



## Marriage Status in the Indonesian Islamic Da'wa Institution (LDII): A Sociology of Law Review on Nikah Dalam Tradition

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### Abstract

The Indonesian Islamic Da'wa Institution (LDII) has a different marriage arrangement from most. In the matchmaking process, they have a marriage team responsible for overseeing it and facilitating an unregistered marriage (*nikah dalam*). An unregistered marriage is a marriage contract carried out by the congregation before a marriage is performed in the Office of Religious Affairs. This study aims to analyze the matchmaking process and the unregistered marriage practice carried out by the LDII in Sawoo Village, Ponorogo, Indonesia, utilising a Sociology of Law approach and the Structural-Functional (AGIL) framework. This study employed a descriptive-qualitative approach to describe and analyze the phenomenon. The findings show that the practice of *nikah dalam* in the LDII community is influenced by cultural, social, biological, and personality systems. Furthermore, it is also an effort to maintain a system that has become a stable norm in the community because it meets four functional requirements. They are Adaptation, Goal Attainment, Integration, and Latency. Therefore, the system remains alive and runs well, preventing conflict. This paper contributes to studies in the Islamic Family Law, especially, regarding traditions and marriage practices in Indonesian religious organizations. This study also provides a detailed account of how religious authority acts as the primary legal actor in enforcing the community's internal rules.

**Keywords:** LDII, marriage, sociology of law, unregistered marriage.

**How to cite:** Imtihanah, A. H., Tanzilulloh, M. I., Ratnasari, F., & Sari, I. F. (2025). Marriage Status in the Indonesian Islamic Da'wa Institution (LDII): A Sociology of Law Review on Nikah Dalam Tradition. *Hikmatuna : Journal for Integrative Islamic Studies*, 11(2), 164–179. <https://doi.org/10.28918/hikmatuna.v11i2.12414>

**Received:** 30-07-2025

**Revised:** 18-11-2025

**Accepted:** 03-12-2025

## **Introduction**

Marriage is a general sunnatullah and applies to Allah's creatures, whether humans, animals, or plants. It is how Allah chooses as a path for His creatures to reproduce and preserve their life (Abidin, 1999). Islamic law was formed as an arrangement in its implementation to regulate the relationship between men and women in an honorable manner based on their willingness to bond in marriage. The Compilation of Islamic Law in Indonesia (KHI) provides another definition that "marriage according to Islamic law is marriage as a firm contract or *mīsāqan ghalīzan* to obey Allah's orders and carry out them is worship" (Kompilasi Hukum Islam, 2010). In fiqh, it is a contract between the prospective groom and bride based on the willingness and preferences of both parties carried out by the guardian based on characteristics and conditions set by *syara'* to justify the mixing of the two, so both need each other and become allies as life partners in the household (Saebani, 2008). Basically, marriage is an engagement agreement between a man and a woman. Although this marriage is a form of engagement agreement, this agreement is different from other civil agreements (Anshori, 2011). Like other worship acts, some terms and conditions must be fulfilled in marriage, which are called the terms and conditions of marriage (Abidin, 1999).

The marriage law does not speak at all about the requirements of marriage, but only talks about the conditions of marriage, which relate more to the elements or pillars of marriage (Syarifudin, 2009). Meanwhile, the Compilation of Islamic Law discusses the requirements of marriage in Article 14, which are the same as those set out in the jurisprudential provisions above. In Article 2 paragraph (1) of the Marriage Law (UUP), it only states that a marriage is valid if it is carried out according to the law of each religion and belief, and in the Indonesian context, in Article 2 paragraph (2), it is also determined that every marriage must be recorded according to applicable laws and regulations. This marriage registration aims to make the marriage clear and acceptable to the parties involved and others, as it can be read in an official letter and recorded in a list provided explicitly for that purpose.

