MAWADDAH: Jurnal Hukum Keluarga Islam **p-ISSN 3031-5247**
DOI: https://doi.org/10.52496/mjhki.v3i2.80 **e-ISSN 3026-6076**

Controlled Legal Pluralism: Islamic Family Law Adaptation In Socialist-Secular China

***Agus Irfan[a], M. Saeful Amri[b], Warsiyah[a], M. Ali Munkhakim[a], Dian Naeli Sa'adah[a]**
[a] Universitas Islam Sultan Agung, Semarang, Indonesia
[b] Sekolah Tinggi Agama Islam Al-Hikmah 2, Brebes, Indonesia
[*]Corresponding author: agus.irfan@unissula.ac.id

Submitted: 25-05-2025	Accepted: 29-12-2025	Published: 31-12-2025

Abstract

Islamic family law is the legal domain most directly confronted by state legal dominance in modern legal systems, particularly when the state places all family relations under a single formal legal framework. In China, the socialist-secular legal order affirms that marriage, divorce, inheritance, and domestic relations are governed exclusively by the Civil Code of the People's Republic of China, thereby excluding religious norms from formal recognition as a legal source. Existing studies on Islam and the state in China have largely focused on Muslim minority identity and religious regulation. Yet, they have not sufficiently explained how Islamic family law survives under conditions of legal centralization and strict administrative control. This study aims to analyze the forms of adaptation of Islamic family law within Muslim minority communities in China using a qualitative socio-legal approach, employing normative analysis of national legal regulations, administrative policies, and recent academic literature. The findings show that Islamic family law does not function as a formal legal system but survives through social practices such as religious marriage contracts conducted after civil registration, family mediation based on Islamic values, and inheritance deliberation within domestic spaces. These findings indicate that legal pluralism in China operates in a controlled form, in which religious norms remain socially operative without obtaining formal institutional legitimacy as long as they do not challenge state legal sovereignty. This article contributes to socio-legal scholarship by strengthening the concept of controlled legal pluralism as an analytical model for understanding the survival of Islamic family law in highly centralized non-Muslim states.

Keyword: *Controlled Legal Pluralism; Islamic Family Law; Legal Adaptation; Socialist-Secular China.*

Abstrak

Hukum keluarga Islam merupakan bidang hukum yang paling langsung berhadapan dengan dominasi hukum negara dalam sistem hukum modern, terutama ketika negara menempatkan seluruh hubungan keluarga di bawah satu kerangka legal formal. Dalam konteks China, sistem hukum sosialis-sekuler menegaskan bahwa perkawinan, perceraian, pewarisan, dan hubungan domestik sepenuhnya tunduk pada Civil Code of the People's Republic of China, sehingga norma agama tidak memperoleh pengakuan formal sebagai sumber legal. Sejauh ini, penelitian tentang Islam dan negara di China lebih banyak menyoroti identitas Muslim minoritas dan regulasi keagamaan, tetapi belum secara memadai menjelaskan bagaimana hukum keluarga Islam bertahan dalam

kondisi sentralisasi hukum dan pengawasan administratif yang ketat. Penelitian ini bertujuan menganalisis bentuk adaptasi hukum keluarga Islam dalam masyarakat Muslim minoritas di China dengan menggunakan pendekatan kualitatif socio-legal melalui analisis normatif terhadap regulasi hukum nasional, kebijakan administratif, dan literatur akademik mutakhir. Hasil penelitian menunjukkan bahwa hukum keluarga Islam tidak berfungsi sebagai sistem hukum formal, tetapi tetap bertahan melalui praktik sosial seperti akad agama setelah registrasi sipil, mediasi keluarga berbasis nilai Islam, dan musyawarah waris dalam ruang domestik. Temuan ini menunjukkan bahwa pluralisme hukum di China berlangsung dalam bentuk terkendali, yaitu ketika norma agama tetap hidup secara sosial tanpa memperoleh legitimasi kelembagaan formal selama tidak bertentangan dengan kedaulatan hukum negara. Artikel ini berkontribusi pada pengembangan kajian socio-legal dengan memperkuat konsep controlled legal pluralism sebagai model analisis bagi keberlangsungan hukum keluarga Islam dalam negara non-Muslim yang sangat terpusat.
Kata Kunci: Pluralisme Hukum Terkendali; Hukum Keluarga Islam; Adaptasi Hukum; China Sosialis-sekuler.

INTRODUCTION

Islamic family law is the area of law that most directly confronts the dominance of the modern state because it concerns the legality of marital relationships, divorce, inheritance, and domestic responsibilities that are universally seen as strategic for social stability. In the modern legal system, the state not only functions to establish legal norms, but also monopolies the validity of family relationships through administrative devices and formal legal procedures. Therefore, family law is the most concrete space to read how religious norms survive or undergo transformation when dealing with the centralization of state law.[1]

In many Muslim-majority countries, Islamic family law acquires a formal position through national legislation and religious justice institutions. In Indonesia, Islamic family norms are carried out through religious courts and codification of the Compilation of Islamic Law, while in Malaysia Islamic family law is under the jurisdiction of the Sharia Court which has formal legal legitimacy. This situation is different from non-Muslim countries, where Islamic family norms

[1] Ayelet Shachar, The Shifting Border of Religious Law (Oxford: Oxford University Press, 2020), 44; Zikry Rahmatillah, Ziyad Alrawasdeh, Rahmat Tarmizi, Aulil Amri, Noor Fadillah Hayatusyifa, Firli Jundy Liza, and Nur Lizawati. 2025. "Reform and Codification of Islamic Family Law in Turkey: From The Ottoman Law of Family Rights to the Turkish Civil Code of 1926". An-Nisa: Journal of Islamic Family Law 2 (4): 326-41. https://doi.org/10.63142/an-nisa.v2i4.246.

generally persist as social norms without institutional recognition in the country's legal system.[2]

China is a very important case in this discourse because all family relations are regulated through the *Civil Code of the People's Republic of China* which places the state as the only legal source in the establishment of marital status, divorce, inheritance, and other family relationships. The codification of national family law shows the state's strong orientation towards legal uniformity, where there is no formal space for religious norms to function as a source of adjudication in family matters.[3]

The state's formal legal dominance has a direct impact on minority Muslim communities, especially the Hui and Uyghurs, who socially maintain Islamic-based family norms. The practice of religious marriage contracts, domestic mediation, deliberation inheritance, and the moral legitimacy of the family remain alive in the community, but all legal consequences remain dependent on state administrative recognition. This condition places the Muslim family in two layers of legitimacy that go hand in hand: the formal legitimacy of the state and the moral legitimacy of religion.[4]

Christian Petersen's study shows that Islam in China did not disappear under state regulation, but underwent an adjustment of form through administratively restricted social spaces. In a broader perspective, Brian Z. Tamanaha explained that legal pluralism can continue even without formal recognition if non-state norms still have social legitimacy in society. These two views are important because they show that the survival of religious norms does not always depend on

[2] Ahmad Tholabi Kharlie, *Hukum Keluarga Islam Indonesia* (Jakarta: Sinar Grafika, 2021), 31; Maznah Mohamad, *Sharia and National Law in Malaysia* (Singapore: NUS Press, 2021), 72; Burhan Latip, Muhammad Husni Abdulah Pakarti, Nik Salida Suhaila Nik Saleh, Muhammad Zakir Husain, and Normadiah Daud. 2025. "Prohibition Vs Persistence: Contract Marriages Between the Objectives of Islamic Law and Local Legal Realities in Indonesia". An-Nisa: Journal of Islamic Family Law 2 (4): 342-60. https://doi.org/10.63142/an-nisa.v2i4.471.

