

THE FAMILY SYSTEM IN THE SOCIAL AND CULTURAL STRUCTURE OF ISLAMIC SOCIETY IN INDONESIA

Putra Pandu Dinata Nurdiansyah¹, Ria Anjani², M. Aunul Hakim³

¹ Mahasiswa, Universitas Islam Negeri Maulana Malik Ibrahim

² Mahasiswa, Universitas Islam Negeri Maulana Malik Ibrahim

³ Dosen, Universitas Islam Negeri Maulana Malik Ibrahim

¹ putrapandudinata@gmail.com, ² anjaniaria43@gmail.com,

³ aunul@syariah.uin-malang.ac.id

Abstract

The kinship system encompasses marriage and descent relationships, where individuals are considered relatives if they are related by blood, such as siblings. The kinship system shapes the social structure of society and is heavily dependent on it. This study aims to understand and analyze the function of the kinship system in shaping and influencing the social and cultural structure of Indonesian society. The study will also identify problems encountered and provide suggestions for the development and reconstruction of the kinship system to ensure fairness. This study uses library research with a sociological approach. The results of this study conclude that the kinship system plays a significant role in shaping and influencing social and cultural dynamics among Indonesian Muslims. This study shows that kinship schemes, especially those based on Islamic values, strengthen family relationships and preserve cultural values passed down from generation to generation. However, this study also identified challenges in adapting traditional values to social change and modernity. It is hoped that sustainable solutions can be found to maintain a balance between Islamic tradition and the needs of modern Indonesian society by understanding the role and complexity of this kinship system.

Keywords: Family System; Social Structure; Indonesian Islamic Society

Abstrak

Sistem kekerabatan atau kekeluargaan mencakup hubungan pernikahan dan keturunan, di mana seseorang dianggap kerabat jika mereka memiliki hubungan darah, seperti saudara kandung. Sistem kekerabatan membentuk struktur sosial masyarakat dan sangat bergantung padanya. Penelitian ini bertujuan untuk memahami dan menganalisis fungsi sistem kekerabatan dalam membentuk dan mempengaruhi struktur sosial dan budaya masyarakat Indonesia. Penelitian juga akan mengidentifikasi masalah yang dihadapi dan memberikan saran untuk pengembangan dan rekonstruksi sistem kekeluargaan agar dapat memberikan keadilan yang baik. Penelitian ini menggunakan penelitian pustaka (library research) dengan pendekatan sosiologis. Hasil dari penelitian ini mendapatkan kesimpulan bahwa sistem kekerabatan memainkan peran penting dalam pembentukan dan pengaruh dinamika sosial dan budaya di kalangan masyarakat Islam Indonesia. Studi ini menunjukkan bahwa skema kekerabatan, terutama yang didasarkan pada nilai-nilai Islam, memperkuat hubungan keluarga dan melestarikan nilai-nilai budaya yang diwariskan dari generasi ke generasi. Meskipun demikian, penelitian ini juga menemukan masalah dalam menyesuaikan nilai-nilai tradisional dengan perubahan sosial dan modernitas. Diharapkan solusi berkelanjutan dapat ditemukan untuk menjaga keseimbangan antara tradisi Islam dan kebutuhan masyarakat modern Indonesia dengan memahami peran dan kompleksitas sistem kekerabatan ini.

Kata Kunci: Sistem Kekeluargaan; Struktur Sosial; Masyarakat Islam Indonesia



© Author(s) 2025

This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).

INTRODUCTION

Islamic law and the family system are closely related and important, especially in countries with a majority Muslim population such as Indonesia. Sharia or Islamic law regulates many aspects of social life, including Muslim rituals and worship. This includes the family system. It covers marriage, divorce, inheritance, and the rights and responsibilities of family members.¹ In contemporary society, the application of Islamic law in household structures often faces complex challenges and dynamics. This is due to different legal interpretations, social and cultural changes, and the impact of positive laws in the country.²

As a country with the majority Muslim population in the world, Indonesian Islamic Law plays an important role in the family structure. In Indonesia's legal system, there is dualism, where secular positive law runs alongside Islamic law, which is recognized in several aspects, particularly in family and inheritance law.³ This important role is demonstrated by the existence of institutions such as the Religious Courts, which are authorized to handle family matters based on Islamic Law. However, there are many problems and difficulties that hinder the application of Islamic Law in the family system in Indonesia. One of them is how Islamic law can cooperate with national law as well as maintaining a balance between law enforcement based on religious beliefs and universal principles of justice and equality.⁴

In addition, the times and globalization have a significant impact on family life. There is a need to change the way Islamic law is applied in order to remain relevant and meet the needs of the present age with regard to issues such as gender equality, children's rights, and individual freedoms.⁵ Therefore, research on the family system and Islamic law is very important. The purpose of this research is to gain an understanding of how Islamic Law is applied in family life, discover existing problems, and offer constructive solutions for the harmonization of Islamic Law with positive law and modern values. In addition, this research is expected to help policymakers, legal practitioners, and academics in building a fair and sustainable family system that is in accordance with Islamic law.