Indonesia is not an Islamic country, but it is well known for its strong Islamic ambience. Various community organizations or religious organizations have sprung up. In terms of the implementation of marriage, several social organizations have their own marriage arrangements. One of which is the Indonesian Islamic Da'wa Institution (known

as LDII), which is a fast-growing social organization. LDII is an organization formed by the New Order government aimed at addressing the deviation of Islamic teachings by Islamic Jamaah (Dodi, 2017). LDII is an organization with many activities, including cadre development, holding recitation groups, and other activities (Fauzan, personal interview, 2018). LDII's initiator and highest leader was Al-Imam Nurhasan Ubaidah Lubis Amir in 1951 (Jaiz, 2002). In Indonesia, LDII has spread from Sabang to Merauke. In Ponorogo, Indonesia, LDII is growing rapidly with many followers. In Sawoo Village, there is an Islamic boarding school that is the educational base for the LDII congregation, called the Imam Mursyid Islamic Boarding School.

Based on preliminary observations conducted in Sawoo Village, Ponorogo Regency, East Java, Indonesia, within the LDII member group, the LDII congregation highly upholds religious values. It obeys the organization's rules and the leadership's orders. It is evident from their regular recitation of classic books; they will do their best, with self-awareness, to attend the mosque to recite. In addition to the general recitation, in preparation for marriage in LDII, there is a recitation specifically for married-age adolescents that focuses solely on marriage. However, discussions about marriage are also sometimes inserted between the congregation's general recitations. LDII administrators have prepared their congregation for marriage, starting from pre-teens until they are ready to get married.

Apart from the specific recitation for married-age adolescents, in LDII there is also a special team that handles marriage issues, called the Marriage Team. The team functions as a marriage supervisor. If an LDII member is getting married, he must first report to the marriage team. Then, the marriage team will select by asking questions about *kafā'ah* with the prospective partner of the member who wants to get married. According to Islamic law, *kafā'ah* is the balance and compatibility between the prospective wife and the husband so that each candidate does not feel heavy to carry out marriage. So, the pressure of *kafā'ah* is balance, harmony, and compatibility, especially in religious matters, namely morality and worship (Zuhri, 2018).

Besides, the marriage team also serves as a matchmaker for the congregation. If a member is ready to marry but does not yet have a prospective partner, the team will attempt to identify an appropriate match by providing several options or selecting a candidate directly. If the individuals find the match suitable, the process then advances to

the proposal stage. Within the marriage process, the LDII congregation observes a particular practice: an unregistered marriage (*nikah dalam*), a ceremony conducted only in the presence of the cleric prior to the formal registration at the Office of Religious Affairs. This unregistered marriage is private; only specific individuals are permitted to attend. Thus, before going to the Office of Religious Affairs, they first conduct an unregistered marriage with a marriage contract before a cleric and afterwards complete a second marriage contract at the Office of Religious Affairs (Fauzan, personal interview, 2018).

They consider a legal marriage to be a religious marriage, namely the unregistered marriage (*nikah dalam*), in accordance with Islamic teachings. Meanwhile, the marriage at the Office of Religious Affairs is only a formality to obtain a marriage book. Hence, it can be seen that the LDII congregation carried out the same two contracts. They consider this marriage to be the same as a *sirri* marriage. In *fiqh*, there is no repetition of the marriage contract but a renewal of the contract called *tajdidu an-nikāh*. It can be done if there is a valid and justifiable reason for a marriage renewal. *Tajdid al-nikah* encourages interpretations that focus more on balancing traditional Islamic principles and contemporary social realities (Doni Azhari, Asmuni, 2025).

Many studies on marriage practice in the LDII tend to focus on endogamous marriage practices. Fahma, who observes endogamous marriage practices among LDII in Banjarbaru, confirms that the social construction of endogamous marriage unfolds through three stages, namely externalization, objectivation and internalization (Fahma, E.N., & An'Amta, 2025). Meanwhile, Ramadana adds that LDII *ijtihad* in marital affairs is their own fellow mass organization, with the *manqul* theory as the basis. This is evidenced by the existence of a marriage team within LDII to take care of marriage, as a form of realizing the ideals of LDII marriage (Ramadana, 2021). Furthermore, Permana explores LDII's views on exogamy or marriage with individuals outside the community. LDII views exogamy as part of its efforts to create social harmony and maintain diversity within a broader society (Permana, 2025). In addition, Rahmaniah (2024) analyzes the endogamous marriage practices among the 'Alawiyin community in Pontianak Indonesia.