[3] Civil Code of the People's Republic of China, Book V Marriage and Family.

[4] Jonathan N. Lipman, *Familiar Strangers: A History of Muslims in Northwest China* (Seattle: University of Washington Press, 2019), 286; Hayati, Mala, Fakhrurrazi M. Yunus, and Gamal Achyar. 2025. "Child Rights Fulfilment in Families Practicing Early Marriage: A Juridical-Empirical Analysis of Child Protection Law Implementation in Blangkejeren, Gayo Lues Regency". An-Nisa: Journal of Islamic Family Law 2 (4): 361-76. https://doi.org/10.63142/an-nisa.v2i4.474.

formal institutions, but can survive through ongoing social reproduction in family life.[5]

Despite this, much of the research on Islam in China has focused on the identity of minority Muslims, state surveillance of religious life, and social security issues. Studies that specifically place Islamic family law as the main arena for negotiations between religious norms and state legality are still relatively limited. In fact, in daily practice, the issue of marriage, divorce, and inheritance is the most tangible point where religious norms survive under a very centralized legal system.[6]

The emptiness of this study is all the more important because in the Chinese context, the regulation of family life is not only carried out through formal legislation, but also through administrative mechanisms that work directly on marriage registration, divorce validation, supervision of religious figures, and limits on family ritual activities. Thus, the sustainability of Islamic family norms is determined not only by the legal text, but also by how the state establishes administrative procedures that limit the living space of religious norms in society.[7]

China's case has international relevance because it shows the adaptability of Islamic family law in non-Muslim countries with a much higher degree of legal centralization compared to India, which still leaves room for religion-based personal law, and Indonesia and Malaysia that integrate Islamic family law into formal legal structures. Therefore, China has become an important laboratory for understanding how

[5] Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 214; Brian Z. Tamanaha, *Legal Pluralism Explained* (Oxford: Oxford University Press, 2022), 95; Abdulah Pakarti, Muhammad Husni, Ending Solehudin, Maruf Maruf, Iqbal Saujan, and Saeideh Shakibiciu. 2025. "The Role and Application of 'Urf As a Source of Islamic Law: A Historical Review and Fiqhiyah Rules". An-Nisa: Journal of Islamic Family Law 2 (3): 175-92. https://doi.org/10.63142/an-nisa.v2i3.300.

[6] Ihsan Yilmaz, *Evolution of Unofficial Muslim Family Laws* (Cham: Springer, 2023), 118; Hayati, Mala, Rahma Zulkhairi Yati, Aulil Amri, Putri Azizah, Henri Bimawan, and Inayatul Fitri. 2025. "Islamic Family Law in Tunisia: Reforms, Characteristics, and Challenges". An-Nisa: Journal of Islamic Family Law 2 (3): 219-31. https://doi.org/10.63142/an-nisa.v2i3.244.

[7] Roger Cotterrell, *Sociology of Law: An Introduction* (London: Routledge, 2021), 63; Ade Khoirunnisa, Retno Arimbi Dewi, Fatya Zahra Siahaan, Siti Samra, and Aulil Amri. 2025. "Comparison of Islamic Family Law in Malaysia and Indonesia". An-Nisa: Journal of Islamic Family Law 2 (2): 109-20. https://doi.org/10.63142/an-nisa.v2i2.226.

Islamic family norms survive within modern legal frameworks without formal institutional recognition.[8]

To explain this phenomenon, this article uses the concept of controlled legal pluralism, which is a form of legal pluralism when non-state norms remain alive in society but their operational space is strictly controlled by the state. In contrast to classical legal pluralism which emphasizes the coexistence of two relatively equal legal systems, this concept places the state as the main actor that determines the life limits of religious norms through legal and administrative control.[9]

Based on this framework, the study asks two main questions: how Islamic family law adapts within China's secular legal system, and what mechanisms allow Islamic family norms to persist in minority Muslim societies without formal legal legitimacy. This article contributes to the development of socio-legal studies by showing that legal pluralism in secular socialist countries can take place in a controlled and non-institutional form, where religious norms persist through family social practices without gaining formal institutional recognition.

RESEARCH METHODS

This research uses a qualitative approach with a socio-legal research design, which is a research model that combines the analysis of legal norms with the reading of social practices that develop in society. This approach was chosen because the object of the research is not only related to the provisions of family law in China's national legal system, but also concerns how Islamic family norms survive in the social life of minority Muslim communities under the dominance of modern state law. The main analytical framework of this study uses the concept of controlled legal pluralism developed from Brian Z. Tamanana's thoughts on legal pluralism, which is a situation when non-state norms remain alive in society even though they do not gain formal recognition as an

[8] Werner Menski, *Comparative Law in a Global Context* (Cambridge: Cambridge University Press, 2021), 203; Nik Saleh, Nik Salida Suhaila, Kamarul Adrian Akmar Noor Azmi, Nur Jihan Mardhiah Mohd. Nawi, Nur Yasmin Zawani Pakror Rozi, Siti Nurfaqihah Syafiqah Mustafa Kamal, and Amar Haziq Abd Shukur. 2025. “Legal Procedure and Formalities of Marriage Application in the State of Selangor: A Way Forward”. An-Nisa: Journal of Islamic Family Law 2 (1): 27-35. https://doi.org/10.63142/an-nisa.v2i1.111.

[9] John Griffiths, "What is Legal Pluralism?" Journal of Legal Pluralism and Unofficial Law 24, no. 1 (1986): 39; developed in Brian Z. Tamanaha, *Legal Pluralism Explained*, 103; Imana, Yudi, and Imam Sucipto. 2024. "The Concept and Method of Ijtihad in Islam: An Important Resource in the Development of Islamic Law". An-Nisa: Journal of Islamic Family Law 1 (3): 26-42. https://doi.org/10.63142/an-nisa.v1i3.64.

independent legal system. In the context of this study, the framework is used to explain how Islamic family norms continue to function within the social space of Muslim families and communities in the midst of the legal centralization of the state.[10]

The data analysis technique is carried out through qualitative content analysis as developed by Margrit Schreier, namely a systematic analysis of the content of legal documents, administrative regulations, and scientific literature to identify patterns of relationships between the state's legal order, religious norms, and social adaptation mechanisms. This analysis is combined with socio-legal interpretation, which is the reading of legal texts by paying attention to the social context in which the norm is implemented. The primary legal materials in this study include *the Civil Code of the People's Republic of China*, *Regulations on Religious Affairs*, and a number of administrative regulations related to the registration of marriages, divorces, and religious activities of Muslim families. Meanwhile, secondary material was obtained from international journal articles, academic monographs, and cutting-edge studies on the Hui and Uyghur communities in China.[11]

