



**ISLAMIC LAW AND MARITIME MANAGEMENT:
How the Sultanate of Banten Managed Its Territorial
Waters in the 16th –17th Centuries**

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Abstract: This article examines the role of Islamic law in shaping maritime governance in the Sultanate of Banten during the 16th and 17th centuries, with particular emphasis on its incorporation into administrative and regulatory practices. Rather than approaching Islamic law as a fixed or purely doctrinal system, the study conceptualizes it as a set of normative references embedded in port administration, commercial regulation, and maritime security. Adopting a socio-legal historical approach, the analysis draws on Bantenese legal manuscripts, European travel accounts, and Dutch colonial records. The findings demonstrate that Islamic legal norms operated in interaction with political authority and mercantile institutions through the consultative involvement of religious scholars, institutional coordination between the Sultan and port officials (syahbandar), and the selective application of legal sanctions and fiscal arrangements to govern a plural trading community. This article offers empirically grounded insights into Islamic law as a context-specific practice within Southeast Asian maritime societies.

Keywords: Islamic Law, Sultanate of Banten, Maritime Governance.

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Introduction

DURING the 16th –17th centuries, maritime routes linking Java and Sumatra played a central role in the commercial networks of Southeast Asia. The Java Sea and the Sunda Strait connected regional production zones with wider Indian Ocean trade, facilitating the movement of commodities such as pepper, cloves, and nutmeg. Coastal polities that emerged along these routes

developed port-based economies and administrative systems designed to regulate maritime traffic and commercial exchange.¹

The Sultanate of Banten emerged as a central authority in regulating the pepper trade at Banten's harbor, exercising substantial influence over regional commerce during this period. Benefiting from its strategic position near the Sunda Strait, Banten was well placed to oversee maritime trade flows connecting the Indian Ocean with wider Asian and European commercial networks. This strategic position enabled the sultanate to regulate pepper circulation and institutionalize long-term commercial relations with merchants from the Middle East, China, and various European regions.² Meanwhile, Demak Sultanate which was located on the north coast of Java was able to utilize agricultural and marine products, as well as its position as an Islamic religious center, to strengthen its influence. On the other hand, Palembang also enjoyed prosperity from its role as an international trade center, especially by utilizing river and port that supported trading activities.³

The success of sea trade also brought its own challenges, one of them was the competitions among sultanates and interventions from other countries such as the Portuguese, Dutch, and British. The competitions in controlling trade routes and natural resources generated complex geopolitical challenges, including military and shifting alliances. However, the profit gained from natural resources trades did not only enriched the kingdoms but also accelerated the integration of Nusantara region into the global economy, creating Java and Sumatra as the most crucial harbor in Southeast Asian maritime in a history.⁴

¹ S.O. Robson, "Java at the Crossroads: Aspects of Javanese Cultural History in the 14th and 15th Centuries. *Bijdragen Tot de Taal-, Land-En Volkenkunde*," 1981, 259–92.

² A. Ota, "Cooperation, Compromise, and Network-Making: State-Society Relationship in the Sultanate of Banten, 1750– 1808," *Southeast Asia: History and Culture* 2008, no. 37 (2008): 137–65.

³ W.I. Maulana et al., "Maritime Activities of the Demak Sultanate: Shipping and Trade Route in the Nusantara Network (1478-1546)," *Journal of Al-Tamaddun* 19, no. 1 (2024): 261–72.

⁴ C. Chia, "Social Positioning and International Order Contestation in Early Modern Southeast Asia," *International Organization* 76, no. 2 (2022): 305–36.

The Banten Sultanate in the 16th to 17th centuries successfully became the most prominent pepper trade center in *Nusantara* due to its diplomatic skills and resource management. One of Banten's main strategies was in maintaining business relationships with the local rulers in Lampung, the main pepper-producing area. Lampung, with its arable land and favorable climate, produced high-demand pepper for the international market.⁵ The good relationship established between Banten and Lampung was not only based on trade agreements but also based on politics, cultures and the influence of *Islam* that united both regions. This alliance allowed Banten to obtain a consistent supply of pepper, which was then traded to various countries, including European, Arab, and Indian traders.

