

Beyond Formal Metrology: The Socio-Legal Construction of Traditional Measurement in Shellfish Trading within a Muslim Coastal Community in Tempurukan

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DOI: <https://doi.org/10.24260/ijssls.1.2.125>

Received: 11-08-2025

Revised: 12-10-2025, 13-11-2025

Accepted: 14-11-2025

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Abstract

This article examines the socio-legal construction of shellfish trading practices that utilize traditional measuring tools within the Muslim coastal community of Tempurukan Village, Ketapang, West Kalimantan. The study is motivated by the limited scholarly attention given to how traditional measurement systems in coastal economies interact with Islamic law, particularly in commercial practices that do not employ standardized metrological instruments. Adopting a socio-legal approach, the field research applies Peter L. Berger and Thomas Luckmann's social construction theory to analyze the dynamics of these practices. Data were collected through structured interviews with nine informants, participant observation, and documentation of transactional processes. The findings reveal that the community uses *cupak* (coconut-shell measures) and *ringkat* (plastic containers) as traditional measuring devices, socially regarded as equivalent to one kilogram. This non-standard measurement system is grounded in inherited tradition, social trust, and practical efficiency, and is considered valid within Islamic law because it fulfills the principle of *tarāḍin* (mutual consent) and falls under the category of *'urf ṣaḥīḥ* (sound custom). Through the processes of externalization, objectivation, and internalization, the *cupak* has evolved into a socio-legal instrument that negotiates customary norms, economic rationality, and Islamic ethical values. The article argues that this socially constructed system produces a form of justice rooted in local wisdom that transcends the precision-oriented logic of modern metrology, reflecting a distinctive pattern of local Islamic legal reasoning within the coastal Muslim community.



[Artikel ini menganalisis konstruksi sosio-legal praktik jual beli kerang dengan menggunakan alat ukur tradisional pada masyarakat muslim pesisir di Desa Tempurukan, Kabupaten Ketapang, Kalimantan Barat. Penelitian ini berangkat dari minimnya perhatian akademik terhadap bagaimana sistem ukur tradisional dalam ekonomi pesisir berinteraksi dengan hukum Islam, khususnya dalam praktik jual beli yang tidak menggunakan alat metrologi standar. Penelitian lapangan ini menggunakan pendekatan sosio-legal dan dianalisis dengan teori konstruksi sosial Peter L. Berger dan Thomas Luckmann. Data diperoleh melalui wawancara terstruktur terhadap sembilan informan, observasi partisipan, dan dokumentasi proses transaksi. Hasil penelitian ini menemukan bahwa masyarakat muslim pesisir menggunakan cupak (batok kelapa) dan ringkat (wadah plastik) sebagai alat ukur yang secara sosial dianggap setara dengan satu kilogram. Sistem ukur non-standar ini dilandasi tradisi turun-temurun, kepercayaan sosial, dan efisiensi praktis, serta dipandang sah secara fikih Islam karena memenuhi prinsip tarāḍīn (kerelaan bersama) dan termasuk dalam kategori ‘urf ṣaḥīḥ (kebiasan yang baik). Melalui proses eksternalisasi, objektivasi, dan internalisasi, cupak berkembang menjadi instrumen sosio-legal yang menegosiasikan nilai adat, rasionalitas ekonomi, dan etika Islam. Artikel ini berargumen bahwa konstruksi sosial tersebut menghasilkan bentuk keadilan berbasis kearifan lokal yang melampaui logika presisi metrologi modern serta merefleksikan pola penalaran fikih lokal yang khas dalam masyarakat Muslim pesisir.]

Keywords: Coastal Communities, Shellfish Trading, Social Construction, Socio-Legal Studies, Traditional Measuring Tools.

Introduction

In the global context, the development of legal metrology as an instrument of modern economic governance exemplifies a broader trend toward the rationalization and standardization of value in commodity exchange.¹ However, underlying this pursuit of efficiency is an emerging paradox between technical precision and social justice. Numerous empirical studies have revealed that the absence of formal measurement systems often leads to structural distortions, including fraudulent practices, value manipulation, and economic inequality.² Conversely, research conducted in Africa and Southeast Asia suggests that many traditional communities deliberately maintain local measuring tools as expressions of cultural rationality, which uphold trust, moral norms, and social integrity within

¹ See: G. R. Srikanth, "Legal Metrology and Global Trade," in *Handbook of Metrology and Applications*, ed. Dinesh K. Aswal et al. (Springer Nature Singapore, 2023), 2031–51; G. R. Srikanth and K. I. Pavan Kumar, "Consumer Protection and Conformity Assessment: Role of Legal Metrology," in *Handbook of Quality System, Accreditation and Conformity Assessment*, ed. Anuj Bhatnagar et al. (Springer Nature Singapore, 2024), 959–69.

² See: Smart E. Otu and Oliver N. Okon, "Participation in Fraud/Cheat in the Buying and Selling of Meats Without Legal Metrology: A Theoretical and Empirical Investigations," *Deviant Behavior* 40, no. 2 (2019): 205–24; Rohit Kumar Singh et al., "Ethical Claims and Enforcement in Legal Metrology in India," in *Handbook of Quality System, Accreditation and Conformity Assessment*, ed. Anuj Bhatnagar et al. (Springer Nature Singapore, 2024), 935–57.

market interactions.³ Ethnomathematical investigations in Aceh, Nias, and Minangkabau further demonstrate that traditional measuring instruments serve not only as cultural symbols but also as knowledge systems embedded with principles of calculation, customary norms, and distributive values that regulate fairness in transactions.⁴ This broader phenomenon suggests that economic modernization has produced an epistemic dislocation by supplanting local moral and social authority with technocratic rationality, which, although procedurally efficient, does not necessarily ensure substantive justice.