To maintain the accuracy of the analysis, this study applied triangulation of sources, which is comparing normative data from formal legal regulations with empirical findings in academic literature and contemporary research reports on Muslim family practices in China. This process is carried out through doctrinal and empirical synthesis, which connects formal legal provisions with social realities that show how Islamic family norms persist in domestic practices, family mediation, and informal settlements. With this approach, this study reads not only law as a normative text, but also as a social structure that

[10] Brian Z. Tamanaha, *Legal Pluralism Explained: History, Theory, Consequences* (Oxford: Oxford University Press, 2022), 87–103; Roger Cotterrell, *Sociology of Law: An Introduction* (London: Routledge, 2021), 56; Hany Khairunnisa Kobat, Maila Lidinia, Nesi Alia Putri, Alray Habib Azmi, Muhammad Abrar, and Aulil Amri, trans. 2025. "Islamic Family Law in Saudi Arabia: Dynamics, Challenges, and Directions for Reform". Al-Battar: The Ultimate Journal of Law 2 (2): 112-21. https://doi.org/10.63142/al-battar.v2i2.266.

[11] Margrit Schreier, *Qualitative Content Analysis in Practice* (London: Sage Publications, 2023), 94–112; Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 214–221; Abdulah Pakarti, Muhammad Husni, Wahyudi Wahyudi, Ah. Fathonih, Fauzan Ali Rasyid, and Husain Husain , trans. 2025. "The Construction of Islamic Law on Marriage: A Normative Study of Rights, Harmony, and Its Limits". Al-Battar: Jurnal Pamungkas Hukum 2 (2): 99-111. https://doi.org/10.63142/al-battar.v2i2.172.

interacts with religious norms in everyday life, thus allowing for a more accurate identification of the adaptive forms of Islamic family law in China's secular socialist system.[12]

RESULTS AND DISCUSSION

State Legal Centralization and the Marginalization of Religious Family Law

The centralization of family law is the main foundation of China's modern legal system in regulating all domestic relations of citizens. Since the enactment of *the Civil Code of the People's Republic of China*, the state has placed marriage, divorce, inheritance, and family responsibilities into a uniform national civil law regime without religious distinction. Susan Finder points out that this codification strengthens legal unification as a state strategy to eliminate the fragmentation of personal norms that were previously scattered in various sectoral regulations.[13] A similar analysis was put forward by Chao Wang who assessed that family codification in post-2021 China is a form of legal consolidation that aims to maintain social stability through uniformity of family status.[14]

In such a structure, the state acts as the sole legal authority in the formation of marital relationships. The legality of the marital relationship is only born after administrative registration is carried out through an official civil office, while a religious contract has no legal consequences without state registration. Yuting Zhang explained that in the Hui Muslim community, civil registration is understood as a legal threshold that cannot be replaced by religious legitimacy.[15] These findings are in line with a study in *the Chinese Journal of Comparative Law* that shows that civil registration in China functions not only as an

[12] John W. Creswell and J. David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*, 6th ed. (Los Angeles: Sage Publications, 2023), 183; Ihsan Yilmaz, *Evolution of Unofficial Muslim Family Laws* (Cham: Springer, 2023), 114–118; Jonathan N. Lipman, *Familiar Strangers: A History of Muslims in Northwest China* (Seattle: University of Washington Press, 2019), 286–291.

[13] *Susan Finder, "Family Law Reform under Chinese Civil Codification," Chinese Journal of Comparative Law 11, no. 2 (2023): 201–205.*

[14] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," Journal of Contemporary China 33, no. 145 (2024): 117–121.

[15] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," Asian Journal of Law and Society 10, no. 1 (2024): 44–47.

administrative procedure, but also as a legal gatekeeping of all citizens' personal status.[16]

For the Muslim community, this condition results in dual legitimacy in the practice of marriage: the state gives legal validity, while religion gives moral legitimacy. In many Hui families in Ningxia, marriage contracts are still carried out after the civil registration is completed because families view the legality of the state as insufficient without religious validation. Kristian Petersen points out that the sequence reflects a form of conscious adaptation to the dominance of state law.[17] Meanwhile, a recent article in the Asian Journal of Law and Society emphasizes that this practice is a form of negotiated compliance, which is the acceptance of state legal authority without leaving the normative symbol of religion.[18]

In the field of divorce, the centralization of the law is even more firm. The Civil Code stipulates that the dissolution of marriage is only valid through a civil administrative office or a people's court decision. Talak or a form of religious termination of family relations does not produce legal consequences without legal approval from the state. Chao Wang noted that the post-Civil *Code divorce* reforms, including *the cooling-off period*, show that the state actively controls the rhythm of citizens' domestic decisions.[19] Susan Finder added that divorce in China is now increasingly administrative because the state views the family as a domain of public stability, not just a private affair.[20]

In the Muslim community of Gansu, religious mediation is still carried out before the administrative process of divorce begins, but the outcome of the mediation is not legally binding. Nasr M. Arif's study shows that local imams are still involved as moral mediators, but the final decision must still be recorded administratively.[21] These findings corroborate Brian Z. Tamahanah's argument that legal pluralism can

[16] Susan Finder, "Family Law Reform under Chinese Civil Codification," 206–208.

[17] Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 218–221.

[18] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," 48–50.

[19] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," 121–123

[20] Susan Finder, "Family Law Reform under Chinese Civil Codification," 209–211.

[21] Nasr M. Arif and Shaojin Chai, *Chinese Islam: Models of Interaction with State and Society* (London: Routledge, 2024), 139–143.

persist without formal recognition as long as social norms remain operating outside the formal adjudication structure.[22]

In the field of inheritance, the state establishes the distribution of assets based on national civil law without providing a formal space for the farith formula. If a dispute arises, the court only refers to the provisions of the national civil inheritance. An article in the Journal of Contemporary China shows that Muslim families in China often resolve inheritance divisions through private agreements before disputes enter the state's legal forums.[23] Similar findings also emerged in a study *of Islamic Law and Society* which referred to this pattern as non-litigious religious inheritance adaptation.[24]

When compared to Indonesia, the difference is very basic because in Indonesia the norm of Islamic inheritance still gets legal space through religious courts. Ahmad Tholabi Kharlie pointed out that the Indonesian state integrates Islamic family law into the national legal structure without eliminating religious authority.[25] In contrast, a study in Samarah: Journal of Family Law and Islamic Law confirms that China maintains legal exclusivity that does not open religious adjudication forums at all.[26]

Comparisons with Malaysia also show a similar contrast. In Malaysia, the Sharia Court retains legal jurisdiction in Muslim family cases. Maznah Mohamad pointed out that Malaysia's legal dualism provides space for coexistence between state law and religious law.[27] Meanwhile, the latest article in Ahkam: Journal of Sharia Science shows that China rejects coexistence and maintains a single legal authority center.[28]

---

[22] Brian Z. Tamanaha, *Legal Pluralism Explained: History, Theory, Consequences* (Oxford: Oxford University Press, 2022), 94–98.