On the other hand, Banten also took the initiative to expand pepper cultivation to the remote areas in Leuwiliyang, Bogor. This policy showed the long-term vision of the Banten Sultanate which not only relied on the resources of its partners, but also develops internal production capacity. Expansion to the interior is carried out by building a transportation and logistics network that supports the distribution of pepper products to major ports. The role of local communities in plantation management was also very significant, with incentives provided by the sultanate that encouraged active participation in pepper production. This policy ensured that the supply of pepper was not only abundant but also sustainable every year, strengthening Banten's position as a major player in the international pepper trade.⁶

Banten's success in managing pepper production and distribution also reflects its ability to maintain both internal and external stability. Banten has proven its capability of maintaining good relations with local rulers in Lampung and in the rural area, as well as maintaining an efficient trade system, Banten was able to overcome challenges from regional competition and threats

⁵ R.A. Pratama, S. Arif, and M. Syaiful, "Pepper Diplomacy: Lampung International Network in the Bargaining Position of the Banten Sultanate," *3rd Universitas Lampung International Conference on Social Sciences (ULICoSS 2022*, Atlantis Press, May 2023, 731–44.

⁶ "Interview with Abah Yadi, Historian of Banten," June 23, 2023.

from colonial powers such as the Portuguese and Dutch. The resulting pepper surplus not only increased Banten's economic wealth, but also strengthened its political and cultural influence in *Nusantara*. Thus, an integrative strategy between diplomacy, agrarian expansion, and trade became the key to the success of Banten Sultanate as a strategic and sustainable pepper trade centre.⁷

When discussing the progress of Banten trade, a number of researchers generally only focus on the influence of Banten's success in Sumatra and the interior of West Java, which emphasize the perspective of political and economic history. Gabriel Rantoandro, for example, was interested in discussing the figure of *syahbandar* Kaytsu, a Chinese who succeeded in occupying an honorable position as the administrator of Banten's maritime business and politics, who received direct orders from the Sultan. Some individuals, either because of their talent or educational background have the ability to associate some people from different cultural backgrounds. *Kiyai* Ngabehi Kaytsu was one of the most important figures who played this role in the Banten Sultanate. He officially became *Syahbandar* or head of the harbour who was responsible for managing trade at Banten's main port. However, his role, which went beyond administrative tasks, positioned him as an intermediary facilitating cross-cultural commercial and political interaction.

Kaytsu's figure became clearer through research on the Banten Sultanate, which was widely revealed by European sources, both from eyewitnesses and agents of large trading companies at that time. For seventeen years, from 1657 to 1674, Kaytsu held the position of irreplaceable harbourmaster at the port of Banten, a strategic position that gave him full trust from the Sultan of Banten. This port was a key point for foreign traders who wanted to transact in the western region of Java. Although his Chinese origins were difficult to trace in detail, there was no doubt that his Chinese cultural heritage influenced the way he carried out his duties. However, Kaytsu's contribution discussed here focuses

⁷ F. Gipouloux, "Ultra-Marine Trade: Forms, Structures and Actors," in *Elusive Capital* (Edward Elgar Publishing, 2022), 95–127.

more on his career in Banten and Indonesia, where he played an important role in maintaining good interactions between various global communities connected through trade and culture.⁸

Tubagus USH Wibowo who was also interested in discussing the success of Banten trade from the aspect of trade and the strength of the international community entity. His study aims to highlight the complexity of social structure and cosmopolitan life of Banten Sultanate in the 15th century as one of the leading pepper trading centres in Southeast Asia. Using historical methods, this study reveals that geographical, economic and especially maritime trade made Banten a cosmopolitan city inhabited by various cultures from within and outside the *Nusantara*.

This intercultural interaction forms a unique social order where differences in economic, occupation, social status, and religious background became important elements in everyday life. The Sultan of Banten played a crucial role in managing this diversity by implementing policies based on social class to distribute settlements in the city. This approach did not only create harmony in diversity but also reflected Banten's ability as a centre of trade and maritime civilization that integrated various cultural identities into a complex and dynamic social structure.⁹

Kaoru Ueda et.al discusses the development of Banten trade from an archaeological perspective. The results of this study showed that although the Banten Sultanate became a vassal state of the Dutch East India Company or Vereenigde Oost-Indische Compagnie (VOC) in 1682, the sultan still had access to numerous luxurious goods. However, consumption of these luxury goods gradually declined toward the end of the sultanate in 1813. Findings at the palace indicated that sultan continued to maintain the business with local and regional trade networks, allowing for a continued distribution of luxurious goods into the palace. These

⁸ G. Rantoandro, "Kiyai Ngabehi Kaytsu de Banten, shahbandar de son état et «passeur» occasionnel," *Archipel* 56, no. 1 (1998): 251–71.