¹ Hyang Kinasih Gusti, "Perspektif Hukum Keluarga Islam Tentang Dinamika Peran Orang Tua dalam Pemilihan Pasangan Pernikahan Menurut Adat Jawa dan Implikasinya Terhadap Perlindungan Hak-Hak Anak," *Al Qalam: Jurnal Ilmiah Keagamaan Dan Kemasyarakatan* 18, no. 5 (August 13, 2024): 3256–68, <https://doi.org/10.35931/aq.v18i5.3917>.

² Gita Indriana et al., "Memotret Peluang dan Tantangan Hukum Islam dalam Perspektif Hukum," *Boboto : Journal Civic Education and Pancasila* 1, no. 2 (December 26, 2024): 72–78.

³ Indriana et al., 5.

⁴ Isnain La Harisi and M. Wahid Abdullah, "Pembaharuan Hukum Keluarga Islam dalam Menghadapi Tantangan Sosial Kontemporer Persepektif Maqashid Syariah," *Usrah: Jurnal Hukum Keluarga Islam* 5, no. 2 (October 23, 2024): 226–41, <https://doi.org/10.46773/usrah.v5i2.1358>.

⁵ Holan Riadi, "Hukum Keluarga Islam dan Kesetaraan Gender: Kajian Atas Pengalaman Masyarakat Muslim di Indonesia," *Modeling: Jurnal Program Studi PGMI* 11, no. 1 (March 31, 2024): 1174–84, <https://doi.org/10.69896/modeling.v11i1.2534>.

The kinship system shapes the social structure of a society and depends heavily on it. Kinship is a social unit consisting of several families connected to each other through marriage ties. While the nuclear family consists of husband, wife, and children, the extended family consists of father, mother, son-in-law, grandchildren, siblings, uncles, aunts, grandparents, and other family members. Broader families, such as descendants, tribes and clans, are formed by kinship systems. Relationships between individuals without blood ties also produce various forms of groups, such as fraternities and societies. The relationship between people who share a common biological, social and cultural lineage is called kin.⁶ Relatives or relatives are often referred to in Indonesian, similar to the English term "family".

From an anthropological perspective, kinship systems include marriage and descent relationships, where a person is considered a relative if they are related by blood, such as siblings. Islamic inheritance law is also influenced by this system.⁷ However, the influence of the traditional kinship system has been reduced by modernization. Family relationships stemming from marital ties involve entities with a common biological, social and cultural pedigree. It is closely related to the kinship system. "Kin" is derived from the word "kin", which means a family or close relationship that shares a common lineage or blood.

Based on the explanation of the background of the problem, the author makes two problem formulations that become points of discussion so that specific things appear that give readers a clearer picture. First, what is the concept of a family or kinship system, and what types are there. Second, how kinship shapes and influences the social and cultural structure of Islamic society in Indonesia.

The purpose of this research is to understand and analyze the function of the kinship system in shaping and influencing the social and cultural structure of Indonesian society. The research will also identify the problems faced and provide suggestions for the development and preservation of the current system. This research is expected to provide a deeper understanding of how the kinship system shapes the social and cultural structure in Indonesia. In addition, the research is also expected to identify the problems faced in maintaining this kinship system in the current era, as well as develop practical and relevant recommendations to overcome these problems and strengthen the role of the kinship system.

⁶ Halimatul Maryani et al., "Sistem Kekerabatan dan Pengaruhnya Terhadap Hukum Waris Islam," *Legal Brief* 11, no. 4 (October 26, 2022): 2518–25.

⁷ Sovia Santika and Yusnita Eva, "Kewarisan dalam Sistem Kekerabatan Matrilineal, Patrilineal dan Bilateral," *Al-Mashlahah Jurnal Hukum Islam dan Pranata Sosial* 11, no. 02 (November 7, 2023), <https://doi.org/10.30868/am.v11i02.4874>.

RESEARCH METHODS

This research uses library research with a sociological approach. Library research is a library-based research in which the research activities are carried out by collecting information and data from various sources available in the library. These sources include reference books, previous research results, articles, notes, and various journals that are relevant to the problem to be solved.⁸ The approach used in this research is a sociological approach, namely the sociological approach is a method of discussing an object based on the context of the society involved in this discussion.⁹ The research that the author examines is about the Family System in the Social and Cultural Structure of Islamic Society in Indonesia, this research uses library material as its main basis.