In the context of Indonesia, a legal marriage contract is a contract recognised by the state and religion to confer benefits to both parties (Shihab, 1998). It can be seen that

an unregistered marriage is not recognized by the state. However, if the unregistered marriage has already occurred, the way to legalize it is not by entering into a new contract at the Office of Religious Affairs, but by applying to the Religious Court for an *isbat* marriage. There are nine factors cause the phenomenon of *sirri* marriage, such as the factor of not being old enough, economic factors, factors of official, work, or school ties, and factors of a belief that the law of *sirri* marriage is valid according to religion (Rohman, H., Rifqi, M. J., Rohman, M. F., Solikin, A., & Naf'an, 2024). The adherence to this custom affects the LDII community. They are more likely to think that the validity of the marriage is only in front of the *amir* compared to the institution provided by the government, namely the Office of Religious Affairs. In light of these problems, this research aims to examine how the sociology of law analyses the LDII congregation matchmaking process and the practice of marriage among the LDII congregation in Sawoo Village, Ponorogo Regency, East Java, Indonesia.

### **Method**

This research was conducted in Ponorogo Regency, East Java, Indonesia. It used a descriptive-qualitative approach to describe and analyze the phenomenon of marriage status within the Indonesian Islamic Da'wa Institution (LDII). Research data includes primary and secondary data. Primary data consists of the results of interviews with figures of the LDII congregation; meanwhile, secondary data is derived from written materials that corroborate the primary data. Data collection was carried out by participant observation, in-depth interviews, and documentation techniques (Bakker, 1990). The observation here means practical participation. By participating in community activities in LDII, the researcher directly observes, and records data related to the topic. The deep interviews were conducted in informal conversations with the informants. However, the research prepares a list of questions that the informants should answer. The interviews were done as many as the research needed. Documentation here consists of data collected from written documents, archives, or books related to this research. This field research provides a descriptive account of the qualitative data. In participatory research, the sociological approach is used to see and understand people's activities in their lives (Neuman, 2003). Sociology of law is empirically and analytically studied as the interrelationship between law as a social phenomenon and other social phenomena

(Kasim, Fajri M., & Nurdin, 2020; Syah, 2016). Sociology of law emphasizes its investigation of society and law as a mere incarnation (Munawwir, 2010). In legal sociology research, the main focus is on how the social system can influence a legal system as a sub-system and to what extent the influence process is reciprocal. Then, the law, as a social rule or norm, is inseparable from the values that govern society. It can even be said that the law is a reflection and concretization of the values that will be applicable in society (Iriani, 2016). Data analysis used descriptive analysis using Talcott Parsons functional structural theory. This phase aims to identify correlations in the collected data to reach a comprehensive conclusion.

## **Result**

### **The Existence of LDII Community Organisations in Sawoo Village, Ponorogo Regency, East Java, Indonesia**

Sawoo Village is a village located in Ponorogo Regency, East Java Indonesia. The majority of the people are Muslim. There are several Islamic community organizations in Sawoo Village (Pardi, personal interview, 2019), and they can be drawn in the table below:

**Table 1**

*Islamic community organizations in Sawoo Village, Ponorogo Regency*

No	Organizations	Percentage
1	Nahdlatul Ulama	50%
2	Muhammadiyah	30%
3	LDII	15%
4	MTA	5%

The table above shows that LDII is the third-ranked community organization, widely embraced by the people of Sawoo Village. LDII in Sawoo Village is included in the management of the Sub-Branch Manager because it is located in the village. Each Sub Branch Manager usually consists of about 40-50 households. Each Sub-Branch Manager has a mosque or prayer room and has its own management structure. Many activities are held by the congregation, especially the recitation of the Qur'an and Hadith, with a reasonably high frequency. At the Sub-Branch Manager level, recitation is held 2 times a

week. Meanwhile, at the Branch Manager level, it is held once a week. LDII in Sawoo Village uses the traditional recitation method, which is taught by teachers who are alumni of the Islamic boarding school. In addition, there is also a *manqul* science system in which teachers teach students directly. The LDII Sub-branch of Sawoo tries to spread the teachings of Islam, like the days of the Prophet, in contrast to the Islam of the Archipelago (Islam Nusantara), whose preaching is mixed with customs and others (Fauzan, personal interview, 2019), so the da'wah media used is through the family.