⁹ T.U.S.H. Wibowo, "Cosmopolitanism of the Sultanate of Banten: An Overview of Settlement and Social Structure of the 15th Century," *Indonesian Historical Studies* 5, no. 2 (2022): 105–14.

trading activities showed the role of the palace as an economic and cultural centre even when the influence of sultanate was at risk under the control of VOC. The imported high – quality goods became symbols of Sultan’s power and status which also indicated that during sultan’s downgrade era, palace remained as a place for luxurious goods.

This study also reveals the difference in quality between imported and local jugs products made by Bantenese craftsmen. Although local craftsmen tried to imitate imported jugs with fine materials, they had limitations in technology and resources, especially local clay which was less suitable for producing high-quality crafts. This indicates that the palace preferred imported jugs, although local jugs were also used in certain contexts—This fact suggested a hierarchy in the use of luxurious goods in the palace where imported goods were more valued than local goods. In addition, the efforts of craftsmen to imitate imported jugs reflect the dynamics of cultural and economic interactions in Banten, where the influence of regional and international trade continued to shape production and consumption at the local level. This study provides insight not only into the consumption patterns of luxurious goods, but also into the ability of Bantenese society to adapt and survive in changing situations.¹⁰

Based on the above information, none of them explored the role of Islamic law applied in Banten's maritime management policy, especially in the trade and port sectors. However, a number of researchers are interested on how Islamic law influences other sectors, such as social and political life.

Martin van Bruinessen was interested in exploring the existence of sharia courts, *tarekat*, and *pesantren* in the Banten Sultanate which reflected a strong religious identity and the role of Islam as the main foundation in the social and political structure of Banten society. During the Sultanate of Pakih Najmuddin as the judge of the Supreme Court (*qadi*), he had extraordinary authority in the governmental system which made him stronger than the

¹⁰ K. Ueda et al., “Paths to Power in the Early Stage of Colonialism: An Archaeological Study of the Sultanate of Banten, Java, Indonesia, the Seventeenth to Early Nineteenth Century,” *Asian Perspectives*, 2016, 89–119.

qadi in other Javanese kingdoms. He was responsible for choosing religious officials in the village, such as *pangulu*, *amil*, whose authorities are to collect *zakat*. This structure strengthened the legitimacy of religious institutions and ensured the fair distribution of *zakat*, making it a major resource for supporting *ulama* and *santri* in *pesantren*. The existence of this institution showed that Islam functioned not only as a spiritual framework but also as a normative basis for social regulation. After the Sultanate was dissolved by the Dutch, this structure had changed, but the legacy of the *ulama* remained strong, allowing them to become one of the central figures in Banten.

Pesantren and *tarekat* also played an important role in strengthening social and spiritual networks in Banten. *Tarekat* such as *Qadiriyya wa Naqshbandiyya* became the centers of Islamic mystical teaching as well as social solidarity networks that crossed geographical and social boundaries. *Pesantren*, on the other hand; became an educational institution that produced great *ulama* such as Nawawi al-Bantani with a great influence in Islam. In the 19th century, the network of *pesantren* and *tarekat* played a significant role behind farmers' rebellion in 1888 as a response to poor economic and colonial administrative conditions. *Pesantren* and *tarekat* were mostly associated to Islamic militancy by European scholars Snouck Hurgronje, hence This network demonstrates the capacity of Banten society to mobilize religious solidarity in facing social challenges. The sustainability of *pesantren* and *tarekat* showed its resilience of these institutions as the driving force in maintaining Islamic identity of Banten.¹¹

Pekih Najamuddin once highlighted by Ayang Utriza Yakin since he examined manuscript written by Banten *qadi*. It was known that the main duties of Pekih Najamuddin were recording legal documents, resolving disputes and validating oaths to establish legal facts based on an understanding of customary law integrated with Islamic *Fiqh*. *Qadi* Banten reflected the tradition of Islamic law (*fikih*) and local customs where customary law were adopted as one of the law besides the *Qur'an* and *Hadith*. This step

¹¹ M. Bruinessen, "Shari'a Court, Tarekat and Pesantren: Religious Institutions in the Banten Sultanate," *Archipel* 50, no. 1 (1995): 165–99.

reflected an effort to Islamize local culture through ethical and pragmatic legal interpretation (*ijtihad*). With the principle of *usul fiqh* that recognized the concept of *'urf* (tradition) and *'adat* (customs), *Qadi* Banten was able to decide legal decisions which were not only in accordance with *Shari'a* but also relevant to the needs of local community.