In the Indonesian context, standardized measuring instruments are commonly used to determine weight in everyday commercial transactions. However, the Muslim coastal community of Tempurukan Village does not utilize such standardized measurements when selling shellfish. Instead, they employ traditional measuring tools known as *cupak* (crafted from coconut shell) and *ringkat* (a plastic container), both of which are locally recognized as approximating one kilogram of shellfish. These traditional devices are exclusively used for shellfish transactions and are not applied to other commodities. According to a local religious authority, Ahmadi, the precise weight of a *cupak* or *ringkat* cannot be determined with certainty; it may vary slightly above or below one kilogram depending on the seller's expertise and experience.⁵ This imprecision raises a legal concern, as it introduces an element of uncertainty (*gharar*) within the framework of Islamic jurisprudence (*fiqh*). Consequently, this article is significant in that it aims to analyze the continued practice of shellfish transactions using traditional measuring tools among the Muslim coastal community of Tempurukan Village.

Previous research on coastal communities has demonstrated that economic activities and marine resource management serve not only as means of livelihood but also as expressions of local knowledge systems deeply embedded in social, cultural, and religious values.⁶ A substantial corpus of literature confirms that traditional knowledge is integral to sustaining ecological balance while enhancing the economic resilience of coastal populations through social mechanisms such as *sasi*, *rāhui*, and *local tabu*. These mechanisms operate analogously to customary

³ See: Zulfadli A. Aziz et al., "Mensural Classifiers and Traditional Measuring Tools Used in Acehese (Indonesia)," *Kervan. International Journal of African and Asian Studies* 26, no. 1 (2022): 649–72; Uchenna Uzo et al., "Common Indigenous Selling Practices in Africa," in *Advanced Series in Management*, ed. Uchenna Uzo and Abel Kinoti Meru, vol. 20 (Emerald Publishing Limited, 2018), 31–45.

⁴ See: I Mardia et al., "Ethnomathematics Study: Formalizing Mathematical Representation in the Marosok Trading Tradition in Minangkabau," *Journal of Physics: Conference Series* 1521, no. 3 (2020): 032049; Martiman Suaizisiwa Sarumaha, "Afore, The Measuring Instrument in South Nias Culture," *Journal of Physics: Conference Series* 1477 (March 2020): 042001.

⁵ Ahmadi, "Interview with a Local Religious Leader in Tempurukan Village," July 2025.

⁶ See: Evonne Yiu, "Traditional Knowledge in the Management of Seascapes," in *Routledge Handbook of Seascapes*, 1st ed., by Gloria Pungetti (Routledge, 2022), 369–84; Ameer Farhan Mohd Arzaman et al., "Potentials of Associated Traditional Knowledge on Marine Resources for Economic and General Well-Being among Coastal Communities in Terengganu, Malaysia," *International Journal of Advanced and Applied Sciences* 8, no. 12 (2021): 93–101; J M S Tetelepta et al., "The Local Wisdom Knowledge Applied in The Management of Coastal Resources at Ilili Village, Western Seram District, Indonesia," *IOP Conference Series: Earth and Environmental Science* 1207, no. 1 (2023): 012023.

legal norms in regulating the use of marine resources.⁷ The synthesis of customary traditions with religious values is particularly evident in Muslim coastal communities, exemplified by the Acehnese *kenduri la'ot*, where Islamic legal principles and customary practices coexist to uphold moral values, social cohesion, and maritime safety.⁸ Concurrently, other studies emphasize the structural aspects of coastal economies, characterized by asymmetrical relationships between small-scale fishers and large-scale traders, thereby revealing tensions between community-based traditional economies and modern market forces that often exhibit exploitative tendencies.⁹ Collectively, this body of work highlights that coastal economies are socio-cultural constructs inseparable from customary norms, belief systems, and religious values that govern economic conduct. Nevertheless, these investigations have not specifically addressed the socio-legal dimensions of marine product transactions—particularly those involving shellfish—conducted through traditional measuring instruments within Muslim coastal communities. This article contends that the practice of shellfish trading via traditional measurement tools transcends a mere technical exchange mechanism; it symbolizes local wisdom and embodies mutual trust and pragmatic values that surpass formal measurement standards.

This study employs a socio-legal research methodology based on fieldwork conducted in Tempurukan Village, Ketapang Regency, West Kalimantan Province. The field research was undertaken in two phases: the first in December 2024 and the second from June to July 2025. Data collection involved structured interviews with nine informants, comprising three shellfish sellers, three buyers, and three local religious leaders. Participant observation was also utilized to gain direct insight into shellfish transactions conducted using traditional measuring tools, without reliance on standardized or precise weighing instruments. Furthermore, documentation methods were employed to record transaction processes and the types of traditional measuring devices used by local sellers. To ensure data validity, source and technique triangulation were applied. The findings were analyzed qualitatively through the lens of the social construction theory articulated by Peter L. Berger and Thomas Luckmann.¹⁰ This theoretical framework was adopted to explore how the practice of shellfish trading using traditional measuring tools is

⁷ See: Laure Vaitiare André et al., “Benefits of Collaboration between Indigenous Fishery Management and Data-Driven Spatial Planning Approaches: The Case of a Polynesian Traditional Design (Rāhui),” *Fisheries Research* 256 (December 2022): 106475; Mwanahija Salehe Shali, “The Role of Local Taboos in the Management of Marine Fisheries Resources in Tanzania,” *Marine Policy* 85 (November 2017): 71–8; Mecki Kronen and Andrea Bender, “Assessing Marine Resource Exploitation in Lofanga, Tonga: One Case Study—Two Approaches,” *Human Ecology* 35, no. 2 (2007): 195–207.

⁸ Zubir Zubir and Kamaruzzaman Bustamam Ahmad, “The Dialectics of Islam and Custom in the *Kenduri La'ot* Tradition of the Coastal Muslim Community of East Aceh,” *Jurnal Ilmiah Peuradeun* 10, no. 3 (2022): 899–922.

⁹ Tara Nair et al., “Trapped in a Gulf of Hope and Despair: The Wagher Small Scale Fisheries on the Kutch Coast of Gujarat, India,” *Maritime Studies* 23, no. 2 (2024): 17.