### **Matchmaking Process and Marriage Practice in the LDII Congregation of Sawoo Village, Ponorogo Regency, East Java, Indonesia**

The process of finding a mate in the broader community is either choosing a life partner oneself or using a matchmaking service. LDII members also do this in choosing their life partners. Because choosing a life partner is not an ordinary matter, it requires careful consideration and conscience to build a family that adheres to the objectives of Islamic law. People can choose or find on their own, or they can go through a matchmaking process either with their parents or with LDII administrators. Although in selecting a mate, the congregation is free to find a mate on their own or through matchmaking, some things must be considered, such as choosing candidates who are still members of the congregation or who are under the provisions of the Qur'an in Surah Ar-Ruum, verse 21, and the Hadith. Women are married for four reasons: wealth, beauty, lineage, and religion. Married to a non-LDII is allowed. However, it is better with the same LDDI congregation to avoid disputes. It does not mean that being married to a non-LDII person is not good and prohibited. The important thing is that the congregation is not married to a non-Muslim, and that the partner is willing to attend the recitation. In general, the congregation marries within itself because they believe marriage is better within the same sect due to shared ideology.

LDII also has a special team that handles marriage and matchmaking issues, called the Marriage Team. This team was formed to make it easier for the congregation that wants to take care of the marriage. If the congregation had difficulty or did not understand, the marriage team could immediately address it. In addition, the congregation that has entered the age of marriage can quickly find a mate. This team focuses on preventing the condition in which their congregation is unable to get married because

they cannot find a potential companion. Another purpose of this team is to help the congregation find a mate of the same sect, as the team must find someone with the same understanding. Even if they get a match from an outsider, they still have to report to the team to see how the prospective pairs are doing. The LDII congregation of Sawoo Village always obeys this. When a congregation has entered the age of marriage or is ready for marriage but does not yet have a potential partner, this marriage team will look for one. The congregation can choose for themselves, or the team can select from the data of the male or female candidates who are ready to marry. Then, if they have been selected, the marriage team will bring them together for ta'aruf, or an introduction. If they feel compatible, they will proceed to the proposal stage; if not, they cannot contact each other again. This is done to avoid slander or other undesirable outcomes. Then, during the proposal process, the marriage team must also accompany the prospective bride and groom until the wedding day.

After matchmaking, the next stage is the unregistered marriage (*nikah dalam*) stage. During the implementation of the LDII congregation marriage, an unregistered marriage (*nikah dalam*) occurred. This marriage is not found in other groups. It exists only in LDII and is characteristic of this sect. This unregistered marriage is one in which Arabic is used in the sighat (declaration) of *ijab qabul*, and, according to the congregation, it follows what is taught in the Hadith, as explained by Ibn Qudamah. Besides, this marriage is conducted solely by LDII administrators. The difference from legal marriage lies in the headman. The headman of an unregistered marriage is the cleric, while the headman of a legal marriage is the head of the Office of Religious Affairs. The legal basis for this unregistered marriage is the same as that for marriage in general, based on the Qur'an and hadith. The difference between this marriage and marriage at the Office of Religious Affairs, apart from its headman, is in the pronunciation of the declaration of *ijab qabul*, which must use Arabic, and the declaration of *qabul* is shorter, without mentioning the word marriage, the amount of dowry and prayer after the *ijab qabul* process. It is also considered a testimony of the congregation's loyalty and obedience to the teachings adhered to and respect for the cleric as the one who marries off. There are two LDII congregational marriages. The first is with management, and the second is at the Office of Religious Affairs to get a marriage book. Thus, it can be said that an unregistered marriage is the same as a secret marriage, because the congregation believes

that an unregistered marriage with a cleric is legal according to religion. Meanwhile, marriage in the Office of Religious Affairs is only considered a legal marriage.

