

## THE PEOPLE'S REJECTION OF PROPHETIC MESSAGES AND LEGISLATION IN THE FIELD OF LAW IN INDONESIA

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### ABSTRACT

Islam emerged as a perfect religion through the prophetic mission of the Prophet Muhammad SAW, which brought a mission of social transformation and the establishment of justice. However, throughout history, this mission has often faced resistance from the community, both in the early days of prophethood and in the modern context through rejection of legal regulations, particularly Islamic family law. A similar phenomenon can be seen in the implementation of Law Number 1 of 1974 concerning Marriage in Indonesia, which to this day still causes debate and rejection among the community. This study aims to identify the factors behind the community's rejection of the prophetic message, analyze the forms and reasons for the community's rejection of family law regulations, and find the relevance and connection between the two phenomena. The results of the study show that this resistance is generally rooted in a strong attachment to traditions and ancestral values, as well as the community's unpreparedness to accept social change and legal reform. Several family law issues that often cause rejection include interfaith marriage, the recognition of children born out of wedlock, and provisions regarding the validity of marriage. This study concludes that a more inclusive, dialogical, and educational approach is needed in the process of reforming and implementing Islamic family law. This approach is expected to bridge the tension between old traditions and the need for legal reform, thereby creating social harmony and substantive justice within society.

**Keywords:** Prophetic Mission, Family Law, Community Rejection.

### INTRODUCTION

Islam is a perfect religion delivered by the Prophet Muhammad SAW as the messenger of Allah, who was sent as a "mercy to the universe" and the perfecter of human morals. His humanistic and loving preaching succeeded in slowly changing people's behavior without violence, so that Islam was well accepted. However, the Prophet's prophetic message was not always easily accepted; many pros and cons arose, similar to the rejection experienced by previous prophets. This rejection was often caused by the community's unwillingness to accept change, as they were still attached to their old beliefs or religions.<sup>1</sup>

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<sup>1</sup> Muhammad Hadyan Wicaksana, Ahmad Rezy Meidina, The Rejection of the Prophetic Message by the People and Its Relevance to the Rejection of Family Law Reform in Egypt, *Journal of Family Guidance & Counseling*, Vol. 6, No. 1, (2024).

The presence of the Prophets among societies that had crossed moral boundaries brought a significant mission,<sup>2</sup> centered on efforts to draw closer to Allah and uphold justice.<sup>3</sup> As the last and final Prophet, Prophet Muhammad can be considered a catalyst for social transformation in the context of the ignorance prevalent in society, particularly in the framework of law.<sup>4</sup> This transformation was facilitated through the acceptance and guidance bestowed upon him by Allah Subhanahu wa Ta'ala. Islamic law, also known as Sharia, is a comprehensive system of divine commands established by Allah, which governs various aspects of a Muslim's life.<sup>5</sup>

The rejection of the prophetic message and legislation in the field of family law reflects the social, cultural, and religious dynamics within society. The prophetic message, which aims to bring about positive change, is often rejected because people feel bound by existing traditions and customs. The stories of prophets such as Noah, Abraham, and Moses show that the inability of the people to break away from tradition led to the rejection of the message of change. On the other hand, legislation in Indonesia, such as Law No. 1 of 1974 concerning Marriage<sup>6</sup>, also faces rejection. The public often feels that these laws are not in line with their religious values and traditions, especially regarding issues of interfaith marriage, recognition of children born out of wedlock, and the requirements for a valid marriage. This rejection reflects the tension between the desire to preserve tradition and the need to adapt to change.

Research on this topic is very important because it reflects the tension between the desire to preserve established traditions and the need to adapt to changing times. Understanding the roots of the rejection of the prophetic message is not merely a historical study, but an important tool for analyzing the mass psychology and legal sociology of Muslims in responding to the social transformations brought about by family law. The importance of examining the relevance of these two phenomena lies in the effort to find solutions so that legal reform is not only seen as a formal imposition, but can be harmoniously integrated with the religious and cultural values of society.

Therefore, this paper aims to identify the forms of rejection of the prophetic message by the community and the community's rejection of legislation in the field of family law. Furthermore, this study will analyze the relevance between the reasons for the community's rejection of family law legislation and the patterns of rejection of the prophetic message in the past. Through this study, it is hoped that the factors hindering legal transformation can be understood in depth so that a more constructive dialogue between tradition and modern regulations can be created.