¹⁰ Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (Knopf Doubleday Publishing Group, 1967), 13–5.

socially constructed and maintained within the Muslim coastal community of Tempurukan Village.

Sale by Estimation (*Jizāf*) in Islamic Commercial Jurisprudence

In Islamic commercial jurisprudence (*fiqh al-mu'āmalāt*), the concept of sale by estimation (*bay' al-jizāf*) pertains to transactions conducted without precise measurement or exact weight, relying instead on an approximate assessment based on direct visual inspection of the goods. Etymologically, the term *jizāf*, which originated from Persian and was subsequently incorporated into Arabic, signifies “taking something in large quantity without mathematical calculation.”¹¹ Historically, this form of sale has been extensively practiced from the early Islamic period to the present day, particularly for commodities that are challenging to measure accurately, such as foodstuffs, agricultural produce, and bulk goods.¹² The permissibility of *bay' al-jizāf* is established based on two prophetic traditions. The first, narrated by Muslim and al-Nasā'ī, states that the Prophet prohibited the sale of a heap (*shubrah*) of dates when the quantity was unknown. The second tradition cautions against selling food by estimation without direct inspection of the goods. These reports demonstrate that transactions based on approximation were recognized during the Prophet's time and constituted an integral aspect of the socio-economic practices in early Arab society.¹³

Classical Islamic jurists (*fuqahā'*) presented diverse interpretations of *bay' al-jizāf*, particularly regarding the sale of large quantities of foodstuffs, thereby illustrating the adaptive and socially responsive character of Islamic legal reasoning. The majority of Islamic jurists—including Mālik, al-Shāfi'ī, Aḥmad, Abū Yūsuf, and Muḥammad ibn al-Ḥasan—maintain that selling a *shubrah* by estimation is valid. This validity persists even when the seller stipulates, “*I sell you this shubrah at one dirham per qāfīz (a traditional Islamic unit of capacity)*”, despite both parties being unaware of the precise quantity contained within the heap at the time the contract is formed. This ruling extends not only to *shubrah* but also to all items sold by weight, measure, or count, regardless of whether they are classified as *mithli* (fungible goods) or *qīmi* (non-fungible goods). In contrast, Abū Ḥanīfah asserts that such a transaction is valid solely for the sale of a single *qāfīz*. In contrast, the remainder of the sale is nullified due to uncertainty in price allocation, which renders the contract invalid. He contends that selling an item with an indeterminate price is comparable to the prohibited practice of selling goods by number without

¹¹ Wahbah al-Zuhailī, *Al-Fiqh al-Islamī wa Adillatuh* (Dār al-Fikr, 1989), 4:648.

¹² See: Nur Hidayatulloh et al., “Praktik Jual Beli Sayur Kubis Dengan Sistem Tebasan Di Desa Kalitengah Kecamatan Garung Kabupaten Wonosobo Perspektif Akad Jizāf,” *EKOMA: Jurnal Ekonomi, Manajemen, Akuntansi* 4, no. 1 (2024): 1057–67; Rosmita Rosmita et al., “Hukum Jual Beli Buah Langsung dengan Sistem Jizāf (Studi Kasus di Posigadan Kabupaten Bolaang Mongondow Selatan): The Law of Selling and Buying Langsung Fruit with the Jizāf System (Case Study in Posigadan South Bolaang Mongondow Regency),” *AL-KHIYAR: Jurnal Bidang Muamalah dan Ekonomi Islam* 2, no. 2 (2022): 141–55.

¹³ Al-Zuhailī, *Al-Fiqh al-Islamī wa Adillatuh*, 4:649.

knowledge of their exact quantity. Furthermore, he maintains that *jizāf* transactions are invalid when applied to *qīmī* items.¹⁴

With respect to transactions involving containers of unknown actual capacity, Ḥanafī jurists permit *jizāf*-type contracts analogous to measurement or weighing instruments, on the condition that the contract is non-binding on the buyer and grants them the option of inspection (*khiyār kashf al-ḥāl*) after examining the goods' condition. This permissibility is limited to containers that do not inherently alter the quantity, such as those constructed from wood or metal. Conversely, containers susceptible to volumetric changes or erosion—such as baskets woven from palm leaves—are prohibited unless water vessels are employed based on *istihṣān* (juristic preference), due to their widespread customary use. Abū Yūsuf further permits the use of water vessels as measuring instruments, provided their use aligns with prevailing local custom (*urf*). Moreover, Ḥanafī jurists allow transactions predicated on the weight of a stone of unknown mass, so long as it is not subject to erosion; however, transactions involving objects that shrink or lose moisture, such as cucumbers or melons, are deemed invalid.¹⁵

Tempurukan Village: A Portrait of a Coastal Muslim Community in Ketapang

Tempurukan Village is one of the eight administrative villages within the Muara Pawan District of Ketapang Regency, West Kalimantan Province, Indonesia.¹⁶ Geographically, the village is located approximately 20 to 30 kilometers from the center of Ketapang Regency, positioning it as a coastal area that is both accessible and strategically situated along the primary Ketapang–Sukadana route. Covering a total area of 117,309,956 square meters, Sungai Putri Village borders Tempurukan to the north, Ulak Medang Village to the south, Sei. Awan Kiri Village to the west, and the coastline to the east, encompassing a coastal landscape that integrates both terrestrial and marine ecosystems.¹⁷

Historically, Tempurukan Village holds significant importance within the local history of the Matan Kingdom, recognized as one of the principal pre-colonial maritime powers in the Ketapang region. According to local historical narratives, Tempurukan originated as a small settlement governed by a community chief bearing the aristocratic title Gusti, specifically Gusti Apela Berda, under the sovereignty of King Gusti Muhammad Saunan. The etymology of the name Tempurukan is closely associated with the Dutch and Japanese colonial eras. As recounted orally by Kader, the fourth village head, the name derived from an incident in which Dutch troops conducting searches in the swamp and peatland areas repeatedly sank into the soft soil. They referred to the area as Tempurukan,

¹⁴ Al-Zuhailī, *Al-Fiqh al-Islamī wa Adillatuh*, 4:649–56.