The congregation's implementation of unregistered and legal marriage is the same, meaning to fulfill the requirements of marriage, both from religious and state law. The congregation has also carried out this unregistered marriage for a long time. Also, this marriage is a means of implementing a marriage directly led by the lineage's guardian, the most entitled to marry off. The implementation of unregistered marriage is an *ijtihad* from LDII's predecessors. It means that, in implementing marriage advice, including the rights and obligations of husband and wife when they are legally married, must be provided. It is also to ensure the readiness of both parties to get married. The conditions for implementing an unregistered marriage are the same as the conditions for marriage in general. The purpose of carrying out the unregistered marriage is not only to fulfill the requirements of religious teachings but also to have a legal marriage at the Office of Religious Affairs because of the virtue of the congregation.

## **Discussion**

### **Matchmaking Process and Marriage Practice of LDII in the Sociology of Law Review**

The LDII community in Sawoo Village, Ponorogo Regency, East Java Indonesia is a community that has a fairly high level of concern for religion. This is illustrated by their daily activities, including regularly reciting in assembly and implementing their teachings in accordance with the guidance of the Qur'an and Hadith. So, in the view of sociology, LDII is also called a simple society. A simple society has a very high level of religiosity. This is because of the simple community habits often found in rural areas, where daily activities cannot be separated from religious ones. In addition, simple community activities in rural areas significantly shape community cooperation (Ali, Achmad & Heryani, 2012). A high level of concern for religion among LDII is also seen in the matchmaking and marriage of the congregation, until a special team called the marriage team was formed to handle it. It is known that the pattern of the matchmaking process for LDII congregation members, from matchmaking, *ta'aruf* for those who get a mate through the team, proposal, and finally unregistered marriage, is a social system that exceeds the general assessment standards or social norms that have been agreed upon.

The matchmaking process is the concept of latency as a motor drive to maintain cultural patterns in the pre-existing system. Parsons' theory of action (Wirawan, 2012) includes four systems, namely (Sariroh, 2017): the system of cultural, social, personality, and biological organisms. According to Parsons, the matchmaking process for the LDII congregation, as the social structure of the social system, can only be functional if it has fulfilled the four conditions called AGIL (Saebani, 2006). From the AGIL integration, it is hoped that social integration will be created, which is social functionalism (Arif, 2016). A social system will always have a balance if it maintains the safety valve contained in the AGIL paradigm, explained as follows:

1. Adaptation

It is the ability to deal with the environment well, by adjusting to society, the environment, and religious norms that have been ingrained by LDII congregation.

2. Goal Attainment

This is done to maintain communication with the cleric and religious leaders in the marriage team regarding the matchmaking patterns.

3. Integration

The LDII congregation must maintain cultural and religious values properly so that, apart from being a socialization mechanism, it is also a social monitoring mechanism.

4. Latency

The LDII congregation must properly maintain cultural and religious values so that, in addition to being a socialisation mechanism, it also serves as a social monitoring mechanism.