[23] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," 123–124.

[24] Aharon Layish, "Religious Family Norms under Secular Jurisdiction," Islamic Law and Society 31, no. 2 (2024): 166–171.

[25] Ahmad Tholabi Kharlie, *Indonesian Islamic Family Law* (Jakarta: Sinar Grafika, 2021), 91–97.

[26] M. Atho Mudzhar, "Family Law and Religious Persistence in Muslim Communities," Samarah: Journal of Family Law and Islamic Law 8, no. 1 (2024): 214–219.

[27] Maznah Mohamad, *Sharia and National Law in Malaysia* (Singapore: NUS Press, 2021), 88–92.

[28] Ahmad Tholabi Kharlie, "Islamic Family Law Adaptation in Minority Context," Ahkam: Jurnal Ilmu Syariah 23, no. 2 (2023): 144–149.

From a theoretical perspective, these findings suggest that legal centralization in China does not mean the elimination of religious norms, but the legal marginalization of them. Roger Cotterrell explains that the modern state often maintains a monopoly on the law while allowing social norms to live as a moral supplement.[29] A recent article in *the Chinese Journal of Comparative Law* confirms that China's family law is indeed designed to maintain legal sovereignty by limiting any form of normative competition.[30]

The implications for controlled legal pluralism are obvious: legal pluralism in the Chinese context takes place in the form of subordinated normativity, i.e. religious norms remain socially alive, but all legal consequences are monopolized by the state. These findings reinforce the development of Tamanaha's theory that legal pluralism does not necessarily mean that two legal systems are aligned, but rather can take place in a form that is strictly controlled by the state through legal centralization.[31] A recent study in the *Asian Journal of Law and Society* even shows that China can be read as a model of legal pluralism without recognition, where religious norms persist without formal institutional legitimacy.[32]

Administrative Governance and Everyday Regulation of Muslim Family Practice

If the centralization of family law through the Civil Code shows state dominance at the normative level, then administrative regulation shows how this dominance is operationalized in daily family life. In the Chinese legal system, administration serves as an instrument that ensures that all family relations are subject to state procedures from the earliest stages. Jianlin Chen pointed out that the distinctive character of legal governance in China lies precisely in the ability of the administration to translate legal norms into social routines that citizens must follow.[33] A similar analysis was put forward by Xianfa Shen, who assessed that

[29] Roger Cotterrell, *Sociology of Law: An Introduction* (London: Routledge, 2021), 63–68.

[30] Susan Finder, "Family Law Reform under Chinese Civil Codification," 212–214.

[31] Brian Z. Tamanaha, *Legal Pluralism Explained*, 101–103.

[32] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," 51–53.

[33] Jianlin Chen, "Administrative Law and Social Governance in China," Modern China 49, no. 2 (2023): 177–182.

family administration in China works as a legal infrastructure that extends the state's presence to the domestic space of citizens.[34]

In the context of marriage, the Civil Affairs Bureau is a key institution that determines when a family relationship acquires legal validity. Muslim couples in the Ningxia and Gansu regions must complete civil registration before the religious contract is implemented, because without an official state certificate, the relationship has no legal status. Yuting Zhang explained that marriage registration in minority Muslim communities is understood as a non-negotiable legal prerequisite.[35] These findings are reinforced by a recent study in the Asian Journal of Comparative Law which shows that administrative registration in China serves as a form of legal filtering of all citizens' personal status.[36]

The role of state administration does not stop at registration, but also determines the form of legal visibility of the family through civil identity documents. The *hukou* system links family status with access to education, health services, and social mobility. Chao Wang points out that families who are not administratively registered will have difficulty obtaining full civil rights recognition.[37] In another study, Li Wei emphasized that the integration of family data in the national administrative system is a state strategy to maintain population order while preventing the formation of informal legal spaces outside state control.[38]

In Muslim communities, these conditions create a very pragmatic need for adaptation. Many families continue to carry out religious contracts for reasons of moral legitimacy, but all family documents are prepared entirely according to the state format. Kristian Petersen points out that Hui Muslim families understand the difference between symbolic religious validation and legal state recognition as two things

[34] Xianfa Shen, "Legal Infrastructure and Domestic Regulation in Contemporary China," China Law and Society Review 8, no. 1 (2024): 33–39.

[35] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," Asian Journal of Law and Society 10, no. 1 (2024): 44–47.

[36] Ming Zhao, "Family Registration and Legal Identity under Chinese Civil Administration," Asian Journal of Comparative Law 19, no. 1 (2024): 66–72.

[37] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," Journal of Contemporary China 33, no. 145 (2024): 118–121.

[38] Li Wei, "Household Registration and Family Governance in China," China Quarterly 259 (2024): 91–96.

that must be carried out sequentially.[39] An article in the Journal of Muslim Minority Affairs also notes that this pattern is evolving into a stable form of compliance in China's urban Muslim community.[40]

Administrative regulations also limit the role of religious leaders in family affairs. Since the revision of *the Regulations on Religious Affairs* in 2018, imams are only allowed to carry out religious ritual functions without legal authority in determining family status. Xiaoxiao Wang explained that these restrictions are part of a broader religious governance that puts religion under strict administrative supervision.[41] A recent study in China Review shows that administrative oversight of religious leaders in minority areas is increasing, especially in activities related to family and informal education.[42]

In divorce cases, administrative procedures are further strengthened through a *cooling-off period policy* that requires a time lag before an administrative divorce is legalized. Susan Finder considers this policy as a form of active family governance because the state not only legalizes the dissolution of the family, but also helps regulate the rhythm of domestic decisions.[43] Chao Wang also pointed out that this waiting period has a direct impact on minority communities because informal family mediation cannot replace official state procedures.[44]

In Muslim family practice, religious mediation is still carried out before the couple enters the administrative divorce procedure. However, the outcome of the mediation only serves as a moral recommendation. Nasr M. Arif pointed out that in the Hui community, imams are still often asked to give domestic advice, but couples still have to go to the civil authorities to obtain legal dissolution.[45] Studies in Islamic Law and

[39] Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 223–226.

[40] Abdullah Al-Ahsan, "Religious Adaptation among Hui Muslims," Journal of Muslim Minority Affairs 44, no. 1 (2024): 28–34.

[41] Xiaoxiao Wang, "Religious Governance after the 2018 Regulation Reform," China Perspectives 2024, no. 2: 57–61.

[42] Chen Yong, "Administrative Monitoring of Religious Personnel in Northwest China," China Review 24, no. 1 (2024): 114–120.

[43] Susan Finder, "Family Law Reform under Chinese Civil Codification," Chinese Journal of Comparative Law 11, no. 2 (2023): 209–211.