Data Analysis Technique This research data comes from literature which is analyzed using qualitative data analysis techniques of the Miles and Huberman model in accordance with the Library Research procedure, through the following stages: Data Reduction: Summarize and select the main information, focus on the important things, look for themes and patterns, and eliminate irrelevant information. Data Display: Presenting data to make it easier to understand, which can be in the form of neat tables, graphs, diagrams, or pictograms. Conclusion Drawing/Verification: Initial conclusions are made tentatively and may change if strong evidence is found from further data. If the evidence found is valid and consistent, then the final conclusion will be more credible.¹⁰ By using primary, secondary, and tertiary data sources, as well as systematic data analysis techniques, this research is expected to provide an in-depth understanding of kinship in the Social and Cultural Structure of Islamic Society in Indonesia.

RESULTS AND DISCUSSION

Islamic Law

Islamic law originates from the religion of Islam and is a law revealed by God for the benefit of his servants both in this world and the hereafter. It covers all aspects of human life, both personal and social.¹¹ It is derived from the Qur'an and Sunnah, as well as the interpretations of scholars from the past, and covers all aspects of life, both individual and societal. Islamic law regulates many things, such as worship, criminal law, family, inheritance, and social interaction.

⁸ Milya Sari, "Natural Science : Jurnal Penelitian Bidang IPA dan Pendidikan IPA , ISSN : 2715-470X (Online), 2477 – 6181 (Cetak) Penelitian Kepustakaan (Library Research) dalam Penelitian Pendidikan IPA," 2020, 41–53.

⁹ Moh. Rifa'i, "Kajian Masyarakat Beragama Perspektif Pendekatan Sosiologis," *Al-Tanzim : Jurnal Manajemen Pendidikan Islam* 2, no. 1 (2018): 23–35, <https://doi.org/10.33650/al-tanzim.v2i1.246>.

¹⁰ Abdul fattah Nasution, *Metode Penelitian Kualitatif*, ed. Meyniar Albina, *Harfa Creative* (Bandung, 2023).

¹¹ Muchammad Ichsan, "Pengantar Hukum Islam," *Yogyakarta: Laboratorium Hukum Fakultas Hukum Universitas Muhammadiyah Yogyakarta*, 2015.

These laws are important for determining the rights and obligations of individuals in family and community life. Islamic law, rooted in religious teachings, is constantly being amended and adapted to deal with the challenges of contemporary times, still maintaining the foundation of Sharia.

Terms such as shari'ah, fiqh, Allah's law, and similar terms are never explicitly mentioned in the Qur'an or in the literature relating to Islamic law. In Western literature, the term "Islamic law" is actually a translation of Islamic legislation, and these terms have become popular. It is essential to understand the meaning of each word if we are to understand Islamic law more clearly. Etymologically, the word "law" comes from the Arabic root "hakama-yahkumu", and its formal form is "law". The singular form of the plural word al-ahkâm is al-hukmu.¹²

Kinship System

An important component of society is the family system, which shows how individuals in a family are related and interact with each other, as well as how this family interacts with society as a whole. A family relationship is when two people bleed into each other. Someone is considered a relative because of their blood relationship with us.¹³ Family as a system shows that changes in one component of the system can affect the whole system, providing important insights into social dynamics and human behavior. In the structure of our indigenous societies, there are three types of kinship systems: parental kinship systems, matrilineal kinship systems, and patrilineal kinship systems. These systems regulate a person's position as a member of a family, the position of children towards parents, and the position of children towards relatives based on blood relations (descent).

This kinship system consists of rules that govern how people who are related by blood are classified. In relation to a particular individual (ego), the term "kinship" indicates the identity of the relative in relation to that individual. With this system, social relations involving the position, rights, and obligations between that individual and his or her relatives can be carried out easily and orderly in accordance with the applicable rules.¹⁴

¹² Rohidin and M Nasrudin, *Buku Ajar Pengantar Hukum Islam: Dari Semenanjung Arabia Hingga Indonesia*, ed. M Nasrudin (Yogyakarta: Lintang Rasi Aksara Books, 2016).

¹³ A Octamaya Tenri Awaru, *Sosiologi Keluarga*, ed. Rintho R Rerung, *Media Sains Indonesia* (Bandung: Cv. Media Sains Indonesia, 2021), <https://doi.org/10.32388/zxlcjz>.

¹⁴ Ketut Linda Dewi, Hermi Yanzi, and Yunisca Nurmalisa, "Pengaruh Sistem Patrilineal Terhadap Kesetaraan Gender Dalam Masyarakat Bali Di Desa Trimulyo," *Jurnal Kultur Demokrasi* 3, no. 1 (2015).