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<sup>2</sup> Faisal Riza, Philosophical Arguments of Prophethood by Al-Farabi and Ibn Sina, *Journal of Religious Studies*, Vol. 10, No. 1, (2022). Pp. 33-41.

<sup>3</sup> Mohammad Latief, Amal Fathullah Zarkasyi, and Amir Reza Kusuma, The Secular Problem of the Relationship between Religion and the State According to Ali Abdul Raziq, *Journal of Religious, Social and Cultural Studies*, Vol. 7, No. 2, (2022). Pp. 146-169.

<sup>4</sup> Ahmad Fadholi, Muhammad as a Religious and State Leader, *Journal of Education and Islamic Studies*, Vol. 5, No. 1, (2020).

<sup>5</sup> Arif Sugitanata, Suud Sarim Karimullah, and Rizal Al-Hamid, Positive Law and Islamic Law: Analysis of the Procedures for Finding Law from the Perspective of Positive Law and Islamic Law, *Journal of Sharia Science*, Vol. 3, No. 1, (2023).

<sup>6</sup> Law of the Republic of Indonesia No. 1 of 1974.

## RESEARCH METHOD

This study uses a normative legal research method with a comparative-historical approach. Data was collected through library research by examining religious texts such as the Qur'an (Surah Hud, Maryam, Al-Anbiya, and Yunus) which record the history of the rejection of the messages of the Prophets. In addition, an analysis was conducted on legal products in Indonesia, particularly Law No. 1 of 1974 concerning Marriage and several related court decisions. The data was then analyzed qualitatively to draw relevance between the reasons for rejection by the people during the prophetic era and modern society's resistance to family law reform.

## RESULTS AND DISCUSSION

### The Community's Rejection of the Prophetic Message

The message of Islam is simply God's message entrusted to selected individuals to be conveyed to humanity, providing guidance, explanation, and direction in living life so that they may be saved in this world and the hereafter.<sup>7</sup> The arrival of the prophetic message to the people essentially brought a mission of social change for the better. At least eight things are included in the mission of the message, namely: 1) Upholding the supremacy of God's law, 2) Building transcendence, 3) Instilling *tauhidiyyah*, 4) Reconstructing the value system of life, 5) Organizing rituals and all aspects of worship, 6) Upholding fairness and egalitarianism, 7) Freeing people from the shackles of misguidance, 8) Enlightening and educating the people.<sup>8</sup> Rejection of prophetic or messianic messages can be categorized based on the life histories of the prophets and/or messengers. For example, they can be grouped into 1. the story of Prophet Noah, 2. the story of Prophet Abraham, and 3. the story of Prophet Moses. However, there are also many stories of prophets that tell of rejection by their people.

First, the story of the rejection of the message of Prophet Noah AS by his people is mentioned in the Qur'an, Surah al-Hud (11): 25-27. The essence of the message brought by Prophet Noah AS was the prohibition of worshipping other than Allah and the command to worship only Allah. Meanwhile, the reason for the rejection by his people was because they saw Prophet Noah AS as an ordinary human being, without any special qualities, and even a despicable person. The same point is also mentioned in Surah al-Mumin (23): 23-27. Second, the story of the rejection of the message of Prophet Ibrahim AS by his people is mentioned in Surah Maryam (19): 42-48. When Ibrahim asked his father and his people why they were loyal in worshipping idols, they replied that their fathers did so, as mentioned in Surah al-Anbiya (21): 52 and 53. Thus, the followers of Prophet Ibrahim rejected him because their fathers and ancestors did so.

Third, the story of the prophets Moses AS and Aaron facing rebellion from Pharaoh, Haman, and Qarun is recorded in Surah Yunus (10): 75-78. 27 The essence of this verse is the command to worship Allah. The people protested because they were asked to turn away or abandon what their ancestors had done.<sup>9</sup>

In line with what is written above, when commanded by Allah to follow what He had revealed, the people answered no, but they would follow what they had

<sup>7</sup> Asep Dudi Suharyadi, "The Mission of Islam as the Epistemological Foundation for Social Reform Towards a Civil Society," *paper*, p. 91.

