumption that the sustainability of the Maniliak Bulan practice cannot be understood merely as a form of resistance to the modernization of astronomical science, but rather as an effort by the community to maintain the social, spiritual, and cultural identity inherent in the tradition. Thus, the Maniliak Bulan practice is viewed not only as the activity of moon sighting but also as a representation of the relationship between religion, tradition, and the social reality that continues to change in contemporary Muslim society.

B. Methods

This research uses a qualitative-descriptive approach to deeply understand the practice of Maniliak Bulan, both as a socio-religious tradition and

as a form of living fiqh[9] within the local Muslim community. The living fiqh framework is used as an analytical perspective to see how Islamic law lives, is practiced, and is interpreted within the social context of the community. This perspective allows research to understand that religious practices are not only present in the form of textual norms but also develop thru social experiences, local traditions, and the cultural rationality of the community. Thus, Maniliak Bulan is understood not only as the practice of moon sighting but also as an expression of religious identity, collective memory, and a form of socio-religious adaptation of the Ulakan community.

Research data were collected thru in-depth interviews, participatory observation, and documentation studies. In-depth interviews were conducted with leaders of the Syattariyah Order in Ulakan, customary leaders, community members involved in the Maniliak Bulan practice, and parties who understand the hisab-rukyat practice in the local environment. The interview aimed to obtain an understanding of how traditions are understood, interpreted, justified, and maintained within the social structure of the community. At the request of the informants, the identities of the sources are not directly included and are replaced with codes based on alphabetical order, namely Informant A to Informant Z.[10]

Participatory observation was conducted by directly observing the implementation of Maniliak Bulan and the socio-religious activities of the community related to the tradition. This technique is used to understand the social dynamics, cultural symbols, and forms of community interaction in the practice of Maniliak Bulan. Meanwhile, documentation studies were conducted on fiqh texts, astronomical literature, fatwas, local archives, and the hisab-rukyat

[9] Wimra et al., "The Living Fiqh: Anatomy, Philosophical Formulation, and Scope of Study."

[10] Mukhtar, *Metode Praktis Penelitian Deskriptif Kualitatif*; Matthew B. Miles and A. Michael Huberman, *Analisis Data Kualitatif : Buku Sumber Tentang Metode-Metode Baru*, ed. Tjetjep Rohendi (Jakarta: Penerbit Universitas Indonesia (UI -Press), 1992).

policy documents of the Ministry of Religious Affairs of the Republic of Indonesia related to the determination of the beginning of the Hijri month.

C. Results and Discussion

1. Social Practice and the Contextualization of the Maniliak Bulan Tradition

The Maniliak Bulan tradition has deep and long historical roots in the life of the Ulakan Tapakih community. Its continuity cannot be separated from the historical context of the Islamization of Minangkabau in the 17th century, particularly thru the role of Sheik Burhanuddin, a prominent scholar who became a central figure in the spread of Islam in the region. The absence of adequate astronomical instruments and the lack of an official moon sighting authority like the Ministry of Religious Affairs today led the community at that time to rely on direct observation of the crescent moon to determine the beginning of the Hijri month. Direct observation of the moon was used to determine the beginning of the months of Ramadan and Syawal. [11]

Etymologically, the term Maniliak Bulan comes from the Minangkabau language, where maniliak means "to see" or "to gaze," while bulan refers to the sky, specifically the moon itself. This tradition has been passed down thru generations and has become part of the social identity of the coastal community. For the people of Ulakan, Maniliak Bulan is not just an astronomical activity, but also a spiritual medium, a symbol of togetherness, and an expression of the harmonious relationship between humans, nature, and God.

Although modern hisab rukyat methods and national institutional mechanisms have strengthened in the last decade, field data shows that the practice of Maniliak Bulan remains prevalent among the Syattariyah Community, especially in Ulakan. Moreover, the Maniliak procession has even received recognition as a formal culture with its designation as part of the Indonesian Intangible Cultural Heritage (WBTBI) 2025. This indicates that Maniliak not only

[11] Armin Nurhartanto and Ahmad Sunoko, "Kajian Komprehensif Metode Hisab Dalam Penentuan Awal Bulan Syawal Dan Ramadhan (Pendekatan Astronomis Dan Keagamaan)," *Jurnal Pedagogy* 17, no. 1 (2024): 86–96.