Patrilineal Kinship System

In patrilineal kinship systems, lineage is drawn from the paternal line, where men have a greater role in inheritance than women. Upon marriage, a wife is considered to leave her family of origin and join her husband's family.¹⁵ In short, a married woman is considered part of her husband's family, regardless of her family of origin, which includes her parents and siblings. If they have daughters, they are still considered part of their father's family, but upon marriage, they lose the right to inherit from their family of origin. Only sons can inherit because they remain in their family of origin, and the male party is responsible if there is a problem.¹⁶

In patrilineal societies, only sons are entitled to inheritance, while daughters are not because they are considered to have left their original family after marriage. Boys have the right to inherit because they are considered to have paid to propose to their future wives and are fully responsible for their families. In the context of customary laws recognized by the community, the difference in rights between men and women is still relevant in the era of modernization. For example, in Batak society, if a man surnamed Sirait marries a woman surnamed Silalahi, their children will be surnamed Sirait, following their father's lineage. This is the reason why the successor of the lineage is male in Batak society.¹⁷

The patrilineal kinship system is divided into two types:

1. Pure Patrilineal: This system relies on male descendants; however, if there are no sons, the family lineage continues, and daughters can inherit the estate...¹⁸
2. Alternate Patrilineal: In this system, inheritance is given to sons, but daughters from families without sons can still receive inheritance. This system gives girls the same legal rights as boys. Boys can be adopted, severing their ties with their original family.¹⁹

Both patrilineal systems rely on male lineage. In this marriage system, a wife becomes a member of her husband's family, and her relationship with her original family ends. This marriage usually results in an "honest" husband's payment to the wife's family, signifying that the wife's relationship with her original family and community has ended. The patrilineal kinship system is practiced by several Indonesian tribes such as the Batak, Balinese, Ambon, Asmat and Dani. This

¹⁵ Subekti Subekti and Suyono Yoyok Ucut, "Pewarisan Berdasarkan Hukum Waris Adat Terkait Sistem Kekerabatan Di Indonesia," *Jurnal Aktual Justice* 5, no. 1 (2020): 56–70, <https://doi.org/10.47329/aktualjustice.v5i1.520>.

¹⁶ Dewi, Yanzi, and Nuralisa, "Pengaruh Sistem Patrilineal Terhadap Kesetaraan Gender Dalam Masyarakat Bali Di Desa Trimulyo."

¹⁷ Abdillah Sulfany and Fitra Abduna Jalesvevano, "Analisis Hukum Terkait Sistem Waris Patrilineal Adat Batak Di Indonesia," *Indonesian Journal of Social Sciences and Humanities* 3, no. 2 (2023): 12–19.

¹⁸ Sonny D Judiasih et al., "Pergeseran Norma Hukum Waris Pada Masyarakat Adat Patrilineal," *RechtIdee* 16, no. 1 (2021): 65–87.

¹⁹ Sandra Natalia et al., "Sistem Kekerabatan Dalam Hukum Adat Di Indonesia," *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 10, no. 6 (2023): 3148–56.

system emphasizes the importance of marriage and family relationships to maintain the integrity of the family and descendants.

The groom's family gives "honesty" to the bride's family in the form of goods or money. The purpose is to determine how the bride will relate to her own family. After marriage, the wife will live in her husband's house with her children and offspring. This indicates that the wife will transition from being a member of her own clan to being a member of her husband's clan.

Matrilineal Kinship System

Women have a dominant role in inheritance in the matrilineal descent system. Matrilineal comes from two Latin words: mater, meaning mother, and linee, meaning line.²⁰ Men in this system do not pass on property to their children. Considered part of the mother's family, children become heirs of the mother's line. This system describes the lineage from the mother to the female ancestors. They believe that everything comes from a first mother. The marriage system in matrilineal societies is called "kawin sumendo" or "kawin pick up", where the woman invites the man to join the wife's family. But the husband does not belong to his wife's family; he stays with his own mother's family.²¹

Children are incorporated into their mother's tribe or family according to the Minangkabau kinship system. Basically, the father has no authority over his children. If a father or husband dies, his wife and children do not inherit their property. The husband and wife and their children use their wealth, which usually comes from the wife's family. The Mamak Chief Waris, the oldest man in the family, is responsible for this wealth. A child usually does not receive inheritance from his father, but from his mother's family. Children are not entitled to the father's estate. This inheritance system has caused dissatisfaction in the current era. However, this can be resolved by the father giving some of his property to his children while he is still alive, and the father's family can accept it. Only Minangkabau has this matrilineal kinship system in Indonesia.²²

A brief example of the use of matrilineal in Minang society, which is mostly or predominantly Muslim, is that, in terms of inheritance division, the Minang customary system still prioritizes the system of descent, ie descent from the mother plays a role (matrilineal), rather than the system of inheritance according to Islamic inheritance law. They do this because their customs

²⁰ Esli Zuraidah Siregar; Ali Amran, "Gender Dan Sistem Kekerabatan Matrilinial," *Jurnal Kajian Gender Dan Anak Vol. 02*, no. 2 (2018): 147–70.

²¹ Natalia et al., "Sistem Kekerabatan Dalam Hukum Adat Di Indonesia."