<sup>8</sup> *Ibid*, p. 108.

<sup>9</sup> Khoiruddin Nasution, "The Rejection of the Prophetic Message by the Ummah and Its Relevance to the Rejection of the Marriage Law by Muslims," *Journal of Islamic Family Law*, Vol. 2, No. 1, (June 2020), p. 30.

learned from their fathers and forefathers. They refused because they were asked to abandon what their predecessors had done. In other words, they followed and carried out what their fathers and forefathers had done and they rejected change.

From a number of verses that tell of the people's rejection of the messages of the prophets, there are three main reasons, namely:

1. The prophetic message commanded them to change their worship from what their fathers and grandfathers had done to worshiping only Allah;
2. The prophetic message commanded them to change from and abandon what they had been accustomed to doing, following what their ancestors had done;
3. The prophetic message commands them to change from and abandon their behavior of reducing the amount of water they use, following what has become the tradition of their ancestors.<sup>10</sup>

In short, the message of the prophets that was rejected by the people was a message of change, a message for the people to change. The people rejected the command to change. The people wanted to maintain what was already established. The people wanted to maintain what had become tradition. The people wanted to maintain what had become their custom, following what had become customary (tradition) and the worship of their fathers and ancestors.

### **Community Rejection of Family Law Legislation**

The formation of legislation in one of Indonesia's legal systems is a very consistent step forward. This is in line with the enthusiasm of the community, which welcomes the formation of these laws and regulations. Marriage regulations, in this case Law No. 1 of 1974, are guidelines, especially for the Muslim community in Indonesia, although there are still shortcomings in the articles listed and in terms of their application in the community.

#### **1. Interfaith Marriage is Not an Obstacle to Marriage**

According to the 1973 Marriage Bill as stated in Article 11 paragraph (2), marriage is not prevented by differences in nationality, ethnicity, race, country of origin, place of origin, religion/belief, or descent. When discussing interfaith marriage from the perspective of Islamic marriage law, we must refer to the basis of Islamic law, namely the Qur'an. In the Qur'an, there are several verses that are interpreted as allowing interfaith marriage and others that prohibit it. The verses of the Qur'an that prohibit it are found in Surah Al-Baqarah: 221, Surah Al-Maidah: 72-73, and Surah Al-Mumtahanah: 10. There are also verses that explain the permissibility of interfaith marriage (mubah), namely Surah Al-Maidah: 5 and Surah Ali-Imran: 113. From these verses, it can be understood that interfaith marriage is interpreted in two ways: there is permission and there is prohibition.

Returning to the context of marriage law in Indonesia, we can see that the law was enacted to prevent interfaith marriages. This is clearly stated in Law Number 1 of 1974 concerning Marriage, article 2 paragraph (1), which states that marriages are conducted according to the laws of religion and belief of each party, and continues in paragraph (2) with the condition that marriages must be registered by the government in order to be declared valid. From this, we can conclude that Indonesian law prohibits interfaith marriages. Although interfaith marriages are not explicitly

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<sup>10</sup> Ibid.

prohibited by Law No. 1 of 1974, this does not mean that they do not occur. In Indonesia, there have been several cases of interfaith marriage. The marriage between Protestant Christian Andrianus Peter Hendrik and Muslim Andi Vonny Gani took place in 1986, when the Central Jakarta District Court approved the interfaith marriage application with case number 1400 K/Pdt/1986.

The next case involving interfaith marriage in Indonesia occurred in 2014, when the Constitutional Court upheld a similar case challenging the constitutionality of Law No. 1 of 1974, Article 2(1), which states that "a marriage is valid if it is conducted in accordance with the laws of each religion and belief." Case number 68.PUU-XII/2014 was registered for this case. Everything was returned to the jurisdiction of the district court where the petition was filed according to the material truth regarding the validity of interfaith marriages. As a result, the civil registry office is primarily responsible for recording documents and events that already have legal standing. Other religions recognized in Indonesia, on the other hand, in principle reject interfaith marriages. Interfaith marriages are prohibited by Catholicism, Protestant Christianity, Hinduism, and Buddhism. Buddhism does not prohibit interfaith marriage, although Buddhism requires brides and grooms from other religions to marry in a Buddhist ceremony. This means that religions in Indonesia teach the same concept and have the same attitude towards interfaith marriage. The following are the various ways in which interfaith marriages are conducted:

- a. One party converts to the religion of their prospective spouse
- b. One party submits to the religious laws of the prospective husband or wife.
- c. The marriage is only conducted at the civil registry office.