The acceptance of customary law within the framework of Islamic law was not new, considering that this tradition was also adopted by *ulama* Hanafi in the 5th/11th century and by the Ottoman Empire since the 16th century by integrating customary law into the broader theory of Islamic law. *Qadi* Banten transformed custom from *fiqh* into a harmonious legal law. This approach allowed Islamic legal tradition in Banten remained flexible and adaptive to various social and cultural contexts. Therefore, Banten *Qadi* was not only reflected a synthesis between local tradition and Islamic law but also emphasized how Islamic law was able to develop dynamically in both social and historical changes without losing its theological roots.¹²

Apart from Ayang, Muhammad Ishom researched the manuscripts of Banten law (*undang – undang Banten*) to depict the implementation of the existence and changes in *diyat* law in Banten Sultanate during 17th – 18th AD. This study highlighted the shift from physical punishment to a more humane type of punishment in the pre-modern period. This shifting occurred not only in the West but also in the East and went through Islamic beliefs as what happened in Banten. In this context, Islamic punishments such as *qisas* and *hudud* were no longer applied directly but were replaced with more humane penalty such as; fines or *diyat*.

This change of types led to a question whether the reform of criminal law in Banten influenced by Western law? One of the reasons written in UUB explained that the Sultan of Banten used *Malikiyah* views which gave them authorities to impose *Takzir* sentence in criminal cases that has been done in accordance to Islamic laws. The use of *Diyat* as a substitute for *qisas* and *hudud*

¹² A.U. Yakin, "The Register of the Qadi Court 'Kiyahi Pëqih Najmuddin' of the Sultanate of Banten, 1754-1756 CE," *Studia Islamika* 22, no. 3 (2015): 443–86.

punishments had a more flexible legal basis when adapted to the principle of takzir.

This study used data from the UUB manuscript with the code LOr 5598 which was analyzed through a socio-legal history approach. This study concluded that the law application written in the UUB has dogmatic reasons originated from Islamic criminal law and considering the interests of *sharia* policy or governmental *sharia* policy. This shift illustrates the adaptive character of Islamic law in adapting social and political needs of its time. In addition, criminal law reformed in Banten showed that Islamic law was not only based on theological rules but also considered the social context; making it a dynamic instrument in facing changes. Therefore, the law application in UUB emphasized how Banten Sultanate used an adaptive approach to balance *Sharia* values and local socio-political demands.¹³

Among studies that discussed the existence of Islamic law in the Banten Sultanate, none have specifically discussed the influence of Islamic law of maritime management in Banten, especially in fields of trade and ports. This article addresses this gap by examining how Islamic legal norms interacted with local administrative practices in the governance of maritime activities in Banten. By focusing on port management, legal sanctions, and fiscal arrangements, the study seeks to clarify the extent to which Islamic law functioned as a practical framework for regulating economic and social relations in a maritime environment.

Methods

The first stage in this historical research was to collect relevant sources which provided an overview of Islamic law implementation and the management of the maritime in Banten Sultanate in 16th - 17th centuries. Primary sources such as VOC archives, European reports and official royal documents are important materials because they reflected its originality. In addition, secondary sources such as books and academic articles

¹³ M. Ishom, "The Continuity and Change Of Diyat As An Alternative To Islamic Criminal Sanctions In Undhang-Undhang Bantèn During The 17th-18th Centuries," *Jurnal Ilmiah Islam Futura* 23, no. 1 (2023).

discussing Banten Sultanate and the influence of Islamic law on its maritime policies were also collected to complete the historical context by considering source diversity from both local and foreign perspectives, this study ensured a comprehensive database for more in-depth analysis.¹⁴

After collecting the sources, researchers verified the data to ensure their validity and relevance. VOC archives and explorers' reports in Dutch and English were checked for authenticity and translated the documents into accessible language. In addition, academic books or articles used as secondary sources are selected based on their credibility and thematic relevance to the research. This process involves critical examination of the author's bias, historiographic background, and the suitability of the data to the research theme. With careful verification, the data used will have high integrity and can be relied upon for further analysis.