exists in the spiritual realm but also in the formal social realm and is recognized by the state. The persistence of the Maniliak Bulan practice in this modern era is also reflected in academic literature. Studies show that traditional observation rituals provide functions of identity, social cohesion, and direct religious experience that cannot be replaced merely by the provision of calculation data or institutional decisions.[12]

In Ulakan Tapakih, the locations commonly used for Maniliak Bulan include the shores of Ulakan Beach, the area around the tomb of Sheik Burhanuddin, and several high places around the small hills overlooking the sea. Results from an interview with informant B, a Syattariyah Tarekat scholar in Ulakan, indicate that the location was chosen not only for technical reasons (an unobstructed view toward the western horizon) but also because it is believed to have spiritual value. Some members of the community even begin this activity by reciting prayers or blessings, as a form of purifying intentions and honoring the religious traditions passed down by previous scholars. (Interview, October 2025, Ulakan).

Informant C, who is also a leader of the Syattariyah Order, stated that the Maniliak activity is held in the evening at the end of the month, followed by performing the Maghrib prayer in congregation on the beach. Then, in the evening, a meeting is held to listen to the testimonies of those who witnessed. If many people see it, then the next day it will already be the new month. If not, then we wait one more day to enter the new month. (Interview, October 2025, Ulakan). Informant D, who is also a Young Tuangku of the Syattariyah Order, added that on that nite, the Ulama of the Syattariyah Order from various regions of Padang Pariaman also gathered. The gathering was held at the Mesjid Raya Syekh Burhanuddin Nagari Ulakan to listen to the Maniliak testimony from the

[12] Muhammad Rasywan Syarif et al., "The Transformation of Rukyah Al-Hilāl: Integrating Digital Imaging Technology in Islamic Moon Sighting Practices," *Malaysian Journal of Syariah and Law* 13, no. 1 (2025): 223–33, https://doi.org/10.33102/mjsl.vol13no1.751.

Jamaah Tarekat Syattariyah who came from other regions outside Ulakan. (Interview, October 2025, Ulakan).

Nowadays, Maniliak Bulan is undergoing a transformation in meaning from an authoritative instrument for determining worship law to a cultural ritual of a symbolic nature. From an interview with Informant E, a community leader in Ulakan, it was found that many people in Ulakan currently follow formal announcements (the isbat session/decisions from the Ministry of Religious Affairs) for the implementation of worship. However, many still perform maniliak as a form of respect for the tarekat tradition and as a learning practice. (Interview, October 2025). Contemporary literature on the sustainability of religious rituals also emphasizes that such transformations are natural, where local traditions endure when they provide social values that are not offered by formal modern mechanisms, such as collective experience, cultural legitimacy, and continuity of identity.[13]

At the level of legal culture, this transformation asserts that the credibility of traditional rituals is now repositioned within the system of pluralism in Indonesian Islamic law. The authority to determine the beginning of the month has shifted to institutions that master scientific methods, while local rituals still have space as expressions of the community. Technical studies related to the criteria for the visibility of the hilal emphasize that differences in methods (hisab vs rukyat) and changing visibility criteria lead to the phenomenon of duality in methods, causing traditional rituals to often have their roles shifted. In the context of Ulakan Tapakih, the decision to continue performing Maniliak Bulan even tho it is not the legal basis for worship shows a form of legal negotiation between customs, scientific techniques, and Islamic law that allows local traditions to remain relevant in the era of modernity.

[13] Zulfitri Zulkarnain Suleman et al., "Negotiating Islamic Moderation: The Interplay of Sharia and Local Culture in Gorontalo, Minangkabau, and Banten," *Jurnal Ilmiah Al-Syir'ah* 23, no. 1 (June 2025): 50–69, https://doi.org/10.30984/JIS.V23I1.3527.

2. The Tradition of Maniliak Bula in the Discourse of Astronomy

In the discussion of Astronomy, the determination of the beginning of the Hijri month is carried out thru various methods; ranging from traditional rukyat to contemporary hisab-rukyat methods. Classical Islamic tradition understands rukyat as the method of observing the hilal conducted directly after sunset at the end of the lunar month. The practice has strong normative legitimacy because it is based on the hadith of the Prophet (peace be upon him).