## 2. Recognition of Children Born Out of Wedlock

There are several factors behind premarital pregnancy and the birth of children out of wedlock, including

- a. The perpetrators are still below the legal age for marriage;
- b. Not yet financially ready to get married.
- c. Differences in beliefs and faith.
- d. As a result of a criminal act (rape)
- e. Lack of parental consent.

From the items listed above, it can be understood that there are many factors or causes of children born out of wedlock. This discussion is also inseparable from the discussion of premarital pregnancy. It is premarital pregnancy that causes children to be born out of wedlock. The first point above mentions one of the factors, namely the issue of age, which does not meet the minimum age limit in the applicable laws and regulations. This certainly causes the possibility of negative things happening in marriage.

The second point states that not being financially ready for marriage is also a factor that causes pregnancy outside of marriage and ultimately children born out of wedlock. Of course, we cannot deny that in this day and age, it is mandatory for the bride and groom to think about and prepare everything for a marriage, especially in terms of finances. Although finances are not the most important thing in a marriage, they are an important technical aspect that determines whether a wedding will run smoothly. Furthermore, the third point is that differences in beliefs have also become

a factor causing children to be born out of wedlock. A person's lack of knowledge and religious foundation greatly influences the above. This is where family members, especially parents, play an important role in educating their children so that they gain the correct religious knowledge. This is to prevent marriages between people of different faiths.

Finally, the underlying problem discussed above is that a relationship that does not receive parental blessing is a major issue for a child. When they are willing to leave their home and family because they do not receive their parents' blessing. Here, parents must also provide knowledge as early as possible about how to choose a good partner. However, on the other hand, parents must also understand that choosing a prospective son-in-law or daughter-in-law must be based on religion. When religion becomes the benchmark for choosing a partner, it will have a positive impact on the interests of the family as a whole. The 1973 Marriage Bill states that children born out of wedlock can be recognized as legitimate children as stated in Article 49 paragraph 2. This provision is taken from Article 280 of the Civil Code, which is clearly not permitted by Islamic law. This is because according to Islamic law, a legitimate child is a child born as a result of a valid marriage.

### 3. Validity of Marriage

Regarding the validity of marriage, Article 2 paragraph (1) of the 1973 Marriage Bill states the following: "A marriage is valid if it is conducted in the presence of a marriage registrar, recorded in the marriage registry by the registrar, and conducted in accordance with the provisions of this law and/or the marriage laws of the parties conducting the marriage, as long as it does not conflict with the law."<sup>11</sup> From the above formulation, it is clear that the registration of a marriage is one of the factors that determines the validity of a marriage, regardless of whether the marriage itself is conducted in accordance with the provisions of this law alone or in accordance with the respective marriage laws or both. Thus, in addition to the requirement that marriages must be conducted in front of a marriage registrar and recorded, there are three legal options for the validity of a marriage. This means that for Muslims, for example, it is possible to conduct a marriage without using Islamic marriage law. This kind of understanding is unacceptable to Muslims. This is because, according to Islamic law, a marriage is valid if the pillars of marriage are fulfilled, including the marriage contract in the form of ijab qabul (offer and acceptance) made by the man and woman and witnessed by two witnesses.

After explaining the above, the reasons why the family law regulations are rejected can be stated as follows:<sup>12</sup>

#### 1. Before its formation

There is an opinion that calls for a general marriage law system that does not touch on religious issues, especially Islamic marriage law, which has been adhered to by Muslims in conducting marriages. This can be seen in the three points above, which are provisions that contradict

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<sup>11</sup> Musafir et al., "Causes of Community Rejection of Family Law Regulations," *Journal of Islamic Family Law*, Vol. 12, No. 01, (2022), pp. 99-104.

<sup>12</sup> Ibid, p. 106.

Islamic law, which is the reference for daily life, especially in matters of marriage.