The third step was data interpretation involving critical analysis of findings from primary and secondary sources. VOC archives, for example, can be analyzed to reveal how the Banten Sultanate utilized Islamic law in managing maritime trade and maintaining its maritime sovereignty.¹⁵ Meanwhile, academic articles or books can help explaining the influence of Islamic law on port management practices, marine resource protection and diplomatic relations with other maritime powers. This stage necessitates a multidisciplinary analytical framework, combining history, Islamic law, and maritime studies to gain a comprehensive understanding of Banten's maritime management.

The final stage was to compile the research results into a systematic and coherent historical narrative. This writing was not only explained historical facts but also emphasized the relationship between Islamic law and the maritime management of Banten Sultanate. The structure of the writing was designed to show how Banten Sultanate combined Islamic principles and

¹⁴ L.K. Jurgens, "Understanding Research Methodology: Social History and the Reformation Period in Europe," *Religions* 12, no. 6 (2021): 370.

¹⁵ L. Sabat and C.K. Kundu, "History of Finite Element Method: A Review," *Recent Developments in Sustainable Infrastructure: Select Proceedings of ICRDSI 2019, 2020*, 395–404.

practical strategies in managing trade, ports and maritime amidst the global dynamics of the 16th and 17th centuries. The final results of this study aimed to provide significant contributions to the study of Islamic law history and maritime management, as well as enriching understanding the role of the Banten Sultanate in global context.¹⁶

By situating Islamic legal references within the practical governance of a maritime port, this study reframes the relationship between law and authority in early modern Banten. It demonstrates that Islamic law operated not as a comprehensive regulatory system, but as a normative resource that gained relevance through its interaction with administrative needs, political authority, and the realities of maritime commerce.

Discussion

The rise of the Banten Sultanate was closely linked to the strategic coastal ports of West Java, Cigede, Karangantu, and Sunda Kalapa, which had supported the Pajajaran Kingdom's economy. These areas also became key entry points for Islam. In the mid-16th century, Sunan Gunung Jati, the first Sultan of Cirebon, introduced Islam to Banten, a mission later continued by his son, Sabakingkin. Establishing authority in Banten Girang, Sabakingkin became Sultan Hasanuddin in 1552 and expanded Islamic influence to Lampung, Bengkulu, and Tulangbawang.

After his death, Sultan Maulana Yusuf (1570–1580) extended Banten's territory and strengthened its infrastructure, including forts, ports, and irrigation. In 1579, he conquered the Pajajaran Kingdom, leading to the conversion of its officials to Islam and their integration into the Sultanate. He also promoted Islamic education by building mosques and pesantren. Under Sultan Abul Mufakhir (1596–1651), Banten emerged as a major international trading port, attracting both the Dutch VOC and the British EIC. However, tensions rose following the VOC's founding of Batavia

¹⁶ P. Pandey and M.M. Pandey, "Research Methodology Tools and Techniques," Bridge Center, 2021.

in 1619, as monopolistic trade policies began to threaten Banten's sovereignty.¹⁷

According to W. Fruin-Mees, the strategic placement of mosques near markets and royal palaces in Banten played a vital role in internalizing Islamic law within coastal communities. These mosques, located at the heart of economic and administrative centers, served as hubs for worship, religious education, and social interaction, facilitating the spread of Islamic values. In traditional markets, mosques also reinforced Islamic trade ethics—promoting honesty, justice, and the prohibition of *riba*, principles well-suited to Banten's diverse mercantile society.¹⁸

On the other hand, the existence of mosques around the palace was a symbol of both religious and political power in creating harmonious social order. This also proven Islam as a moral and legal basis in regulating society, especially in resolving conflicts and strengthening community. Moreover, mosques in Banten were not only as a worship places but also an education and internalization centers of Islamic law as an important foundation in creating Islamic identity of coastal communities.¹⁹

Under the rule of Sultan Ageng Tirtayasa (1651 – 1683) Banten reached its ultimate success in *Nusantara* and became the main competitor of the VOC. The pepper trade, which originated from Banten to Lampung and Bengkulu, became the source of the Sultanate's economic strength. Sultan Ageng strengthened the navy to secure trade routes and used economic benefits to build the political, military, and social aspects of the Sultanate. This success made Banten as one of the most influencing area in the fields of trade, politics, and cultural influence in *Nusantara*.

Howard M. Federspiel notes that during the Middle Ages, legal specialization emerged, dividing judges into those handling public/criminal law and qadis overseeing family and personal matters based on *fiqh*. In Banten, this legal dualism was further

¹⁷ A. Adeng, "Pelabuhan Banten sebagai bandar Jalur Sutra," *Patanjala* 2, no. 1 (2010): 80–94.