"*Fast because you see the crescent moon and break your fast because you see the crescent moon.*"

Therefore, rukyat is not only understood as an astronomical activity but also as a religious practice that shapes the construction of fiqh in the lives of Muslims. In subsequent developments, advancements in astronomy led to the emergence of the hisab method, which allows the position of the hilal to be calculated mathematically and astronomically with a high degree of accuracy.[14] This development positions astronomy as a scientific discipline that operates not only within the realm of worship but also in the domain of modern science and technology.

In Indonesia, the dynamics between hisab and rukyat have evolved into one of the important discourses in contemporary astronomy studies. The integration of observational technologies such as telescopes, CCD imaging, and astronomical software has given rise to new standards in determining the beginning of the month thru the concept of *imkān al-rukyat* and the Neo-MABIMS criteria.[15] This approach seeks to unite scientific accuracy with the need for the unification of the national Islamic calendar. However, the development of these modern methods does not completely replace the traditional rukyat

[14] *Susiknan Azhari, Ilmu Falak: Perjumpaan Khazanah Islam Dan Sains Modern* (Yogyakarta: Suara Muhammadiyah, 2007).

[15] Normah Ahmad and Roslina Mamat, "The Consumption of Popular Culture Products among Japanese Language Learners at Universiti Teknologi Mara," *International Journal of Academic Research in Business and Social Sciences* 12, no. 1 (January 17, 2022), https://doi.org/10.6007/IJARBSS/v12-i1/12183.

practice that is still alive in several local Muslim communities. In this context, the practice of rukyat is no longer merely understood as a technical method for determining prayer times, but also as a representation of religious identity and social authority within the community.[16]

The Maniliak Bulan tradition among the Syattariah Sufi Order in Ulakan Tapakis is one form of traditional rukyat practice that continues to endure amidst the modernization of Astronomy. This practice is carried out thru the collective observation of the crescent moon by religious leaders and the local community in the lead-up to Ramadan, Syawal, and Zulhijjah. Unlike the modern rukyat system, which emphasizes astronomical verification thru optical instruments, Maniliak Bulan relies on empirical experience, the transmission of religious knowledge, and the spiritual authority of the tarekat teacher.[17] Therefore, this practice not only serves as a mechanism for observing the new moon but also as a manifestation of living fiqh that thrives within the social space of the Syattariah community. Fiqh in this context is not merely present as a rigid textual norm, but as a religious practice that is lived, inherited, and collectively interpreted by the local community.

According to the perspective of modern astronomy, traditional practices such as Maniliak Bulan are often criticized because they are considered to not meet contemporary astronomical observation standards. Several studies show that the observation of the crescent moon with the naked eye is greatly influenced by weather conditions, atmospheric refraction, light pollution, and human visual limitations.[18] Therefore, some scholars and modern astronomers

[16] Wildani Hefni, "Ideological Political Contestation in the Discourse of Hisab Rukyat in Indonesia," *Jurnal Penelitian* 16, no. 1 (2019), https://e-journal.uingusdur.ac.id/Penelitian/article/view/7760.

[17] Oman Fathurahman, *Tarekat Syattariyah Di Minangkabau: Teks Dan Konteks* (Jakarta: Prenadamedia Group, 2008).

[18]Tono Saksono, "Reconsidering the Accuracy of Traditional Hilal Observation," *Al-Shajarah Journal of Islamic Thought* 25, no. 2 (2020), https://journals.iium.edu.my/shajarah/index.php/shaj/article/view/1521.

advocate for the use of technology-based hisab-rukyat methods to ensure the certainty of Islamic worship times. However, within the framework of living fiqh, the validity of a religious practice is not only determined by scientific accuracy but also by social acceptance and the religious legitimacy that exists within the community. Thus, the continuity of Maniliak Bulan shows that the practice of Islamic law in society often moves thru a process of negotiation between modern scientific authority and local religious tradition.[19]

The phenomenon shows that the discourse of contemporary Islamic astronomy is not only related to astronomical issues but also involves epistemological questions and the authority of knowledge in Islam. On one hand, the modernization of astronomy presents increasingly objective and measurable scientific standards; however, on the other hand, local traditions such as Maniliak Bulan are still preserved because they hold social, spiritual, and historical significance for the Syattariah Ulakan Tapakis community. In this context, living fiqh becomes an important framework for understanding how the local Muslim community negotiates the relationship between religious texts, traditions, and the development of modern science. Thus, the practice of Maniliak Bulan cannot simply be positioned as a traditional residue left behind by modernity, but rather as a form of social fiqh continuity that continues to adapt to the changing times.