## 2. After its formation

In principle, there is no difference that leads to rejection of these laws between the marriage law and the fiqh munakahat. The difference after the formation of these laws lies only in the formal requirements. For example, the issue of polygamy still exists on the part of the husband. As for other provisions after the formation of this regulation, they have also been adjusted in line with several government regulations governing marriage issues, such as Supreme Court regulations, Supreme Court circulars, and many other regulations that followed after the formation of the law, which are in line with and do not conflict with previous regulations.

Issue	Law	Community Rejection
Interfaith Marriage	<ul style="list-style-type: none"> <li>- Law No. 1 of 1974 on Marriage</li> <li>- Article 2 paragraph (1): "A marriage is valid if it is conducted in accordance with the laws of each religion and belief."</li> <li>- Article 2 paragraph (2): "A marriage that is not conducted in accordance with the laws of each religion and belief is invalid."</li> </ul>	<p>Public rejection of interfaith marriage is caused by several factors, such as:</p> <ul style="list-style-type: none"> <li>- Religion: Many people adhere to religious teachings that prohibit interfaith marriage.</li> <li>- Social Pressure: Families and communities often reject couples who marry outside their religion.</li> <li>- Lack of Legal Understanding: Many people do not understand that interfaith marriages may be legally recognized in some areas.<sup>13</sup></li> </ul>
Recognition of Children Born Out of Wedlock	<ul style="list-style-type: none"> <li>- Law No. 1 of 1974 on Marriage</li> <li>- Article 43 paragraph (1): "A child born out of wedlock can only be recognized by his father."</li> <li>- Law No. 23 of 2002 concerning Child Protection</li> <li>- Article 1 paragraph (1): "A child is a person who is under 18 years of age."</li> </ul>	<p>Society's rejection of the issue of recognizing children born out of wedlock is caused by several factors, such as:</p> <ul style="list-style-type: none"> <li>- Social: Children born out of wedlock are often considered illegitimate and looked down upon.</li> <li>- Inheritance rights: Children born out of wedlock often do not receive the same inheritance rights as legitimate children.<sup>14</sup></li> </ul>

<sup>13</sup> Supriyadi, A, Juridical Review of Interfaith Marriage in Indonesia, *Journal of Law and Development*, Vol. 50, No. 2, (2020).

<sup>14</sup> Sari, Legal Analysis of Children Born Out of Wedlock from a Positive Law Perspective, *Journal of Law*, Vol. 12, No. 1, (2021).

Validity of Marriage	<ul style="list-style-type: none"> <li>- Law No. 1 of 1974 concerning Marriage</li> <li>- Article 2 paragraph (1): "A marriage is valid if it is conducted in accordance with the laws of each religion and belief."</li> </ul>	<p>Society's rejection of the issue of the validity of marriage is caused by several factors, such as:</p> <ul style="list-style-type: none"> <li>- Religion: Some communities still consider marriage to be valid only if it is conducted in accordance with certain religious norms.</li> <li>- Rejection of Polygamy: Although permitted in some religions, many reject the practice of polygamy in modern society.</li> <li>- Early Marriage: Rejection of underage marriage still exists, despite regulations prohibiting it.<sup>15</sup></li> </ul>
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### **Relevance of the Reasons for Society's Rejection of Family Law Legislation with the Rejection of the Prophetic Tradition**

As discussed earlier, the reasons for rejection of family law legislation are more dominant and are greatly influenced by at least three main factors,<sup>16</sup>, namely: *First*, rejection of interfaith marriage in Indonesia involves a combination of legal, religious, social, and cultural factors. Although there are some cases that show tolerance, the norms and values that apply in society in general still tend to reject this practice. *Second*, the rejection of the recognition of children born out of wedlock in Indonesia is influenced by a combination of legal, religious, social, and cultural factors. Although there are provisions in the law that provide recognition, stigma and prevailing norms in society often prevent the acceptance of children born out of wedlock as part of the family and society. Therefore, a comprehensive and inclusive approach is needed to address this issue, including education, interfaith dialogue, and changes in social perceptions.