²² Sovia Santika and Yusnita Eva, "Kewarisan Dalam Sistem Kekerabatan Matrilineal, Patrilineal Dan Bilateral," *Al-Mashlahah : Jurnal Hukum Islam Dan Pranata Sosial Islam* 11 (02) (2023): 193–203, <https://doi.org/10.30868/am.v11i02.4874>.

are still strong and they highly respect their ancestors.²³ Women in this system are highly respected in terms of customs, daily life and the division of inheritance. While gender bias is a major issue in many discriminations against women, this system treats women worse than they should.

Minangkabau society uses a matrilineal kinship system, which means that a person's tribe follows their mother's tribe. Women have an important role in the family. It is forbidden to marry between members of the same tribe. The gadang family is bound by inheritance and titles. The Limpeh, also known as amban puruak, is the oldest woman in the family, and she has the honor of managing the entire family estate and dividing it between people. At that time, the tungganai, the oldest man in the family, was the mamak Kapalo Warih. It was his responsibility to maintain, cultivate and develop the family wealth, but not to use it.²⁴

Parental/Bilateral Kinship System

The parental or bilateral kinship system draws its lineage through the father and mother, so there is no distinction between paternal or maternal families.²⁵ In this system, upon marriage, the husband becomes a member of the wife's family and the wife becomes a member of the husband's family. As a result, the husband and wife have two families, and their children do too. Sons and daughters have equal rights and standing, including the right to inherit. In marriage, sons and daughters have the same rights as primary heirs.²⁶ Throughout Indonesia, such as in Java, Madura, Kalimantan, Sulawesi, Lombok, Bugis, and Ternate, this parental kinship system is the most common.

The bilateral parental system, where the lineage follows both sides, ie father and mother, as used by the Javanese community, is more accepted by the general public because there is no difference between the father's family and the mother's family. In this system, the position of the paternal and maternal families is equal and balanced.²⁷ The child has a relationship with his parents and bilateral relatives. father-mother: In the parental kinship system, both parents and their relatives are subject to the same rules in their direct marriages and their indirect marriages, except for the marriage between the father and the mother.

²³ H Maryani et al., "Sistem Kekerabatan Dan Pengaruhnya Terhadap Hukum Waris Islam," *Legal Brief* 11, no. 4 (2022): 2518–25, <https://doi.org/10.35335/legal.xx.xx>.

²⁴ Iva Ariani, "Nilai Filosofis Budaya Matrilineal Di Minangkabau (Relevansinya Bagi Pengembangan Hak-Hak Perempuan Di Indonesia)," *Jurnal Filsafat* 25, no. 1 (2015): 32–55.

²⁵ Helwan Kasra, "Prospek 19 Wilayah Hukum Adat Dilihat Dari Menguatnya Sistem Kekerabatan Parental Bilateral Dalam Bidang Hukum Keluarga," *Jurnal Hukum Doctrinal* 1, no. 1 (2016): 9–15.

²⁶ Wahyudi Muhammad Haikal et al., "Tinjauan Hukum Adat Dalam Sistem Kekeluargaan Di Kampung Adat Banceuy," *Jurnal Hukum Dan Kewarganegaraan* 1, no. 11 (2023).

²⁷ Kasra, "Prospek 19 Wilayah Hukum Adat Dilihat Dari Menguatnya Sistem Kekerabatan Parental Bilateral Dalam Bidang Hukum Keluarga."

Husbands and wives have equal rights and positions both in domestic life and social relationships. They also have a shared responsibility to build and maintain a household that will be the foundation of society. Husbands and wives should love, respect, be faithful, and support each other physically and emotionally. In a leadership position, the husband should take care of his wife and fulfill the needs of the household to the best of his ability. Meanwhile, the wife's duty is to manage the house well.²⁸ In addition, husbands and wives have equal rights to take legal action. If either party does not fulfill their obligations, they also have the same opportunity to file a lawsuit in court. In marriage, men and women must respect and have the same rights and obligations.

Table 1. Comparison

No.	Factor	Patrilineal	Matrilineal	Parental
1.	Terminology	Only based on paternal or male lineage.	Only based on maternal or female lineage.	A combination of patrilineal and matrilineal.
2.	Inheritance	A son is entitled to inheritance. If he dies childless, the inheritance will pass to his grandfather, who is the father of the deceased boy.	A daughter has the right to receive inheritance if her husband dies. If his wife dies, the inheritance will pass to his daughter.	According to the parental kinship system, every child, whether male or female, receives inheritance.
3.	Tribe/Group	Ambon, Asmat, Balinese, Batak, and Dani	Minangkabau	Bugis, Javanese, Madurese, Makassarese, and Sundanese

Source: Research results, processed by the author.