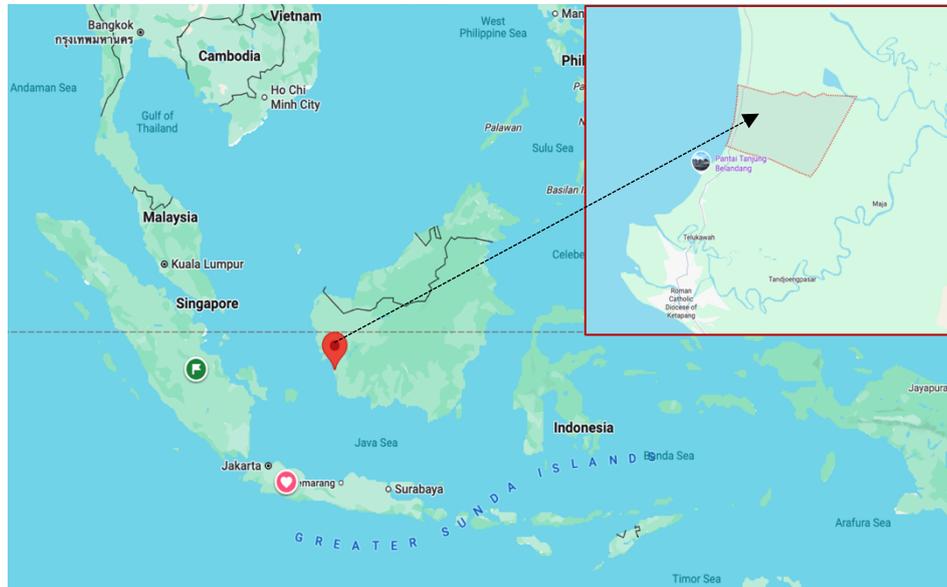
¹⁵ Kāmil al-Dīn Muḥammad ibn ‘Abd al-Wāhid Kāmil al-Dīn Muḥammad ibn ‘Abd al-Wāhid, *Fath Al-Qadīr Sharḥ al-Hidāyah* (Muṣṭafā Muḥammad, n.d.), 90.

¹⁶ “Muara Pawan Kabupaten Ketapang,” Website Muara Pawan Kabupaten Ketapang, accessed June 12, 2025, <https://muarapawan.ketapangkab.go.id/>.

¹⁷ “Profil Desa Tempurukan,” Website Resmi Desa Tempurukan, accessed June 12, 2025, <https://tempurukan.digitaldesa.id/profil>.

meaning “to sink” or “to slip downward,” a term that ultimately became the official designation of the village.¹⁸

Figure 1
Tempurukan Village



Source: Google Maps, 2025.

Demographically, Tempurukan Village has a population of 2,489 individuals residing in 754 households. The gender distribution is relatively balanced, comprising 1,208 males and 1,281 females.¹⁹ Regarding occupational status, 654 residents are not formally employed, 643 are engaged in domestic household work, and 452 are students across various educational levels. The remaining population includes 216 private-sector employees, 189 self-employed individuals, 186 farmers or plantation workers, and 28 fishers or workers involved in fisheries-related activities. The population is predominantly Muslim, comprising 2,437 individuals, while the Christian community includes eight members, and 44 residents adhere to other belief systems.²⁰ Although the village’s proximity to the sea constitutes a significant ecological feature, the occupational structure demonstrates considerable diversification. Only 28 individuals are engaged in fishing or fisheries-related occupations, indicating that, despite the coastal location, fishing is not the primary source of livelihood. Instead, residents tend to favor private employment and small-scale entrepreneurial activities.

Shellfish Trading Practices and Traditional Measurement Instruments

Shellfish trading in Tempurukan Village is conducted through three primary transactional models: (1) transactions at the seller’s residence, (2) transactions

¹⁸ Website Resmi Desa Tempurukan, “Profil Desa Tempurukan.”

¹⁹ Website Resmi Desa Tempurukan, “Profil Desa Tempurukan.”

²⁰ “Statistik Penduduk Desa Tempurukan,” Website Resmi Desa Tempurukan, accessed June 12, 2025, <https://tempurukan.digitaldesa.id/profil>.

facilitated via social media platforms, and (3) spontaneous transactions occurring along the roadside. None of these models employs standardized weighing instruments; instead, sellers utilize traditional measurement tools known as *cupak*. Collectively, these practices exemplify a moral economy grounded in trust, wherein social legitimacy supersedes formal legal mechanisms.²¹ The use of the *cupak* reflects shared normative frameworks that replace the precision of modern metrology with socially embedded conceptions of fairness. Consequently, shellfish trading in this Muslim coastal community embodies a harmonious interplay among customary law, religious values, and economic imperatives within a broader context of legal pluralism.

Figure 2
Shellfish Trading Activity on the Seller's Porch



Source: Field Documentation, June 2025.

The primary and most prevalent model involves direct transactions conducted at the seller's residence, highlighting the significant social proximity between the parties involved. The seller's home serves as both an economic and social space, where buyers may visit at any time to purchase shellfish. Observations of these practices reveal that containers filled with shellfish are frequently placed on the seller's front porch as an informal signal to the community.²² One seller, Meti, explained: "*I usually sell shellfish from home. People already know, so they just come. Sometimes they ask the price per kilogram, and I tell them fifteen thousand rupiah.*"²³ This model emphasizes how social trust obviates the need for external regulation,²⁴ as buyers personally know the sellers and engage in transactions based on mutual consent (*tarāḍīn*) under *fiqh al-mu'āmalāt*.

²¹ George Steven Swan, "The Law and Economics of Integrity as Social Capital: Practical Ethics in a Capitalist Market Economy," in *Business Education and Ethics: Concepts, Methodologies, Tools, and Applications* (IGI Global, 2018), 1324-47.