*Third*, the rejection of the validity of marriage in Indonesia involves a complex interaction between law, religion, and social norms. Although the 1973 Marriage Bill provides a clear legal framework, differences in the interpretation and acceptance of the law by the community, especially in the context of religion, can lead to dissatisfaction and rejection. Therefore, it is important to consider a more inclusive and dialogical approach in formulating marriage-related policies, so that they respect the diversity of values and beliefs that exist in society. Many people are still stuck in traditional thinking that considers norms to be absolute and unchangeable. Therefore, legal education and awareness campaigns are very important to explain the protection of human rights, including the rights of women and children, so that the community

<sup>15</sup> Maulida, Legal Consequences of Underage Marriage, *Journal of Law and Development*, Vol. 49, No. 3, (2019).

<sup>16</sup> Mohammad Fauzan Ni'ami, The Relevance of the Reasons for the Rejection of the Prophetic Message by the People with the Reasons for the Rejection of Islamic Family Law Reform by Society, *Journal of Indonesian Islamic Family Law*, Vol. 3, No. 2, (2021).

can be more open and accepting of changes in family law. The involvement of community leaders and religious leaders in the dissemination of legislation can bridge differences in views and create constructive dialogue, so that the community better understands and accepts changes in family law socially and culturally, which is important for creating harmony in society.

During the time of the Prophet Muhammad SAW, rejection of Islamic teachings arose from the Quraish community, who were bound by tradition and social interests, often accompanied by insults and violence. In the modern era, rejection also occurs, but in different forms, such as rejection of new ideologies and social movements. The following table illustrates a comparison between rejection in the time of the Prophet and today:

Aspect	Time of the Prophet Muhammad SAW	Present Day
Source of Rejection	Rejection of Islamic teachings by the Quraish tribe and the Jahiliyyah society.	Rejection of various ideologies, religions, and social movements. <sup>17</sup>
Reasons for Rejection	Lack of understanding, economic interests, social status, and tradition.	Misunderstanding, politics, culture, and personal interests. <sup>18</sup>
Methods of Rejection	Insults, exclusion, and physical violence.	Public discussion, social media, and demonstrations. <sup>19</sup>
Impact	Persecution of the Prophet's followers, such as Bilal bin Rabah.	Discrimination, social division, and conflict.
The Prophet's response	Facing it with patience, preaching, and education.	Spreading awareness, interfaith dialogue, and advocacy.
Case Examples	Abu Lahab and Abu Jahal's rejection of the Prophet.	Rejection of the human rights movement or LGBT.

## CONCLUSION

The rejection of the prophetic message by the people and the rejection of family law regulations by society indicate a pattern of resistance to change brought about by religious teachings and legal regulations. In the context of prophetic teachings, this rejection is generally triggered by the community's strong attachment to deep-rooted traditions and customs, including a reluctance to

<sup>17</sup> Abdul Sattar, The Prophet's Response to Jahiliyyah Traditions: A Study of the Prophet's Hadith Reports, *Theologia Journal*, Vol. 28, No. 1, (2017).

<sup>18</sup> Aisyah BM, Social Conflict in Interfaith Relations, *Journal of Dakwah Tabligh*, Vol. 15, No. 2, (2014).

<sup>19</sup> Ris'an Rusli, *Religion & Society (Uncovering Various Religious Phenomena, Traditions, and Problems)*, (Surakarta: CV DJIWA AMARTA, 2022), p. 2.

abandon the belief systems and religious practices inherited from their ancestors. This resistance reflects the unwillingness of some people to change established mindsets and social practices, even though the prophetic message aims to bring about social transformation and moral improvement. A similar phenomenon can also be seen in the rejection of legislation in the field of family law, such as Law Number 1 of 1974 concerning Marriage. This rejection is influenced by legal, social, and cultural factors, especially related to sensitive issues such as interfaith marriage and the recognition of children born out of wedlock. Strong religious norms and social stigma that have developed in society often hinder acceptance of these legal provisions. Although legislation has provided a legal framework for the recognition and protection of certain rights, its implementation often faces obstacles due to limited understanding and public resistance to change. These two phenomena show that resistance to change is often rooted in uncertainty and concerns about the disruption of existing social order. Therefore, a more comprehensive and dialogical approach is needed, including through legal education and interfaith understanding, so that the process of change can be better accepted and internalized by society. With this approach, it is hoped that harmony can be created between deep-rooted traditions and new values that are developing in social life.

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