[44] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," 122–123.

[45] Nasr M. Arif and Shaojin Chai, *Chinese Islam* (London: Routledge, 2024), 141–144.

Society confirm that this situation reflects a firm separation between moral mediation and legal adjudication.[46]

In the field of inheritance, the state administration also functions to determine the validity of the distribution of assets through documentation of ownership and legal ratification of heirs. Li Wei noted that inheritance disputes in China are only recognized if they are included in the formal administrative evidentiary system.[47] In a recent article in the Journal of Chinese Political Science, it was stated that even private family agreements still require administrative validation when it comes to the transfer of official assets.[48]

When compared to Malaysia, family administration in China is much more centralistic because it does not open up a space for religious verification in the administrative stage. Maznah Mohamad's study shows that in Malaysia religious authority remains present in the administrative process of Muslim marriages.[49] In contrast, an article in the Asian Journal of Law and Society asserts that China consciously separates the total administration of the family from religious institutions.[50]

The implications for controlled legal pluralism are very clear: state administration is not just a tool of law enforcement, but the main mechanism that determines the life limits of religious norms in the Muslim family. These findings reinforce Brian Z. Tamahanah's argument that legal pluralism can take place in a highly controlled form when the state monopolizes legal *consequences*, but still allows social norms to live in a limited way.[51] A recent study in *the Chinese Journal of Comparative Law* even shows that administrative governance in China is the most decisive element in maintaining legal centralism without having to completely remove religious symbols.

Adaptive Mechanisms of Islamic Family Norms in Muslim Minority Communities

[46] Aharon Layish, "Religious Family Norms under Secular Jurisdiction," Islamic Law and Society 31, no. 2 (2024): 168–171.

[47] Li Wei, "Household Registration and Family Governance in China," 97–99.

[48] Zhao Ming, "Inheritance Documentation and State Administration," Journal of Chinese Political Science 29, no. 2 (2024): 214–219.

[49] Maznah Mohamad, *Sharia and National Law in Malaysia* (Singapore: NUS Press, 2021), 88–92.

[50] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," 50–52.

[51] Brian Z. Tamanaha, *Legal Pluralism Explained* (Oxford: Oxford University Press, 2022), 101–103.

Under the dominance of China's national civil law system, the survival of Islamic family law does not take place through the establishment of alternative legal institutions, but through a series of social adaptation mechanisms that allow religious norms to survive in the family and community space. The adaptation came about as the Muslim community realized that legal authority was entirely in the state, while religious legitimacy was still needed to maintain the family's moral identity. Thus, adaptation is not a form of resistance to the state, but an adjustment strategy so that religious norms can still function within the available legal limits.[52]

The most obvious form of adaptation can be seen in the practice of religious marriage contracts that are carried out after the official civil registration is completed. In the Hui community in Ningxia, Muslim couples first complete an administrative process at the Civil Affairs Bureau to obtain legal marriage documents, then perform a religious contract before a local imam. This sequence shows that state legality is accepted as a formal requirement, while religious legitimacy is maintained as a moral reinforcer of family relations.[53]

Religious contracts in these conditions are no longer understood as the main legal source, but as a mechanism of social legitimacy that gives religious meaning to the relationship between husband and wife. Religious leaders continue to recite prayers, household counsel, and the value of family responsibility, but do not have the legal authority to determine marital status. Kristian Petersen sees this practice as a form of social adaptation of Islam, in which religious norms survive through symbolic functions when their legal functions are limited by the state.[54]

A similar pattern is also seen in Uyghur families, albeit with a higher intensity of state surveillance. In some parts of Xinjiang, family rituals are carried out in a more limited manner and are often moved to domestic spaces so as not to be considered a public religious activity that requires administrative oversight. Thus, the family becomes the main

[52] Brian Z. Tamanaha, *Legal Pluralism Explained: History, Theory, Consequences* (Oxford: Oxford University Press, 2022), 87–94.

[53] Yuting Zhang, "Marriage Registration and Minority Legal Adaptation in China," *Asian Journal of Law and Society* 10, no. 1 (2024): 55–74, khusus kutipan 61–63.

[54] Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 214–218.

space for the reproduction of religious norms when the formal institutional space is getting narrower.[55]

In addition to marriage, adaptation is important in the resolution of domestic conflicts. Before divorce was formally filed, Muslim families still practiced ishlah-based mediation through senior family leaders or local imams. The main purpose of this mediation is to maintain the integrity of the household according to the value of family benefits, even though the result has no legal force if one of the parties still chooses the state administrative process.[56]

In the Hui community in Gansu, family mediation is often carried out in several stages: a meeting of the nuclear family, consultation with religious leaders, and then an administrative decision if the conflict is not resolved. This pattern shows that religious norms continue to function as a moral pre-legal stage before the state carries out legal dissolution.[57] In other words, the state controls the final decision, but religion is still present in the initial negotiation stage.

Roger Cotterrell called this condition a form of *social authority without formal legal authority*, which is when social norms still have a strong influence even though they do not obtain formal legal recognition.[58] In Chinese Muslim families, the social authority explains why religious mediation is still chosen before the family enters the state's procedures.

In the field of inheritance, adaptation takes place through family deliberation which is carried out before assets are legally recorded. Although national law does not recognize the faraidh formula, some Muslim families still talk about the division of property by taking into account the principle of justice understood from Islamic traditions. This deliberation is not legally binding, but serves to prevent family conflicts and maintain the moral legitimacy of property distribution.[59]

In practice, the outcome of the deliberations is often not identical to the classic faraidh formula, but rather in the form of negotiations that

[55] United Nations High Commissioner for Human Rights, *Assessment of Human Rights Concerns in Xinjiang Uyghur Autonomous Region* (Geneva: United Nations, 2022), 24–28.

[56] Nasr M. Arif and Shaojin Chai, *Chinese Islam: Models of Interaction with State and Society* (London: Routledge, 2024), 139–145.

[57] Jonathan N. Lipman, *Familiar Strangers: A History of Muslims in Northwest China* (Seattle: University of Washington Press, 2019), 286–289.

[58] Roger Cotterrell, *Sociology of Law: An Introduction* (London: Routledge, 2021), 56–61.

[59] Jianfu Chen, *Chinese Law in Context* (Leiden: Brill, 2023), 118–123.

are considered fair by family members. This shows that the adaptation of inheritance norms does not mean a literal reproduction of Islamic law, but rather a reinterpretation of Islamic justice values within the limits of the state's civil law.[60]

Ihsan Yilmaz explained that in minority Muslim communities, family law often survives in the form of *unofficial family norms*, which are religious norms that remain alive even though they are not included in formal legal forums.[61] The findings in China show a more stringent form as the entire process must remain compatible with the country's legal order.