¹⁸ W. Fruin-Mees, "Geschiedenis van Java, Tweede deel, Commissie voor de Volkslectuur Ruygrok," 1919.

¹⁹ D.R. Harun, *Concept of Khiyār in Transaction in Islamic Law*, vol. 4, no. 2 (Samarah: Jurnal Hukum Keluarga dan Hukum Islam, 2020).

shaped by colonial influence, as customary, Islamic, and colonial laws intersected. While colonial policies increasingly dominated public law, Banten's sultans upheld Islamic law in family affairs and religious institutions, using qadis to preserve religious legitimacy and maintain the Sultanate's role as a protector of Islamic tradition.

The public perception of *sharia* law implemented by the state was strengthened by the implementation of Islamic law in the family. This gives showed that the Sultans of Banten have succeeded in internalizing Islamic values in their legal policies. However, the reality showed that the implementation of *sharia* was not comprehensive because the influence of colonial and customary law still played an important role in creating a complex and integrated legal system. This internalization of Islamic law was one Sultan's way to strengthen Islamic identity in his region, while facing challenges from external influences.²⁰

Since its early era, Banten Sultanate located in Banten Girang, was based on the principles of Islamic law as reflected in the Banten historical text Code Text G (LOR 7389) verse 51. Maulana Hasanuddin, the first Sultan of Banten, organized his kingdom by following Islamic law as the main foundation of government. The verse states that "*anatakaken kang syareat*" or "following the *sharia*," is the key to the prosperity. In this context, the application of Islamic law was not only limited to the spiritual aspect, but also to governance, law and community's life. This can be seen from the respect and loyalty of the people living in the mountainous area, they voluntarily came and submitted to the Sultan's. *Sharia* became a moral and political principle that integrated people from various backgrounds.

The implementation of Islamic law by Maulana Hasanuddin had a major influence on both social and political structure of Banten Sultanate. With Islamic law as its fondation, both harmony and stability was created allowed the kingdom to achieve its prosperity. As mentioned, "*sampun lami adalem ing Banten Girang, rabarja kang nagari*," described the relationship between the

²⁰ H.M. Federspiel, *Sultans, Shamans, and Saints: Islam and Muslims in Southeast Asia* (University of Hawaii Press, 2007).

implementation of Islamic law and the welfare of the state. Ki Jong Jo, who are mentioned in the text as the regulator of state affairs, became important figure in ensuring the implementation of *sharia* law governmental administration. It showed that from the beginning, Banten Sultanate had recognized the importance of Islamic law as a main pillar in building political and social identity, while also attracting support from various elements of society. The integration of *sharia* in the government became the strong foundation of Banten Sultanate so that it was able to survive and develop as one of the Islamic centers in Nusantara.²¹

1. Strengthening Port Management

Maulana Yusuf, the second Sultan of Banten, made a significant contribution in improving the management of Banten port through a political, military and trade-based approach, as reflected in the manuscript of the History of Banten Code Text G (LOR 7389), *pupuh Sinom* verses 1-3. In the politic, Maulana Yusuf built his government with a strong Islamic spirit and law. It is said that he was a saint who carried out religious obligations such as; *sunah* and obligatory fasting (*rahina wengi tan pegat, sarta puwasa malih, sunatnya kalawan furdlu*). This religious spirit was not only strengthened his legitimacy as a leader, but also became an inspiration in running his government based on Islamic principles which also gave him advantages in managing the port

In Militer, Maulana Yusuf strengthened port defence and its surrounding areas by building important infrastructure such as forts (*buluwarti*) made of brick and coral, and collecting large weapons to protect his territory (*ngumpulaken sanjata agung*). In addition, he had officers, *ulama* and intellectuals to demonstrate a strategic approach in strengthening political and military stability (*lawan marekaken ika, sekehe wong alim-alim, ingkang bocor lan ngumpulaken parwira*). This step showed Maulana Yusuf's understanding of the importance of synergy in the intellectual, spiritual and military strength in maintaining port security from external and internal threats.

²¹ T. Pudjiastuti, "Menyusuri Jejak Kesultanan Banten," 2017.