3. *Maniliak Bulan* sebagai as *Living Fiqih*: Social Adaptation and Rationalization

The Maniliak Bulan tradition in Ulakan Tapakih demonstrates how a religious practice, which in the face of time and technological development is considered no longer credible, continues to endure and even gains strong social legitimacy amidst the epistemological changes of contemporary Islamic society. This resilience cannot be explained solely by religious or cultural categories, but thru a sociological-legal approach that understands law as part of a living social

[19] M. Atho Mudzhar, "Pendekatan Studi Islam Dalam Teori Dan Praktik," *Dialog* 39, no. 2 (2016), https://jurnaldialog.kemenag.go.id/index.php/dialog/article/view/52.

system. In the perspective of Living Fiqh introduced by Eugen Ehrlich,[20] the law that truly lives in society is not always identical to the law written in legal codes or normative Sharia texts, but rather the law that is genuinely enacted, obeyed, and internalized by the community in everyday life practices. Thus, Maniliak Bulan is a tangible manifestation of living law, a form of legal knowledge that arises from habits, beliefs, and recurring social relations, rather than from formal authority decrees.

Ehrlich emphasized that true law originates from the order of society, not the order of the state. Living law regulates societal behavior thru habits and collective beliefs that are morally binding. In the context of Maniliak Bulan, the social order of the Ulakan Tapakih community, rooted in the spiritual heritage of Syattariyah, forms its own legal system regarding the interpretation of worship times, the role of religious scholars, and the preservation of social harmony. Although contemporary scholars consider this practice as *'urf fāsid* because it does not meet the criteria of shari'ah astronomy, the community does not abandon it,[21] but rather adjusts its meaning to become a symbol of spirituality and cultural identity. In line with Soerjono Soekanto, the law in Indonesia is understood as a living social institution because it is accepted by society, not because of coercion.[22] Maniliak Bulan fulfills three main functions of living law: strengthening social integration, passing down religious values, and adapting to social changes. This tradition unites the community in a shared religious experience, builds solidarity, and presents the law not as a normative text, but as

[20] S Karvatska, "Socio-Historical Factors of Law Perception in 'Living Law' Concept by Eugen Ehrlich," 2017, 42–51.

[21] Brian Z. Tamanaha, "A Vision of Social-Legal Change: Rescuing Ehrlich from 'Living Law,'" *Law & Social Inquiry* 36, no. 01 (December 27, 2011): 297–318, https://doi.org/10.1111/j.1747-4469.2010.01232.x.

[22] Panggih Rangga Rahayu et al., "Legal Effectiveness and Legal Functions in Indonesia," *Journal of Political And Legal Sovereignty* 2, no. 1 (December 26, 2024): 148–53, https://doi.org/10.38142/jpls.v2i1.143.

a social relationship that grows from the awareness and togetherness of the society.

Islamic legal tradition, *'urf* or community customs, often serve as the basis for law formation, as long as they do not contradict the principles of sharia. However, in the case of Maniliak Bulan, the practice is methodologically categorized as *'urf fāsid*, which means an invalid custom because it does not meet the criteria for accurate worship timing. However, the Sufi scholars in Ulakan do not view this as a violation of Sharia. They place it within the broader framework of maqasid sharia, which includes maintaining social welfare,[23] respecting traditions, and avoiding fitnah or division within the community. Thus, the Islamic law applied in this society is characterized by contextualized fiqh, or fiqh that lives within the social reality, where the values of harmony and brotherhood are placed above the rigidity of formal law.

This adaptation process can also be explained thru the concept of recontextualization of authority.[24] When the formal state authority took over the determination of the new moon thru the Sidang Isbat, the people of Ulakan did not lose their religious significance. Local authority remains alive in symbolic form, the Tuanku are still respected as guardians of the community's spirituality. They negotiate a new role: not as the determiners of worship laws, but as guardians of social and moral balance. In this context, Islamic law appears as a flexible value system, capable of negotiating with modern authority without causing severe conflicts. This phenomenon aligns with the theory of legal pluralism, which recognizes that within a single society, multiple legal systems can coexist simultaneously—state law, religious law, and customary law—all of which interact and negotiate in daily life.