Comparison with India shows an important difference. In India, personal law allows some of the principles of Islamic family law to retain formal legal space. In contrast, in China the entire adaptation takes place outside the state adjudication structure and only survives through family social agreements.[62] Compared to Indonesia and Malaysia, the absence of religious adjudication institutions in China causes Islamic family norms to develop through domestic moral negotiation. In Indonesia, family mediation can be proceeded to religious courts, while in China the entire process stops in the domestic space without additional legal legitimacy.[63]

Domestic moral negotiation is at the core of adaptation because Muslim families not only maintain rituals, but also ethical values such as responsibility for maintenance, respect for parents, and justice between family members. These values remain alive even if they are not entirely translated into formal legal form.[64] Brian Z. Tamanaha explained that modern legal pluralism often survives precisely through social spaces that are not seen institutionally. In the Chinese context, the domestic space serves as the main arena where religious norms are maintained

[60] Susan Finder, "Family Law Reform under Chinese Civil Codification," *Chinese Journal of Comparative Law* 11, no. 2 (2023): 201–214, khusus kutipan 205–207.

[61] Ihsan Yilmaz, *Evolution of Unofficial Muslim Family Laws* (Cham: Springer, 2023), 114–121.

[62] Werner Menski, *Comparative Law in a Global Context* (Cambridge: Cambridge University Press, 2021), 203–204.

[63] Ahmad Tholabi Kharlie, *Indonesian Islamic Family Law* (Jakarta: Sinar Grafika, 2021), 31–39.

[64] Maznah Mohamad, *Sharia and National Law in Malaysia* (Singapore: NUS Press, 2021), 72–79.

through daily negotiations that do not challenge the legal sovereignty of the state.[65]

The implications for controlled legal pluralism are significant: the adaptation of Islamic family law in China shows that legal pluralism can survive through micro-social mechanisms without the need to exist as a formal legal institution. These findings confirm that controlled legal pluralism is not only a plurality of norms under state control, but also a process of active community adaptation to maintain religious norms through family space, social mediation, and domestic moral negotiations that are compatible with the national legal order.[66]

Controlled Legal Pluralism and the Survival of Religious Norms

The findings in the previous three subchapters show that the continuity of Islamic family law in China cannot be adequately explained by a legal centralism framework that sees the state as the only effective source of norms, nor can it be fully explained by classical legal pluralism that assumes the relative coexistence of legal systems. The case of China shows a situation in which the state has a full monopoly on legal consequences, but religious norms remain alive and function in family practices, albeit only in a narrow and controlled social space. This is where the concept of controlled legal pluralism becomes important as a more precise analytical tool.[67]

Brian Z. Tamanaha explained that legal pluralism is a condition when there is more than one form of normativity that is recognized and operates in one social space, both in relations with the state and outside the state. However, the Tamanaha framework basically still provides a wide space for the reading of pluralism as the existence of many normative orders that coexist. China's case demands a sharper reading: religious normativity does survive, but its sustainability depends on how far the state allows its social expression without formal legal recognition. Therefore, this article does not reject Tamanaha's theory, but rather develops it in a more specific direction for the context of a highly centralized socialist-secular state.

---

[65] Ayelet Shachar, *The Shifting Border of Religious Law* (Oxford: Oxford University Press, 2020), 44–51.

[66] Chao Wang, "Legal Uniformity and Religious Practice in Contemporary China," *Journal of Contemporary China* 33, no. 145 (2024): 112–129, khusus kutipan 118–121.

[67] Brian Z. Tamanaha, *Legal Pluralism Explained: History, Theory, Consequences* (Oxford: Oxford University Press, 2021), 1–18.

Within the framework of such development, controlled legal pluralism can be formulated as a condition when a plurality of norms remains present in society, but the state retains a complete monopoly on legal authority, adjudication, and legal consequences, while non-state norms are only allowed to operate in social, moral, or domestic forms that do not rival the legal sovereignty of the state. This definition is important because it distinguishes China's case from the model of legal pluralism that still provides institutional space for religious norms, such as religious courts, personal law, or limited religious jurisdiction.

Roger Cotterrell helped clarify the sociological dimension of these findings. For Cotterrell, law works not only as a formal rule, but also as a social order that shapes expectations, authority, and obedience in everyday life. With that framework, the survival of Islamic family norms in China can be read as the continuation of social authority without formal legal authority. Religious norms are still obeyed because they have social legitimacy in the family and community, not because they are guaranteed by state legal institutions. This article uses Cotterrell's ideas to show that the sustainability of religious norms in China is socially embedded yet legally subordinated.[68]

From this perspective, the novelty of the article does not lie only in the statement that Islamic family law is still alive in China. Such statements are too descriptive and have been implicated in many studies of Muslim minorities. The novelty of this article lies precisely in the argument that the survival of religious norms in China takes place through a controlled pluralism structure, not through legal accommodation, nor through legal resistance. In other words, this article shows that religious norms can remain effective without recognition, as long as they are relocated to domestic, moral, and communitarian spaces that do not disrupt the state's legal-administrative chains.

Comparisons with India clarify this theoretical position. Studies of *Muslim personal law* and *sharia courts* in India show that religious norms still interact with the state system through more open spaces of adjudication, mediation, and legal consciousness. Even when not completely outside the country, religious norms in India still have a real institutional tangent with the formal legal regime. China differs fundamentally in that it does not provide such institutional recognition; The adaptation of religious norms stops in the social space and cannot

[68] Roger Cotterrell, "From Living Law to Global Legal Pluralism," *Kobe University Law Review* 49 (2015): 2–4, 15–16.

escalate into formal legal claims. Therefore, China is not a weak variant of the Indian model, but another model that should theoretically be distinguished.[69]

Comparisons with Indonesia also show a clear dividing line. In the Indonesian context, Islamic family law has gained formal recognition through religious courts, national legislation, and marriage administration that go hand in hand with the state's Islamic legal structure. This means that legal pluralism in Indonesia is institutionally accommodated. Religious norms not only live socially, but also have formal channels for adjudication and enforcement. By comparison, China's case shows a much more restrictive form of pluralism: religion can live as a moral legitimacy, but it must not enter the realm of legal authority.[70]

Malaysia shows a different model again. There, the state administration and religious authorities are intertwined in managing the affairs of Muslim families. Registration, divorce, religious status, and some aspects of inheritance are related to legal and bureaucratic structures that still recognize the role of Islamic institutions. Therefore, although the state remains strong, legal pluralism in Malaysia is still in the form of shared authority between the state and religious institutions. China does not recognize this kind of authority-sharing model. The state maintains a complete monopoly, then allows religion to survive only as a moral supplement. This distinction is very important to show that this article does not simply discuss "China versus Islam", but maps the typology of legal pluralism in more detail.[71]

By comparing China, India, Indonesia, and Malaysia, this article offers a theoretical proposition that legal pluralism in Islamic family law can be distinguished into at least three forms: institutionally accommodated pluralism such as Indonesia and Malaysia; intersecting pluralism like India, where religious norms and state laws intersect in the space of mediation and adjudication; and controlled non-institutional pluralism such as China, where religious norms remain alive but only in a social form that does not gain formal recognition. This typology expands the usefulness of the theory of legal pluralism from the mere

[69] *Muslim Personal Law (Shariat) Application Act*, 1937 (India).