The Influence of the Kinship System in Shaping the Social and Cultural Structure of Islamic Societies in Indonesia

Indonesian customary inheritance law is strongly influenced by the kinship system. Customary inheritance patterns in Indonesia are diverse and adapted to the kinship system of each indigenous community because of the kinship system. The kinship systems known in Indonesia

²⁸ Mahrita A. Lakburlawal, "Kedudukan Suami Dalam Sistem Kekerabatan Masyarakat Adat Ditinjau Dari Perspektif Hak Asasi Manusia (Studi Pada Desa Letwurung Kecamatan Babar Timur Kabupaten Maluku Barat Daya)," *Sasi* 20, no. 2 (2014): 36, <https://doi.org/10.47268/sasi.v20i2.325>.

include patrilineal, matrilineal, and bilateral. As a result, the customary inheritance system in Indonesia varies depending on the type of kinship adopted by the local indigenous community.²⁹

Indonesian customary inheritance law has also changed over time. Customary inheritance law underwent changes as a result of these changes. This change is due to society beginning to adopt a more open paradigm of justice and gender equality. The spirit of equal rights and the desire to abandon discriminatory customary values have been driven by modernization and emancipation. As a result, patrilineal and matrilineal customary inheritance laws are changing in certain indigenous communities, creating equal inheritance positions for men and women.

Emile Durkheim created the theory of functionalism, also known as functional structure, which offers an interesting perspective on how to implement kinship systems. Durkheim was the first sociologist to fully study sociology through formal education. He is credited with improving the way people think about sociology by relying on philosophical logic and making sociology a legitimate science by introducing social symptoms as observable facts.³⁰ In his theory, Durkheim studied the concept of social order and how society can function harmoniously. His theory focuses on the macro level, or how different aspects of society can function together. According to Emile Durkheim's functional structural theory, if one element of the social structure does not function properly, the law will not work properly or be unstable.³¹

Functionalism theory uses a systems approach to explain Durkheim's ideas. This method explains that errors in the application of law can stem from the negligence or malfunctioning of components within the legal structure itself. This legal structure describes how lawmakers, implementers, and enforcers interact with each other.³² The general idea about this concept is the idea that structures must cooperate with each other in order to function harmoniously. Thus, this idea can create a social order that involves various components and allows society to live well.³³

The kinship system in Islamic societies in Indonesia is an important part of the social structure, which determines the roles, status and responsibilities of individuals within the family and community. The system forms a social network that regulates relationships between family members and the community as a whole. The system is based on Islamic values that regulate

²⁹ Ifitah Kurnia dan Maisya Yusti Santosa, "Pluralisme Hukum Waris di Indonesia: Pengaruh Sistem Kekerabatan Masyarakat Adat Terhadap Corak Hukum Waris Adat di Indonesia," *Syariah: Jurnal Ilmu Hukum* 1, no. 2 (2024): 234–42.

³⁰ Andi Erlangga Rahmat dan Firdaus W. Suhaeb, "Perspektif Emile Durkheim Tentang Pembagian Kerja dan Solidaritas Masyarakat Maju," *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)* 7, no. 3 (2023): 2138–44, <https://doi.org/10.58258/jisip.v7i1.5233/http>.

³¹ Ida Zahara Adibah, "Struktural Fungsional Robert K. Merton," *Jurnal Inspirasi* 1, no. 2 (2017): 171–84.

³² Universitas Islam and Negeri Salatiga, "Di Indonesia Dalam Teori Emile Durkheim Yusuf Ismail" 5 (2023): 91–102.

³³ Muhammad Ibnu Azzulfa, "3 Teori Sosiologi: Dari Emile Durkheim, Karl Marx, Hingga Max Weber," *tirto.id*, 2022, <https://tirto.id/3-teori-sosiologi-dari-emile-durkheim-karl-marx-hingga-max-weber-f8oL>.

behavior between family members and society as a whole, such as respect and appreciation for family members. Therefore, patterns of relationships, norms, values, status and social roles shape and regulate the kinship system, which also contributes to social cohesion and adaptation to social change, according to the correlation between the kinship system in the social and cultural structure of Islamic societies in Indonesia with social structure theory.

In addition, gender inequality or gender discrimination can arise in matrilineal and patrilineal systems. When one party, either male or female, has a higher status than the other, this inequality occurs. This is especially true for inheritance as gender dominance can lead to unfairness in the division of property.

Gender discrimination can be reduced through the implementation of a parental family kinship system that provides equal opportunities for both men and women. It is easy to start the fight for gender equality within and outside the family. From a young age, teaching children the principles of equality can shape a way of thinking that supports social structures that are not gender-biased. Thus, to create a positive impact that is felt by everyone, regardless of gender, requires willpower and commitment.³⁴

CONCLUSION

In this research on the topic of Kinship Systems in the Social and Cultural Structure of Islamic Societies in Indonesia, the author concludes that kinship systems play an important role in creating and influencing social and cultural dynamics in Indonesian Islamic societies. The study shows that kinship schemes, particularly those based on Islamic values, strengthen family relationships and preserve cultural values passed down from generation to generation. However, the study also found the difficulty of adapting traditional values to social change and modernity. By understanding the role and complexity of these kinship systems, it is hoped that sustainable solutions can be found to maintain a balance between Islamic traditions and the needs of modern Indonesian society.