[23] Muhammad Azani, "The Development of Islamic Law in Indonesia Through Traditional Theory and Legal Changes," *Jurnal Mahkamah : Kajian Ilmu Hukum Dan Hukum Islam* 6, no. 2 (December 30, 2021): 113–28, https://doi.org/10.25217/jm.v6i2.1626.

[24] Conal Condren, "The Paradoxes of Recontextualization in Early Modern Intellectual History," *The Historical Journal* 37, no. 1 (March 11, 1994): 225–31, https://doi.org/10.1017/S0018246X00014795.

Based on the observations and interviews described in the previous results, it can be said that Maniliak Bulan functions as a symbolic law, a symbolic law that regulates a sense of togetherness and cultural identity, rather than a positive law that binds legally. Thus, its binding force is derived from moral and social legitimacy, not from formal sanctions. The community practices it not out of fear of sin if they do not participate, but because they feel a loss of identity if they abandon it. When values such as togetherness, respect for scholars, and spiritual awareness are threatened by impersonal modernity, traditions like Maniliak Bulan become symbolic fortresses that maintain the balance between the spiritual world and the rational world. That is why living law cannot be erased merely by normative arguments; it needs to be replaced by a value system that offers equivalent social meaning.

As for the framework of *Living Fiqh*,[25] this tradition shows that law does not stop at the text, but continues to move following social dynamics. Living law is the result of a negotiation process between ideals and reality, between sharia and customs, between text and context. Maniliak Bulan proves that society has the capacity to reinterpret the law according to the needs of its time, without losing loyalty to the principles of religion. When scholars and the community together place this tradition as a medium of education, rather than an instrument for determining worship law, they are actually expanding the meaning of Islamic law as a dynamic social ethics system.[26]

Furthermore, the sustainability of Maniliak Bulan also demonstrates the function of law as a cultural bridge between the past and the present. On one

[25] A Perry-Kessaris, "Living Methods for Living Law: Eugen Ehrlich Meets Bruno Latour via Adversarial Exhibition Design," *Prepared for Colloque Ehrlich: L'actualité de La …*, no. September 2022 (2023): 1–15, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4442665%0Ahttps://papers.ssrn.com/sol3/Delivery.cfm?abstractid=4442665.

[26] Sahin Husain, Nasir Purkon Ayoub, and Mukhammadolim Hassmann, "Legal Pluralism in Contemporary Societies: Dynamics of Interaction between Islamic Law and Secular Civil Law," *SYARIAT: Akhwal Syaksiyah, Jinayah, Siyasah and Muamalah* 1, no. 1 (2024): 1–17, https://doi.org/10.35335/cfb3wk76.

hand, it reminds the community of the spiritual roots of Sheik Burhanuddin, who taught the balance between the visible and the invisible worlds. On the other hand, it adapts to the demands of modern rationality thru the acceptance of national hisab-rukyat results. This process shows that living law does not merely preserve tradition, but also reinterprets tradition to keep it meaningful. That is a form of creative adaptation that maintains the continuity of legal culture amidst rapid social changes.

Finally, Maniliak Bulan shows that grassroots Islamic law is not a rigid system, but a network of meanings that are always negotiated. This tradition endures because society finds within it a balance between rationality and spirituality, between national uniformity and local uniqueness, between legal certainty and social peace. Living law is not the law that is most correct in terms of text, but the law that is most capable of maintaining togetherness and the sustainability of the meaning of life. In this case, Maniliak Bulan is not only a relic of the past but also a mirror of the future of inclusive, adaptive Islamic law that is deeply rooted in the social realities of its society.

D. Conclusion

The Maniliak Bulan tradition among the Syattariyah Order congregation in Ulakan Tapakis shows that the religious practices of the local Muslim community do not only function as formal rituals but also as social, spiritual, and cultural traditions that live in the collective consciousness of the community. The development of modern astronomy and state-based moon sighting systems has shifted the function of Maniliak Bulan from an instrument for determining the start of the Hijri month to a symbol of the religious and cultural identity of the Syattariyah community. The continuity of this tradition no longer relies on its astronomical validity, but rather on the social and spiritual values it embodies, such as strengthening social solidarity, preserving religious identity, and maintaining the legacy of past scholars. In the perspective of living fiqh, Maniliak Bulan demonstrates that Islamic law lives and develops thru adaptive and

contextual social practices, continuously interacting with local traditions and the advancements of modern science.

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