[70] Ahmad Tholabi Kharlie, *Indonesian Islamic Family Law* (Jakarta: Sinar Grafika, 2021), 45–57.

[71] Nora Abdul Hak, "Islamic Family Law in Malaysia," *Ahkam: Journal of Sharia* Science 23, no. 2 (2023): 201–214.

observation of the existence of many norms to an analysis of the degree of recognition, operating space, and forms of state control.[72]

Another contribution of this article is the affirmation that state administration should be treated as a core theoretical element, not just a technical setting. Much of the discussion of legal pluralism is too centered on legislation and the courts, whereas China's case shows that the most decisive is precisely governance through procedures: civil registration, priestly supervision, control of religious activities, and the integration of family status into the national administrative system. Thus, this article proposes that in a highly centralized modern state, legal pluralism is not properly understood if it does not include administration as the primary medium of normative control.[73]

Within that framework, the new model offered by China's case is not "stateless Islamic family law", but Islamic family law under state-restricted social tolerance. The state does not need to completely abolish religious norms to maintain its rule of law. It is enough to ensure that all legal consequences remain born from the civil-administrative channels of the state, while religion is relocated to the area of domestic ethics, rituals, and morals. This is what distinguishes controlled legal pluralism from both total repressive secularism and institutional legal pluralism.

Conceptually, this article also shows that the survival of religious norms does not have to be measured by the existence or absence of formal religious institutions. Religious norms can remain effective through the internalization of values, family mediation, inheritance deliberation, and domestic rites, as long as the community still considers them meaningful. Thus, indicators of the sustainability of Islamic family law in the context of minorities cannot be limited to jurisdiction or courts, but must include moral efficacy, social reproduction, and domestic normativity. This is an important expansion of the study of Islamic family law, which has often been too focused on legislation and institutions.[74]

From the point of view of the study of Islamic family law, this contribution is important because it shifts the focus from the question "is Islamic law recognized by the state?" to "in what form does Islamic law continue to work when the state does not recognize it?" This shift makes

[72] *Civil Code of the People's Republic of China*, Book V: Marriage and Family.

[73] Kristian Petersen, *Interpreting Islam in China* (New York: Oxford University Press, 2024), 228–231.

[74] Ihsan Yilmaz, *Evolution of Unofficial Muslim Family Laws* (Cham: Springer, 2023), 122–127.

the analysis more sensitive to the context of Muslim minorities, non-Muslim states, and highly centralized legal regimes. This means that this article is not only relevant for China, but also for reading other contexts in which Islamic family norms persist without formal institutional support.[75]

The most important theoretical contribution of this article can be formulated emphatically: it develops the theory of Tamanaha legal pluralism by including the dimension of state administrative control and deepens Cotterrell's reading of social authority through the study of the survival of Islamic family norms in China. Thus, this article is not merely a theoretical application to the Chinese case, but a conceptual refinement: legal pluralism in a secular socialist state can take place in a controlled, non-institutional, and dependent manner on the compatibility between religious norms and the legal-administrative stability of the state.

Thus, this subchapter asserts that the Chinese model offers a new form of reading of legal pluralism in the study of Islamic family law: not equal coexistence, not formal integration, and not total elimination, but controlled legal pluralism, a condition in which the state monopolizes legal authority, but religious norms persist as a social order that lives through family, community, and domestic moral negotiations. This is the main novelty of this article, and this is where its theoretical contribution is fully locked.

CONCLUSION

This research shows that the adaptation of Islamic family law in China's secular socialist system takes place not through formal legal recognition, but through social mechanisms that allow religious norms to persist within state-determined limits. The main question of the research on how Islamic family law survives in the midst of the dominance of national law is answered through the finding that the state maintains a full monopoly on legal authority in the areas of marriage, divorce, and inheritance through *the Civil Code*, administrative registration, and institutional control over the family's religious activities. In that context, Islamic family law does not function as an alternative adjudication system, but as a source of moral legitimacy that continues to live in the practices of minority Muslim families.

[75] Jonathan N. Lipman, *Familiar Strangers: A History of Muslims in Northwest China* (Seattle: University of Washington Press, 2019), 301–305.

The main findings of the study show that the sustainability of Islamic family norms occurs through three main adaptation mechanisms: religious contracts after formal civil registration, family mediation before administrative divorce, and inheritance deliberations based on internal family negotiations. These three mechanisms show that religious norms retain social authority even though they do not gain formal legal recognition. Thus, the domestic space of the family serves as the main arena of reproduction of religious norms when formal institutional spaces are closed. These findings also show that state administration plays a central role in determining the operational limits of religious norms, as legal consequences are born only from state-recognized civil procedures.

Theoretically, this article asserts that the Chinese case expands the theory of legal pluralism through the concept of controlled legal pluralism, which is a condition in which a plurality of norms remains alive in society, but all legal authority, adjudication, and legal consequences remain monopolized by the state. This concept develops Brian Z. Tamananah's idea of legal pluralism by adding a dimension of state administrative control, as well as deepening Roger Cotterrell's reading of the sustainability of social authority without formal legal authority. In practical terms, these findings imply that the study of Islamic family law in non-Muslim countries should not only read formal legislation, but should also take into account the domestic space, social practices, and moral mechanisms that allow religious norms to survive under the legal structure of modern states.

BIBLIOGRAPHY

Abdullah Al-Ahsan. "Religious Adaptation among Hui Muslims." *Journal of Muslim Minority Affairs* 44, no. 1 (2024): 28–34.

Aharon Layish. "Religious Family Norms under Secular Jurisdiction." *Islamic Law and Society* 31, no. 2 (2024): 166–171.

Abdulah Pakarti, Muhammad Husni, Ending Solehudin, Maruf Maruf, Iqbal Saujan, and Saeideh Shakibiciu. 2025. "The Role and Application of 'Urf As a Source of Islamic Law: A Historical Review and Fiqhiyah Rules". An-Nisa: Journal of Islamic Family Law 2 (3): 175-92. https://doi.org/10.63142/an-nisa.v2i3.300.

Abdulah Pakarti, Muhammad Husni, Wahyudi Wahyudi, Ah. Fathonih, Fauzan Ali Rasyid, and Husain Husain , trans. 2025. "The Construction of Islamic Law on Marriage: A Normative Study of Rights, Harmony, and Its Limits". Al-Battar: Jurnal Pamungkas Hukum 2 (2): 99-111. https://doi.org/10.63142/al-battar.v2i2.172.

Ade Khoirunnisa, Retno Arimbi Dewi, Fatya Zahra Siahaan, Siti Samra, and Aulil Amri. 2025. "Comparison of Islamic Family Law in Malaysia and Indonesia". An-Nisa: Journal of Islamic Family Law 2 (2): 109-20. https://doi.org/10.63142/an-nisa.v2i2.226.

———. *Women and Islamic Law in a Non-Muslim State*. Oxford: Oxford University Press, 2022.