²² "Observation of Shellfish Trading Practices in Tempurukan Village," December 2024 and June 2025.

²³ Meti, "Interview with a Shellfish Seller," June 2025.

²⁴ See: A. Lyasko, "The Role of Trust and Control Institutions in Informal Monetary Transactions," *Voprosy Ekonomiki*, no. 6 (June 2012): 48-64.

The second model encompasses transactions conducted via digital communication platforms, illustrating the adaptation of traditional values to contemporary technological advancements. Sellers and buyers utilize WhatsApp to initiate inquiries concerning shellfish availability. Sellers frequently post status updates, while buyers place orders through direct messaging. Sophia, a regular purchaser, stated, “*If I am busy, I simply send a message via WhatsApp and wait for the shellfish to be prepared.*”²⁵ Although the initial online interaction is used, both order confirmation and payment are completed in person. Another buyer, Halinda, commented, “*I always verify my order at the seller’s residence before making payment to ensure completeness.*”²⁶ This pattern exemplifies the integration of digital convenience with enduring social and ethical norms.

The third model comprises spontaneous transactions occurring on the road, exemplifying the highest level of flexibility within the community’s economic system. These transactions typically take place when a seller returning from gathering shellfish encounters potential buyers by chance. The sale is finalized immediately through a brief verbal exchange incorporating elements of offer (*ijāb*) and acceptance (*qabūl*), as well as the principle of *tarādīn* in *fiqh al-mu‘āmalāt*.²⁷ A shellfish seller, Hafriandi, recounted: “*Sometimes after I return from collecting shellfish, I meet someone on the road, and they stop me. They select the shellfish they want and inquire about the price. If we agree, they purchase it on the spot.*”²⁸ This model demonstrates that transactional legitimacy is derived not from legal formalism but from spontaneous honesty and mutual trust.²⁹ Furthermore, it reflects the enduring influence of Islamic values in local economic practices, wherein the principles of *maṣlahah* (public benefit) and *tarādīn* are enacted through everyday social interactions.³⁰

A fundamental element common to all three models is the utilization of traditional measuring instruments—namely, the *cupak* and *ringkat* (see Figure 3). According to interviews with the vendor Hafriandi, the *cupak* was originally crafted from coconut shells and functioned as a socially recognized unit of measurement, approximately equivalent to one kilogram of shellfish. However, due to the labor-intensive nature of producing coconut-shell *cupak*, the community has transitioned to using plastic containers, known as *ringkat*, as practical substitutes. As Hafriandi noted, “*People now use plastic containers, but their size is still the same as the old*

²⁵ Sophia, “Interview with a Shellfish Buyer,” July 2025.

²⁶ Halinda, “Interview with a Shellfish Buyer,” June 2025.

²⁷ Al-Zuhailī, *Al-Fiqh al-Islamī wa Adillatuh*, 4:347–98.

²⁸ Hafriandi, “Interview with a Shellfish Seller,” December 2025.

²⁹ Rajesh Anantharaman et al., “Uncovering the Role of Consumer Trust and Bandwagon Effect Influencing Purchase Intention: An Empirical Investigation in Social Commerce Platforms,” *Journal of Strategic Marketing* 31, no. 6 (2023): 1199–219.

³⁰ See: Muhammad Yafiz et al., “Localizing Islamic Economics: Integrating Sharia Principles into the Salingka Nagari Tradition in Minangkabau,” *Jurnal Ilmiah Peuradeun* 13, no. 3 (2025): 1643–68; Jamaluddin Jamaluddin et al., “Examining the Synthesis of Islamic Commercial Principles and Local Customary Practices: A Case Study of Nyambut Sawah Traditions in Tejamari, Banten,” *Journal of Islamic Law* 5, no. 1 (2024): 86–104.

cupak.”³¹ This material substitution has not diminished the tool’s social significance. The *ringkat* continues to be accepted as a legitimate measuring device because a collective consensus has established it as a more practical yet functionally equivalent standard. This transition exemplifies a process of rationalization that preserves the underlying moral values; the tradition is adapted to accommodate practical requirements without compromising cultural legitimacy.³² Within the framework of *‘urf ṣāḥīḥ* (custom recognized as legally valid), this practice conforms to Islamic legal principles, as it does not engender injustice or deception.³³

Figure 3
Traditional Measuring Tools: *Cupak* and *Ringkat*



Source: Field Documentation, June 2025.

The findings suggest that the use of traditional measuring instruments in shellfish trading within the Muslim coastal community of Tempurukan does not contravene Islamic legal principles or contemporary economic standards. Instead, it reflects a social system that prioritizes substantive justice beyond the limitations of formal regulatory frameworks. In all three transactional models examined, social trust, mutual satisfaction, and practical efficiency serve as legitimate alternatives to formal metrological standardization.³⁴ The utilization of *cupak* and *ringkat* underscores the existence of a living customary legal system that operates alongside Islamic law, thereby reinforcing its function as a protector of economic morality.³⁵

³¹ Hafriandi, “Interview with a Shellfish Seller,” December 2025.

³² Danu Patria et al., “Traditional Cultural Industry in Jepara: An Open Innovative Ecosystem Approach,” in *A Guide to Planning and Managing Open Innovative Ecosystems*, ed. João Leitão et al. (Emerald Group Publishing Ltd., 2020), 133–54.

³³ See: Ahmadi et al., “Legal Authority and Marital Identity: A Study on the Kalosara Tradition of the Tolaki People in Southeast Sulawesi,” *Al-Manahij: Jurnal Kajian Hukum Islam* 18, no. 2 (2024): 317–32; Inna Fauziatal Ngazizah et al., “Localizing Islamic Law: Marriage Practices and the Pak Ponjen Tradition in Kudus,” *El-Mashlahah* 15, no. 1 (2025): 59–78.

³⁴ Swan, “The Law and Economics of Integrity as Social Capital,” 1324–47.