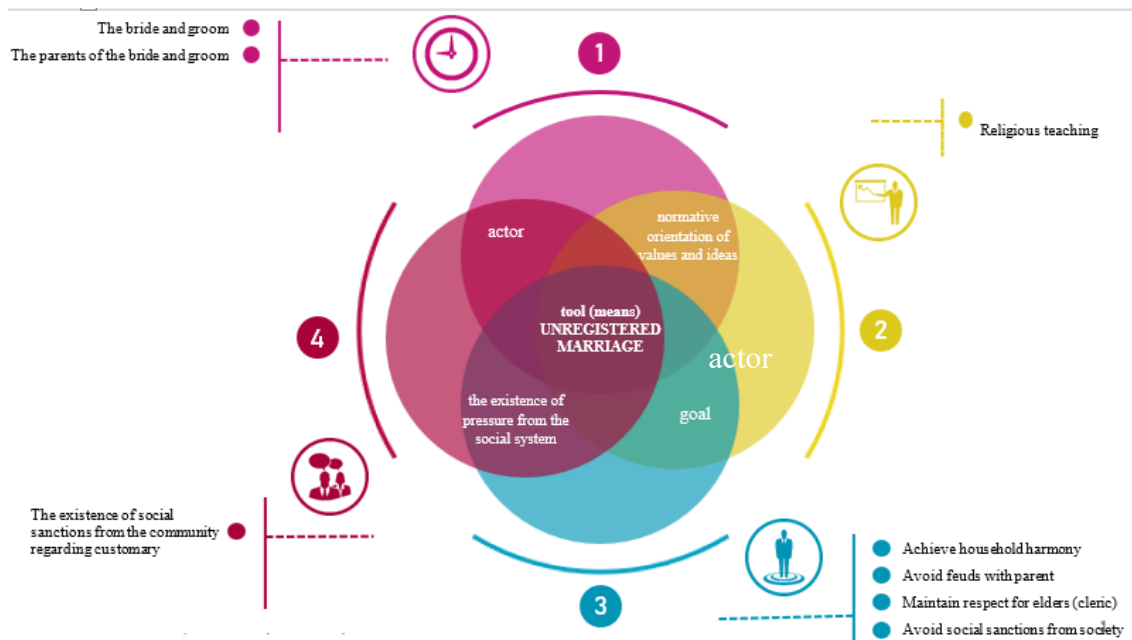
In the marriage implementation of the LDII congregation, there is an unregistered marriage, a congregation marriage conducted only by the LDII administrators. The community considers an unregistered marriage to be one in accordance with religious provisions. Therefore, they always obey the normative provisions, even though the normative provisions regulate a more standard form of marriage. Doing a marriage contract at the Office of Religious Affairs is considered both a legal marriage and a religious marriage. Regulations like this reflect the socio-cultural values taught by the religion adhered to by the LDII. It can be said that religiously derived cultural patterns can give rise to specific legal patterns, even though higher rules regulate

them. It also views law as an integrative mechanism that supports and develops social integration (Ali, Achmad & Heryani, 2012). Because people, as social beings, always interact with others across various fields, including social, economic, cultural, and legal aspects (Lestari, Devi Indah & Santoso, 2021).

The LDII community is classified as a consensus community model that is united by the existence of a common culture, rules, beliefs, and hopes and an integrated community in a stable state, functioning as an organization that implements social integration. Some minority communities that do not comply with the provisions of the implementation of marriage in this regard are included in the type of society that is dominated by law (Sopyan, Yayan & Nidzami, 2018). They believe that all aspects of marriage are regulated by written law, so they carry out what the law requires. In the theory of functionalism, the social system is not only seen as a state characterized by balance (a state of equilibrium) and the parts of the system depend on each other but also the social system is considered to consist of interconnected individuals (Haper, 2011). Society is a system built based on a set of general values that are interrelated by its members in a socialization process. Through this socialization process, an individual learns about how he/she must act under the applicable norms in his/her social environment, how he/she must act and react to the applicable rules and values in his/her environment (Widyaningsih, 1987). The structural functionalism theory assumes that society has a value system that spreads to all members (Ritzer, George & Goodman, 2005), and a tendency to maintain stability (Soekanto, 1982), (Soekanto, 1987). The concept, if it is interrelated with the pattern of marriage carried out by the LDII congregation in Sawoo Village, can be illustrated below:

Figure 2

*Voluntaristic Behaviour Patterns of Marriage in LDII Congregation*



From the figure above, it can be understood that the prospective husband and wife are the actors who, in achieving their goals, use predetermined tools or means. In line with the tradition of this unregistered marriage, to achieve the goal, the actors must first conduct an internal marriage before a legal marriage at the Office of Religious Affairs, even though, in implementing an unregistered marriage, a contract has been executed and has both religious and legal status. The decision-making of these actors is influenced by certain factors, including:

1. The cultural system is derived from the value of religious teachings on the obligation to carry out an unregistered marriage. The LDII community in Sawoo Village is known for its strict adherence to its religion's teachings. The evidence is that the congregation has always practised unregistered marriage. This tradition is always carried out because, in addition to being derived from religious teachings, it is also considered for the stability of the social system. Therefore, if people do not practice this tradition, it will destabilize the social system because it violates religious teachings and is considered disrespectful to elders (clerics). Islamic law and local customs are contributing to providing legal guidance for a

multicultural society (Hasyim, Muh. Fathoni., AW, Liliek Channa & Mufid, 2020).

2. The social system comes from interactions between individuals, the need for recognition from the community, and the emergence of social sanctions if they violate. Every individual must follow society's norms and values and be aware of what is considered inappropriate. Therefore, following and carrying out this unregistered marriage in the LDII is considered a way to maintain one's existence in the environment of the social system. However, losing recognition and public ridicule are considered to bring down a person's reputation and are considered a serious problem. It also affects the existence of an unregistered marriage in the LDII congregation.
3. The personality system, the individual or the actor, is the most basic unit in this system as the actor of an unregistered marriage. This personality system is very influential on the actions of the actor, as well as the actions of parents who also perform an unregistered marriage. This is done because their predecessors instilled beliefs in them from an early age.
4. The system of biological organisms, the biological aspects of humans, is very influential in individual actions. Things that have been taught in religion, family, and the personal formation of the environment greatly influence individual behavior. Values from religious teachings and social norms have been inherent since the formation of identity, persisting into adulthood and shaping the individual's original behaviour alongside innate or inherited traits.

A series of voluntaristic behavior patterns lead to the goal to be achieved, which includes achieving household harmony, avoiding feuds with parents, obeying religious teachings, maintaining respect for elders (cleric), and avoiding social sanctions from society. Because of the above conditions, the community follows existing habits or traditions. On the other hand, all the conditions that ultimately require the entire LDII congregation to practice this habit aim to reduce conflicts arising from unregistered marriages.

### **Conclusion**

To sum up, in the sociology of law review, the matchmaking process carried out by the LDII community in Ponorogo is an effort to maintain a system that develops into

stable societal norms. The arrangement of the matchmaking process remains stable in the community because four functional requirements are fulfilled, including Adaptation, which is the ability of the congregation to adapt to the environment, Goal Attainment, which is the general goal of the congregation to be achieved, Integration, which is maintaining communication with religious leaders, and Latency, which is maintaining religious and cultural values as well as being a mechanism for social monitoring and socialization. The practice of unregistered marriage is still carried out even though there are no written rules regulating the sociology of law, which is influenced by several systems. One of them is the cultural system, which are derived from the religious teachings they adhere to. This social system is the need for recognition from the community and the emergence of social sanctions if they violate, the personality system, which is the cultivation of doctrine from an early age and the system of biological organisms, which is the values and norms that are inherent and become a guideline in forming identity. All arrangements, from the matchmaking process to the implementation of unregistered marriages by the LDII community in Ponorogo Regency, East Java, Indonesia, aim to achieve social stability and prevent conflicts between communities.

The findings, which utilize a Sociology of Law approach and the Structural-Functional (AGIL) framework to analyse the persistence of the dual marriage practice (Nikah Dalam) in the LDII community, offer a significant contribution to Islamic Family Law (IFL). First, the validity of the marriage contract. Prioritizing *Syariah* over administration. The study highlights a crucial tension in contemporary IFL practice. The separation between the validity of the marriage in the eyes of God/community (through *Nikah Dalam*) and the legality of the marriage in the eyes of the state (through KUA registration). This challenges the growing movement that views state registration as an inseparable element of a valid Islamic marriage. Second, the role of clerics/authority. It provides a detailed account of how religious authority acts as the primary legal actor, enforcing the community's internal rules and ensuring the social control necessary for the system to function. This emphasizes the role of non-state actors in IFL implementation.

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