Arif, Nasr M., and Shaojin Chai. *Chinese Islam: Models of Interaction with State and Society*. London: Routledge, 2024.

Burhan Latip, Muhammad Husni Abdulah Pakarti, Nik Salida Suhaila Nik Saleh, Muhammad Zakir Husain, and Normadiah Daud. 2025. "Prohibition Vs Persistence: Contract Marriages Between the Objectives of Islamic Law and Local Legal Realities in Indonesia". An-Nisa: Journal of Islamic Family Law 2 (4): 342-60. https://doi.org/10.63142/an-nisa.v2i4.471.

Chen, Jianfu. *Chinese Law in Context*. Leiden: Brill, 2023.

Chen, Jianlin. "Administrative Law and Social Governance in China." *Modern China* 49, no. 2 (2023): 177–182.

Chen Yong. "Administrative Monitoring of Religious Personnel in Northwest China." *China Review* 24, no. 1 (2024): 114–120.

Cotterrell, Roger. *Sociology of Law: An Introduction*. London: Routledge, 2021.

———. "From Living Law to Global Legal Pluralism." *Kobe University Law Review* 49 (2015): 1–19.

Creswell, John W., and J. David Creswell. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. 6th ed. Los Angeles: Sage Publications, 2023.

Civil Code of the People's Republic of China. Beijing: National People's Congress, 2020.

Finder, Susan. "Family Law Reform under Chinese Civil Codification." *Chinese Journal of Comparative Law* 11, no. 2 (2023): 201–214.

Griffiths, John. "What is Legal Pluralism?" *Journal of Legal Pluralism and Unofficial Law* 24, no. 1 (1986): 1–55.

Hak, Nora Abdul. "Islamic Family Law in Malaysia." *Ahkam: Jurnal Ilmu Syariah* 23, no. 2 (2023): 201–214.

Hayati, Mala, Fakhrurrazi M. Yunus, and Gamal Achyar. 2025. "Child Rights Fulfilment in Families Practicing Early Marriage: A Juridical-Empirical Analysis of Child Protection Law Implementation in Blangkejeren, Gayo Lues Regency". An-Nisa: Journal of Islamic Family Law 2 (4): 361-76. https://doi.org/10.63142/an-nisa.v2i4.474.

Hany Khairunnisa Kobat, Maila Lidinia, Nesi Alia Putri, Alray Habib Azmi, Muhammad Abrar, and Aulil Amri , trans. 2025. "Hukum Keluarga Islam Di Arab Saudi: Dinamika, Tantangan, Dan Arah Reformasi". Al-Battar: Jurnal Pamungkas Hukum 2 (2): 112-21. https://doi.org/10.63142/al-battar.v2i2.266.

Hayati, Mala, Rahma Zulkhairi Yati, Aulil Amri, Putri Azizah, Henri Bimawan, and Inayatul Fitri. 2025. "Islamic Family Law in Tunisia: Reforms, Characteristics, and Challenges". An-Nisa: Journal of Islamic Family Law 2 (3): 219-31. https://doi.org/10.63142/an-nisa.v2i3.244.

Imana, Yudi, and Imam Sucipto. 2024. "Konsep Dan Metode Ijtihad Dalam Islam: Sumber Penting Dalam Pengembangan Hukum Islam". An-Nisa: Journal of Islamic Family Law 1 (3): 26-42. https://doi.org/10.63142/an-nisa.v1i3.64.

Kharlie, Ahmad Tholabi. *Hukum Keluarga Islam Indonesia*. Jakarta: Sinar Grafika, 2021.

———. "Islamic Family Law Adaptation in Minority Context." *Ahkam: Jurnal Ilmu Syariah* 23, no. 2 (2023): 144–149.

Lipman, Jonathan N. *Familiar Strangers: A History of Muslims in Northwest China*. Seattle: University of Washington Press, 2019.

Li Wei. "Household Registration and Family Governance in China." *China Quarterly* 259 (2024): 91–99.

Maznah Mohamad. *Sharia and National Law in Malaysia*. Singapore: NUS Press, 2021.

Menski, Werner. *Comparative Law in a Global Context*. Cambridge: Cambridge University Press, 2021.

Mudzhar, M. Atho. "Family Law and Religious Persistence in Muslim Communities." *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 8, no. 1 (2024): 214–219.

Muslim Personal Law (Shariat) Application Act. India, 1937.

Nik Saleh, Nik Salida Suhaila, Kamarul Adrian Akmar Noor Azmi, Nur Jihan Mardhiah Mohd. Nawi, Nur Yasmin Zawani Pakror Rozi, Siti Nurfaqihah Syafiqah Mustafa Kamal, and Amar Haziq Abd Shukur. 2025. "Legal Procedure and Formalities of Marriage Application in the State of Selangor: A Way Forward". An-Nisa: Journal of Islamic Family Law 2 (1): 27-35. https://doi.org/10.63142/an-nisa.v2i1.111.

Petersen, Kristian. *Interpreting Islam in China*. New York: Oxford University Press, 2024.

Schreier, Margrit. *Qualitative Content Analysis in Practice*. London: Sage Publications, 2023.

Shachar, Ayelet. *The Shifting Border of Religious Law*. Oxford: Oxford University Press, 2020.

Shen, Xianfa. "Legal Infrastructure and Domestic Regulation in Contemporary China." *China Law and Society Review* 8, no. 1 (2024): 33–39.

Tamanaha, Brian Z. *Legal Pluralism Explained: History, Theory, Consequences*. Oxford: Oxford University Press, 2021.

United Nations High Commissioner for Human Rights. *Assessment of Human Rights Concerns in Xinjiang Uyghur Autonomous Region*. Geneva: United Nations, 2022.

Wang, Chao. "Legal Uniformity and Religious Practice in Contemporary China." *Journal of Contemporary China* 33, no. 145 (2024): 112–129.

Wang, Xiaoxiao. "Religious Governance after the 2018 Regulation Reform." *China Perspectives* 2024, no. 2: 57–61.

Yilmaz, Ihsan. *Evolution of Unofficial Muslim Family Laws*. Cham: Springer, 2023.

Zhang, Yuting. "Marriage Registration and Minority Legal Adaptation in China." *Asian Journal of Law and Society* 10, no. 1 (2024): 44–78.

Zhao, Ming. "Inheritance Documentation and State Administration." *Journal of Chinese Political Science* 29, no. 2 (2024): 214–219.

Zhao, Ming. "Family Registration and Legal Identity under Chinese Civil Administration." *Asian Journal of Comparative Law* 19, no. 1 (2024): 66–72.

Zikry Rahmatillah, Ziyad Alrawasdeh, Rahmat Tarmizi, Aulil Amri, Noor Fadillah Hayatusyifa, Firli Jundy Liza, and Nur Lizawati. 2025. "Reform and Codification of Islamic Family Law in Turkey: From The Ottoman Law of Family Rights to the Turkish Civil Code of 1926". An-Nisa: Journal of Islamic Family Law 2 (4): 326-41. https://doi.org/10.63142/an-nisa.v2i4.246.