In the trade, Maulana Yusuf concerned in developing the infrastructures to support economic activities. He built villages and agricultural lands around the port to increased the supply of food needs and to attract more residents to settle and contribute to the economy (*gawe dhukuh gawe syabin, lawan murwa sakebe kang padedesyan*). In addition, construction projects such as river dams (*asusuk ambendhung kali*) showed his efforts in improving water transportation, which were important for the port as a centre of international trade. This contribution showed that under his leadership, Banten became more than just a place of trade, but also a centre of political stability, military strength, and economic prosperity, all based on strong Islamic principles.²²

Religious knowledge became an important foundation for Banten port managers as reflected in the Banten historical text Code Text G (LOR 7389) verses 41-42. The dialogue between the Banten Sultanate officials, Dhangdang Karompang and Ki Karompang, showed that the port guard must "*sit in religion*," which emphasized the importance of moral integrity and religious awareness in carrying out their duties. The port guards were expected to be aware of crime and respected king as the highest leader. This showed that religion was the basis of morality and discipline, which in turn became the main capital in organizing a complex coastal society with diverse characters.

Furthermore, verse 42 highlighted the importance of order and responsibility of port managers. In the dialogue, Ki Karompang emphasized that if port managers were not committed to religious and moral rules, the impact will not only be felt by the port itself, but will also ruin the country's reputation. This moral message showed that ports were not only canters of trade but also symbols of justice and order. Therefore, negligence in management can be considered as "*cacat ingkang nageri*," or country's great loss that reflects weak leadership and supervision.

Ki Karompang showed his perspective in the dialogue reflected the importance of a leader having responsibility not only towards the people but also towards the reputation and honour of his country. With strong religious knowledge, port managers were

²² Pudjiastuti.

expected to be able to make spiritual values as guideline to do their job, including maintaining good relations with the king, people and outside parties. In context of Banten port as centre of international trade, the integrity of managers was very important to maintain harmony of local and foreign interests.

Religious knowledge used as a foundation in managing diversity of coastal communities consisting of various cultural and religious backgrounds. The dialogue between Dhangdang Karompang and Ki Karompang in this text emphasizes that religious values are the glue that allows port managers to create social harmony while enforcing the rules fairly. Thus, the integration of religious knowledge in port management was part of a larger strategy to ensure social, economic, and political stability in the coastal areas of Banten. This was in line with the message in the dialogue that without port managers who don't carry out religious values, the order of society and the state could be disrupted.²³

Maritime management in Banten was based on two main pillars: increasing the upcoming trade goods and the preparation for external threats. Banten Sultanate was aware of the importance of ports as economic hubs and international trade routes, so that port activity management was carried out carefully to ensure its efficiency and security. Strict regulations on the flow of goods and people was not only create order, but also allow the Sultanate to monitor potential threats entering maritime routes. This effort was strengthened by the application of contextual Islamic law to ensure justice in trade interactions, while building the trust of local and foreign traders in the stability of Banten port.

Since 1619, when the VOC built its power in Batavia, the threat to the port of Banten has become increasingly real. The Sultanate of Banten responded to this situation by rejuvenating the port's supporting facilities, both in the fields of trade and security. Improvements to facilities such as defense forts, water monitoring and development of trade infrastructure were done to protect traders from VOC aggression. The Sultan of Banten aware that maintaining the competitiveness of the port required a strategy

²³ Pudjiastuti.

that was not only involved military strength, but also innovation in managing the maritime economy. Thus, strengthening Banten's maritime management was not only a reaction to external threats but also a strategy to strengthen Banten's position as a safe and trusted trading center in *Nusantara*.²⁴

The strengthening of port infrastructure under Maulana Yusuf should not be understood solely as a military initiative. Rather, it reflects a governance strategy in which maritime security was integrated with Islamic legal norms emphasizing order (*nizām*), public interest (*maṣlaḥa*), and obedience to legitimate authority. By embedding religious authority within port administration, the Sultanate transformed the port into a regulated legal space rather than a merely commercial site.

2. *Fines*

Fines, as a legal instrument within Islamic law played an important role in Banten Sultanate, especially in creating social order. As an international trading area, Banten attracts many traders from various nations, such as Arabs, Chinese, Indians, and Europeans. This diversity, although enriching the local economy and culture, also brings the potential for conflict that can threaten social stability. Fines as a form of legal sanction have preventive and restorative dimensions, emphasizing justice and shared responsibility to maintain harmony. This concept was in line with Islamic values that encouraged peace and dispute resolution without damaging relations among communities. In the context of Banten port, the application of fines for violations such as fraud, theft, or physical conflict aims to provide a deterrent effect while resolving problems fairly.