³⁵ See: Munawar Munawar et al., “A Dialog Between Islamic Law and Adat (Customary Law) in the Social Context of West Kalimantan, Indonesia,” *Al-Adalah* 22, no. 1 (2025): 323–46; Rahmawati

Consequently, the Muslim coastal community of Tempurukan exemplifies a unique form of legal pluralism, wherein customary norms, religious values, and economic imperatives interact dynamically to produce a contextualized and participatory form of justice.

Socio-Cultural and Economic Practicality as the Basis for Using Traditional Measuring Instruments

The continuity of shellfish trading utilizing traditional measuring instruments within the Muslim coastal community of Tempurukan Village represents not merely an inherited custom but the outcome of a complex, multilayered social system. This practice is sustained by three interrelated factors: customary law (*adat*), social trust, and economic practicality. Collectively, these elements form a social ecosystem that harmonizes customary values, economic rationality, and religious ethics. This framework illustrates that the community has developed an unwritten normative order operating alongside formal legal systems, thereby ensuring both economic stability and moral legitimacy in commercial transactions. Consequently, the use of *cupak* and *ringkat* as traditional measuring tools should not be regarded as inconsistent with Islamic economic law; rather, it constitutes an expression of a “living law” deeply embedded in the community’s social and religious norms.³⁶

The first factor is *adat*, the customary system integral to the collective identity of the Muslim coastal community. Interviews indicate that the tradition of buying and selling shellfish using the *cupak* has been passed down across generations, serving as a value system that shapes economic behavior. A shellfish seller, Junaidi, emphasized, “*This tradition is already ingrained. It is how our grandparents did it, and it has been passed down to us.*”³⁷ This statement suggests that the practice is not merely habitual repetition but a socially embedded system grounded in customary norms. As Koentjaraningrat observes, *adat* constitutes a system of values and unwritten social laws that regulate collective conduct.³⁸ Within this framework, *adat* fosters a symbolic attachment to the *cupak*, which embodies traditional values extending beyond its technical role as a measuring device. The tradition is reinforced through cultural internalization, particularly as younger generations engage in trading activities. As the local religious figure, Ahmadi, explained, “*Children learn directly by watching their parents sell shellfish.*”³⁹ Therefore, the practice of non-standardized measurement serves as a domain of social reproduction that sustains the community’s moral and cultural values.

The second sustaining factor is social trust, which serves as the moral foundation underpinning trading relationships. In the absence of standardized

Rahmawati et al., “Harmonizing Islamic Law and Local Culture: A Study of The Mampatangpulo Tradition in Duri, Enrekang Regency,” *Jurnal Ilmiah Al-Syir’ah* 22, no. 1 (2024): 67–78.

³⁶ Zaimuariffudin Shukri Nordin et al., “Integrating Islamic Law and Customary Law: Codification and Religious Identity in the Malay Buyan Community of Kapuas Hulu,” *Journal of Islamic Law* 6, no. 1 (2025): 89–111.

³⁷ Junaidi, “Interview with a Shellfish Seller,” July 2025.

³⁸ Koentjaraningrat, *Manusia dan Kebudayaan di Indonesia* (Sapdodadi, 1984), 381.

³⁹ Ahmadi, “Interview with a Local Religious Leader in Tempurukan Village,” July 2025.

measurement tools, trust functions as the primary mechanism of social control, ensuring fairness in transactions. As a seller, Meti explained: “*For us, this practice carries deep meaning—from the trust that forms, the sense of comfort, to the long-standing tradition we uphold along the coast.*”⁴⁰ Her reflection suggests that trust is not merely a psychological construct, but instead operates as a moral institution embedded within the community’s social networks. Buyers such as Wulandari similarly emphasize that seller honesty is rooted in spiritual consciousness: “*I trust them because they know God sees every action we take.*”⁴¹ From the perspective of *fiqh al-mu‘āmalāt*, such trust embodies the principles of *tarādīn* and *amānah* (honesty).⁴² A local religious leader, Heffy, further affirmed this dimension by stating: “*A sale without standardized weighing remains valid as long as there is sincerity and an honest agreement.*”⁴³ Therefore, social trust within the Muslim coastal community functions as a legal substitute for formal regulation,⁴⁴ promoting justice through moral and religious norms.

The third factor pertains to economic practicality, representing a rational adaptation to local social conditions and available resources. The Muslim coastal community preserves this traditional system of measurement because it is regarded as efficient, cost-effective, and expedient. As a seller, Meti articulated, “*I use cupak because it is faster, especially when there are many customers. It is more convenient than weighing everything one by one.*”⁴⁵ This statement suggests that practicality extends beyond mere technical preference, encompassing economic rationality among small-scale traders who must balance time, labor, and profit. Another vendor, Hafriandi, noted that the use of *cupak* and *ringkat* helps to prevent long queues and facilitates smoother transactions.⁴⁶ Furthermore, a local religious leader, Iskandar, interprets this principle of efficiency as consistent with Islamic values that promote ease (*taysīr*) in commercial activities.⁴⁷ Consequently, the practicality inherent in the traditional measuring system reflects the community’s capacity to innovate economic norms based on local needs while minimizing reliance on formal infrastructure.⁴⁸

The practical application of these traditional measuring instruments possesses deep historical significance within the Muslim coastal community of Tempurukan. According to Ahmadi, their ancestors utilized the *gantang*—a measuring vessel

⁴⁰ Meti, “Interview with a Shellfish Seller,” June 2025.

⁴¹ Wulandari, “Interview with a Shellfish Buyer,” June 2025.

⁴² See: Risfiana Mayangsari, “Consumer Protection in Muamalah Transactions,” *Jurnal Ilmiah Mizani: Wacana Hukum, Ekonomi dan Keagamaan* 11, no. 1 (2024): 206–16; Chuzaimah Batubara et al., “Realizing Justice and Maṣlahah in E-Commerce: Fiqh Muamalah Insights and Challenges in Malaysia and Indonesia,” *JURIS (Jurnal Ilmiah Syariah)* 23, no. 2 (2024): 253–67.