BIBLIOGRAPHY

- Adibah, Ida Zahara. "Struktural Fungsional Robert K. Merton." *Jurnal Inspirasi* 1, no. 2 (2017): 171–84.
- Awaru, A Octamaya Tenri. *Sosiologi Keluarga*. Edited by Rintho R Rerung. *Media Sains Indonesia*. Bandung: Cv. Media Sains Indonesia, 2021. <https://doi.org/10.32388/zxlcjz>.
- Azzulfa, Muhammad Ibnu. "3 Teori Sosiologi: Dari Emile Durkheim, Karl Marx, Hingga Max Weber." *tirto.id*, 2022. <https://tirto.id/3-teori-sosiologi-dari-emile-durkheim-karl-marx-hingga-max-weber-f8oL>.

³⁴ Dinny Rahmayanty et al., "Ketidaksetaraan Gender dalam Sistem Patrilineal," *Innovative: Journal Of Social Science Research* 3, no. 5 (2023): 6513–22.

- Dewi, Ketut Linda, Hermi Yanzi, dan Yunisca Nurmalisa. "Pengaruh Sistem Patrilineal Terhadap Kesetaraan Gender dalam Masyarakat Bali di Desa Trimulyo." *Jurnal Kultur Demokrasi* 3, no. 1 (2015).
- Esli Zuraidah Siregar; Ali Amran. "Gender dan Sistem Kekerabatan Matrilinial." *Jurnal Kajian Gender Dan Anak Vol.* 02, no. 2 (2018): 147–70.
- Gusti, Hyang Kinasih. "Perspektif Hukum Keluarga Islam Tentang Dinamika Peran Orang Tua dalam Pemilihan Pasangan Pernikahan Menurut Adat Jawa dan Implikasinya Terhadap Perlindungan Hak-Hak Anak." *Al Qalam: Jurnal Ilmiah Keagamaan Dan Kemasyarakatan* 18, no. 5 (August 13, 2024): 3256–68. <https://doi.org/10.35931/aq.v18i5.3917>.
- Harisi, Isnain La, dan M. Wahid Abdullah. "Pembaharuan Hukum Keluarga Islam dalam Menghadapi Tantangan Sosial Kontemporer Persepektif Maqashid Syariah." *Usrah: Jurnal Hukum Keluarga Islam* 5, no. 2 (October 23, 2024): 226–41. <https://doi.org/10.46773/usrah.v5i2.1358>.
- Ichsan, Muchammad. "Pengantar Hukum Islam." *Yogyakarta: Laboratorium Hukum Fakultas Hukum Universitas Muhammadiyah Yogyakarta*, 2015.
- Indriana, Gita, Sri Astri Yani, Nur Ayu Lestari, Novita Sari Hamka, Keyza Devina Maharani Harpin, Indi Aulia⁶, Ribbi Il Fitri, dan Desi Lestari. "Memotret Peluang dan Tantangan Hukum Islam dalam Perspektif Hukum." *Boboto: Journal Civic Education and Pancasila* 1, no. 2 (December 26, 2024): 72–78.
- Islam, Universitas, and Negeri Salatiga. "Di Indonesia Dalam Teori Emile Durkheim Yusuf Ismail" 5 (2023): 91–102.
- Iva Ariani. "Nilai Filosofis Budaya Matrilineal di Minangkabau (Relevansinya Bagi Pengembangan Hak-Hak Perempuan di Indonesia)." *Jurnal Filsafat* 25, no. 1 (2015): 32–55.
- Judiasih, Sonny D, Afifah Syakira, Natalia Karelina, Noer A Januariska, Purri Trirani, dan Zeira Nabilla. "Pergeseran Norma Hukum Waris Pada Masyarakat Adat Patrilineal." *RechtIdee* 16, no. 1 (2021): 65–87.
- Kasra, Helwan. "Prospek 19 Wilayah Hukum Adat Dilihat Dari Menguatnya Sistem Kekerabatan Parental Bilateral dalam Bidang Hukum Keluarga." *Jurnal Hukum Doctrinal* 1, no. 1 (2016): 9–15.
- Kurnia, Iftitah, dan Maisya Yusti Santosa. "Pluralisme Hukum Waris di Indonesia: Pengaruh Sistem Kekerabatan Masyarakat Adat Terhadap Corak Hukum Waris Adat di Indonesia." *Syariah: Jurnal Ilmu Hukum* 1, no. 2 (2024): 234–42.
- Lakburlawal, Mahrita A. "Kedudukan Suami dalam Sistem Kekerabatan Masyarakat Adat Ditinjau Dari Perspektif Hak Asasi Manusia (Studi Pada Desa Letwurung Kecamatan Babar Timur Kabupaten Maluku Barat Daya)." *Sasi* 20, no. 2 (2014): 36. <https://doi.org/10.47268/sasi.v20i2.325>.
- Maryani, H, A Nasution, D Sintara, dan B J Siregar. "Sistem Kekerabatan dan Pengaruhnya Terhadap Hukum Waris Islam." *Legal Brief* 11, no. 4 (2022): 2518–25. <https://doi.org/10.35335/legal.xx.xx>.
- Maryani, Halimatul, Adawiyah Nasution, Dani Sintara, dan Bonanda Japatani Siregar. "Sistem Kekerabatan dan Pengaruhnya Terhadap Hukum Waris Islam." *Legal Brief* 11, no. 4 (October 26, 2022): 2518–25.
- Muhammad Haikal, Wahyudi, Rahayu Naswa Nelina, Narayana Khamil, Naila Aulia Rahmah Virhanida, Muhamad Rafly Alamsyah, Muhammad Azaria Kanigara, dan Moh Fadhel