⁴³ Heffy, “Interview with a Local Religious Leader in Tempurukan Village,” June 2025.

⁴⁴ See: Shu Yu et al., “Trade, Trust and the Rule of Law,” *European Journal of Political Economy* 37 (March 2015): 102–15; Devesh Roy et al., “Social Trust and International Trade: The Interplay between Social Trust and Formal Finance,” *Review of World Economics* 150, no. 4 (2014): 693–714.

⁴⁵ Meti, “Interview with a Shellfish Seller,” June 2025.

⁴⁶ Hafriandi, “Interview with a Shellfish Seller,” December 2025.

⁴⁷ Iskandar, “Interview with a Local Religious Leader in Tempurukan Village,” June 2025.

⁴⁸ Sarumaha, “Afore, The Measuring Instrument in South Nias Culture,” 042001.

crafted from coconut wood—as the principal unit for calculating zakat (the third pillar of Islam) owed on rice harvests. Subsequently, the *cupak* emerged as a subdivision of the *gantang*, with four *cupak* constituting one *gantang*.⁴⁹ This development illustrates a continuity between the local economic framework and the Islamic zakat system. The transition from the *gantang* to the *cupak* also signifies a shift from an agrarian to a maritime economy, wherein smaller units of measurement became necessary. From a socio-historical standpoint, the *cupak* functions not merely as a measuring tool but as an epistemological conduit linking Islamic values, local *adat*, and the practical economic requirements of a coastal society. These findings suggest that *fiqh* norms and local customs are not antagonistic; rather, they mutually reinforce one another in fostering an ethical, efficient, and equitable commercial system.⁵⁰

Socio-Legal Construction of Commercial Practices Involving Traditional Measurement Instruments

The use of traditional measuring instruments in shellfish trading among the Muslim coastal community of Tempurukan Village represents the result of a complex social construction in which legal, customary, and religious dimensions interact and mutually influence one another. Drawing upon the social construction theory articulated by Peter L. Berger and Thomas Luckmann, social reality is produced through a dialectical process between individuals and their social environment, encompassing three stages: externalization, objectivation, and internalization.⁵¹ Within this theoretical framework, the practice of measurement using the *cupak* transcends mere habit, constituting a socially constructed institution that integrates cultural expression, social legitimacy, and collectively embodied Islamic values. Consequently, the *cupak* operates as a symbol of living law, mediating between customary rationality and Islamic principles of justice within the microeconomic context of this Muslim coastal community.

Within the context of shellfish trading, the process of externalization is manifested when the community articulates its ideas, customs, and economic behaviors into a tangible social domain. This phenomenon is exemplified by the transparent and direct measurement practices conducted between sellers and buyers. As a seller, Junaidi stated, “*Usually, if a buyer asks for one or two kilos, I immediately give it to them. Sometimes I have already prepared the cupak, so they simply pay.*”⁵² Such practices demonstrate how ostensibly straightforward economic transactions embody symbolic significance, underscoring local values of trust and efficiency. Externalization is further evident in the utilization of digital communication. Social media platforms, such as WhatsApp, are utilized to maintain

⁴⁹ Ahmadi, “Interview with a Local Religious Leader in Tempurukan Village,” July 2025.

⁵⁰ See: Nordin et al., “Integrating Islamic Law and Customary Law,” 89–111; Mursyid Djawas et al., “The Integration Between Syara’ and Ade’ in Marriage Tradition Bugis Bone, South Sulawesi,” *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 18, no. 2 (2023): 342–64.

⁵¹ Berger and Luckmann, *The Social Construction of Reality*, 13–15.

⁵² Junaidi, “Interview with a Shellfish Seller,” July 2025.

traditional practices within a modern framework. According to buyer Sophia, although the transaction initiates online, it is finalized through traditional norms that emphasize honesty and mutual agreement—indicating that cultural values remain deeply embedded even within digital environments.⁵³ In the terms of Berger and Luckmann, language, gestures, and material artifacts such as the *cupak* and *ringkat* function as symbolic media that construct a meaningful social reality for the Muslim coastal community of Tempurukan.

The stage of objectivation occurs when repeated externalized actions solidify into socially recognized patterns that attain an objective status. In the context of the shellfish trade, the *cupak* has transformed from a simple container into a social institution imbued with normative authority. A buyer, Wulandari noted, “*It (cupak) has been like this for a long time, even when I was a child.*”⁵⁴ This statement reflects the epistemic shift of the *cupak* from a mere functional object to a symbol of social legitimacy.⁵⁵ It has become objectified knowledge, accepted uncritically, as the community collectively recognizes one *cupak* as equivalent to one kilogram without requiring external validation. As Berger and Luckmann (1966) contend, objectivation signifies the emergence of a social reality that attains autonomy from its originators. The community no longer regards it as a constructed artifact but as a naturalized fact. This perspective is further supported by the local religious leader, Ahmadi, who asserts, “*This practice has been inherited, accepted, and never disputed because it has become our custom.*”⁵⁶

Internalization represents the phase during which objectified social structures are assimilated into an individual’s consciousness and become an integral part of their everyday habitus. At this stage, community members no longer question the rationale or appropriateness of using the *cupak*, as the practice has been fully internalized as the normative method of trade. A seller, Hafriandi remarked, “*We follow the ways of our ancestors. They measured shellfish using the cupak,*”⁵⁷ exemplifying cultural reproduction through informal socialization, wherein children acquire knowledge by observation rather than formal instruction. Similarly, another shellfish seller, Meti, stated, “*I sell this way because I watched people here and learned from a young age.*”⁵⁸ Additionally, norms of honesty and trust are internalized within the community’s spiritual consciousness. As a buyer, Halinda noted, “*Buying with the cupak is always fair because the sellers are honest and we trust one another.*”⁵⁹ According to Berger and Luckmann’s theoretical framework, internalization guarantees the persistence of social structures, as institutionalized realities are reabsorbed into individual consciousness as unquestioned truths.

⁵³ Sophia, “Interview with a Shellfish Buyer,” July 2025.

⁵⁴ Wulandari, “Interview with a Shellfish Buyer,” June 2025.

⁵⁵ See: Mardia et al., “Ethnomathematics Study,” 032049; Sarumaha, “Afore, The Measuring Instrument in South Nias Culture,” 042001.

⁵⁶ Ahmadi, “Interview with a Local Religious Leader in Tempurukan Village,” July 2025.

⁵⁷ Hafriandi, “Interview with a Shellfish Seller,” December 2025.

⁵⁸ Meti, “Interview with a Shellfish Seller,” June 2025.

⁵⁹ Halinda, “Interview with a Shellfish Buyer,” June 2025.

From the perspective of *fiqh al-mu'āmalāt*, this social construction illustrates how fundamental principles of Islamic law, such as clarity (*bayān*), honesty (*ṣidq*), and *tarāḍīn*, are embedded within a pluralistic customary framework. A religious leader, Iskandar, emphasized that the practice remains valid provided it does not engender harmful *gharar*. He stated, “*The buyer accepts it and the seller accepts it, so there is no issue between them.*”⁶⁰ This perspective aligns with the Hanafi school’s position that minor *gharar*, which does not provoke dispute and is grounded in social consent, remains permissible under Islamic law.⁶¹ The utilization of the *cupak* as *urfṣaḥīh* demonstrates that social practices not contradicting *fiqh* may function as legitimate sources of law. Therefore, this practice should not be regarded as a deviation from formal law but rather as a localized manifestation of Islamic justice institutionalized through custom.⁶²

From a socio-legal perspective, the practice of shellfish trading employing traditional measuring instruments in Tempurukan exemplifies a dynamic form of legal pluralism, wherein legal norms originate from grassroots processes. The *cupak* and *ringkat* serve not only as tools for measurement but also as symbols of social justice that integrate customary norms, religious values, and economic imperatives. Comparable symbolic measurement practices are observed in the daily activities of the Acehnese and South Nias communities.⁶³ The processes of externalization generate norms, objectivation institutionalizes them, and internalization embeds these norms within the moral consciousness of the community. Thus, this practice demonstrates the capacity of local communities to develop an autonomous, living legal system that remains consistent with Islamic law.⁶⁴ Concurrently, this construction challenges the dominance of modern metrological rationality—which equates justice with numerical precision—by illustrating that, within a Muslim coastal context,⁶⁵ substantive justice is produced through social trust, mutual satisfaction, and moral legitimacy fostered by everyday interactions. As several scholars have argued, ethnomathematics constitutes an integral component of local cultural life through its symbolic modes of measurement.⁶⁶

⁶⁰ Iskandar, “Interview with a Local Religious Leader in Tempurukan Village,” June 2025.

⁶¹ Al-Zuhailī, *Al-Fiqh al-Islamī wa Adillatuh*, 4:650.

⁶² See: Nasruddin Yusuf et al., “Mapalus Tradition: North Sulawesi Muslim Society in the Maqashid Syariah Discourse,” *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 20, no. 1 (2025): 63–93; Muhammad Mutawali, “The Dialectics of Customary Law and Islamic Law: An Experience from Dou Donggo Customs of Bima, Indonesia,” *AHKAM: Jurnal Ilmu Syariah* 21, no. 1 (2021): 45–64; Yafiz et al., “Localizing Islamic Economics,” 1643–68.

⁶³ See: Sarumaha, “Afore, The Measuring Instrument in South Nias Culture,” 042001; Aziz et al., “Mensural Classifiers and Traditional Measuring Tools Used in Acehnese (Indonesia),” 649–72.

⁶⁴ See: Nordin et al., “Integrating Islamic Law and Customary Law,” 89–111; Munawar et al., “A Dialog Between Islamic Law and Adat (Customary Law) in the Social Context of West Kalimantan, Indonesia,” 323–46; Mutawali, “The Dialectics of Customary Law and Islamic Law,” 45–64.

⁶⁵ Srikanth, “Legal Metrology and Global Trade,” 2031–51.

⁶⁶ Uba Umbara et al., “Symbolic Measuring: An Exploration of Ethnomathematics Based on People’s Daily Communication,” *Journal of Physics: Conference Series* 1806, no. 1 (2021): 012075.

Conclusion

The practice of shellfish trading utilizing traditional measuring instruments such as the *cupak* (made from coconut shells) and *ringkat* (a plastic container) among the Muslim coastal community of Tempurukan Village constitutes a social construct arising from the dynamic interplay of customary norms, religious values, and local economic rationality. Employing Berger and Luckmann's social construction theory, this study demonstrates that the processes of externalization, objectification, and internalization have transformed the *cupak* from a mere functional container into a social institution that embodies trust, efficiency, and substantive justice. This tradition corresponds with fundamental principles of Islamic commercial jurisprudence, including *tarādīn* (mutual consent), *amānah* (honesty), and *bayān* (clarity). It fulfills the criteria of *'urf ṣaḥīḥ* (custom recognized as legally valid) within Islamic law. Consequently, this trading practice represents a form of living law and legal pluralism, illustrating that justice within coastal Muslim communities is shaped not solely by the precision of modern metrology but also by the moral and social legitimacy cultivated through quotidian interactions.

This study presents several significant implications. From a theoretical perspective, the findings underscore the importance of understanding Islamic law within socially pluralistic contexts that are inherently linked to local cultural frameworks. From a practical standpoint, the study demonstrates that enhancing the economies of coastal communities does not necessitate the complete replacement of traditional instruments, provided that fairness and transparency in transactions are upheld. However, the study is subject to certain limitations, notably its geographically limited focus on a single village and its concentration on a specific commodity, which constrain the broader applicability of its conclusions. Future research could extend the analysis to other coastal communities, investigate gender dynamics within local trading practices, and examine the impact of formal policy interventions on the sustainability of traditional measurement systems in Muslim coastal societies.

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