- Abd Jalil. "Tinjauan Hukum Adat dalam Sistem Kekeluargaan di Kampung Adat Banceuy." *Jurnal Hukum Dan Kewarganegaraan* 1, no. 11 (2023).
- Nasution, Abdul Fattah. *Metode Penelitian Kualitatif*. Edited by Meyniar Albina. Harfa Creative. Bandung, 2023.
- Natalia, Sandra, Michellie Chandra Wijaya, Giacinta Nadima, Gladys Lydia Evan, dan Lisentia Putri. "Sistem Kekerabatan dalam Hukum Adat di Indonesia." *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 10, no. 6 (2023): 3148–56.
- Rahmat, Andi Erlangga, dan Firdaus W. Suhaeb. "Perspektif Emile Durkheim Tentang Pembagian Kerja dan Solidaritas Masyarakat Maju." *JISIP (Jurnal Ilmu Sosial Dan Pendidikan)* 7, no. 3 (2023): 2138–44. <https://doi.org/10.58258/jisip.v7i1.5233/http>.
- Rahmayanty, Dinny, Novitri Wulandari, M. Reza Pratama, dan Natalia Putri. "Ketidaksetaraan Gender dalam Sistem Patrilineal." *Innovative: Journal Of Social Science Research* 3, no. 5 (2023): 6513–22.
- Riadi, Holan. "Hukum Keluarga Islam dan Kesetaraan Gender: Kajian Atas Pengalaman Masyarakat Muslim di Indonesia." *Modeling: Jurnal Program Studi PGMI* 11, no. 1 (March 31, 2024): 1174–84. <https://doi.org/10.69896/modeling.v11i1.2534>.
- Rifa'i, Moh. "Kajian Masyarakat Beragama Perspektif Pendekatan Sosiologis." *Al-Tanzim : Jurnal Manajemen Pendidikan Islam* 2, no. 1 (2018): 23–35. <https://doi.org/10.33650/al-tanzim.v2i1.246>.
- Rohidin, dan M Nasrudin. *Buku Ajar Pengantar Hukum Islam: Dari Semenanjung Arabia Hingga Indonesia*. Edited by M Nasrudin. Yogyakarta: Lintang Rasi Aksara Books, 2016.
- Santika, Sovia, dan Yusnita Eva. "Kewarisan dalam Sistem Kekerabatan Matrilineal, Patrilineal dan Bilateral." *Al-Mashlahah : Jurnal Hukum Islam dan Pranata Sosial Islam* 11 (02) (2023): 193–203. <https://doi.org/10.30868/am.v11i02.4874>.
- Sari, Milya. "Natural Science : Jurnal Penelitian Bidang IPA dan Pendidikan IPA , ISSN : 2715-470X (Online), 2477 – 6181 (Cetak) Penelitian Kepustakaan (Library Research) dalam Penelitian Pendidikan IPA," 2020, 41–53.
- Subekti, Subekti, dan Suyono Yoyok Uruk. "Pewarisan Berdasarkan Hukum Waris Adat Terkait Sistem Kekerabatan di Indonesia." *Jurnal Aktual Justice* 5, no. 1 (2020): 56–70. <https://doi.org/10.47329/aktualjustice.v5i1.520>.
- Sulfany, Abdiilah, dan Fitra Abduna Jalesvevano. "Analisis Hukum Terkait Sistem Waris Patrilineal Adat Batak di Indonesia." *Indonesian Journal of Social Sciences and Humanities* 3, no. 2 (2023): 12–19.