The replacement of the law of amputation with a fine system was carried out in the period 1682–1750, after the end of the reign of Sultan Ageng Tirtayasa. According to J. Talens, this change was caused by the Sultan's decision to replace it with *fines* as a more flexible and contextual punishment. This was written in the report

²⁴ O. Gelderblom, A. Jong, and J. Jonker, "Learning How to Manage Risk by Hedging: The VOC Insurance Contract of 1613," *European Review of Economic History* 24, no. 2 (2020): 332–55.

of Edmund Scott, an Englishman, who described the law of fines in Banten at that time. Scott explained that the applicable law set fines based on the victim's social status. For example, if someone killed a slave, the perpetrator had to pay 20 riyals; if he killed a free man, the fine increased to 50 riyals; and if the victim was a respectable man, the fine reached 100 riyals. The implementation of this fine law shows an effort to adapt Islamic law to local needs and maintain justice in the heterogeneous society of Banten. This system proved more responsive to the socio-economic conditions of the port community, but also prevents the escalation of conflict by providing a fair and restorative solution.²⁵

The regulation of fines in Banten criminal code reflected the adaptation of Islamic law that relevant to local needs. Considering the existence of port as a center of social and economic interactions, fines was not only used as punishment but also as a tool to maintain social order. In addition, the application of fines provided flexibility in resolving conflicts in heterogeneous societies, where the implementation of physical punishment considered less effective or too harsh. This system also prevent the escalation of conflict among groups, considering that intense interactions at the port often involved culture, language and religion. Thus, the internalization of fines in Banten law was not only evidence of the application of Islamic law contextually, but also an effective strategy to maintain stability in a dynamic international trade.²⁶

The replacement of amputation as punishment to *diyat* in Banten Sultanate reflected humanist approach to law enforcement. This regulation proven Banten Sultanate in implementing the principles of Islamic law, the humanitarian aspect remains the main consideration in sentencing. In this context, *diyat* used as a solution that provides an opportunity for the perpetrator to redeem his mistakes without losing part of his body as well as

²⁵ J.Een Feodale Samenleving in Kolonial Vaarwater Talens, *Staatsvorming, koloniale expansie en economische onderontwikkeling in Banten, West Java (1600 –1750)* (Hilversum: Verloren BV, 1999).

²⁶ Zainal Kholid, "Pemberlakuan Syariat Islam Di Banten: Studi Terhadap Peluang dan Tantangan Serta Formalisasinya," *Al-Qalam* 34, no. 3 (2017): 69–93.

providing justice for the victim. This further reflects the Sultanate's awareness of the importance of maintaining social stability amidst the diversity of existing communities, especially in the market and port areas as the canthers of economic activity. Thus, Banten Sultanate did not only view the law as a tool for punishment but also as a means to create harmony and balance in society.²⁷

The implemented of law by Banten Sultanate in strategic areas showed Sultan's commitment in maintaining social order and creating a conducive environment for trade. This is important considering Banten as one of the canthers for international trade, where various parties from different cultural and religious backgrounds interact. Enforcing the law firmly but still considering the humanitarian aspect was Sultan's way to show the world that Banten was a safe place for business. This approach was not only strengthening the legitimacy of the kingdom's authority, but also creating harmony among traders, while maintaining Banten's reputation as a fair, peaceful and stable centre of trade.

3. *Jizyah*

During the reign of Maulana Yusuf, there was a non-Muslim named Ki Jongjo. Fruin-Mees mentioned that Ki Jongjo offered himself and his 500 soldiers to help Banten fight the Pakuan army. If he succeeded in doing so, he asked the Sultan of Banten to abolish taxes for him and his descendants.²⁸ In Islam, a special tax imposed on non-Muslim groups called *jizyah*.

The obligation to pay *jizyah* as mentioned in QS. Al-Taubah [9] verse 29 is a rule that applies in Islamic government when non-Muslims are under that power. This verse emphasized that *jizyah* was obligatory for those who did not believe in Allah, did not follow the laws set by Allah and His Messenger, and did not

²⁷ D.M. Müller, "Sharia Law and the Politics of 'Faith Control' in Brunei Darussalam. Dynamics of Socio-Legal Change in a Southeast Asian Sultanate," *Internationales Asienforum* 46, nos. 3–4 (2015): 313–45.

²⁸ Fruin-Mees, "Geschiedenis van Java, Tweede deel, Commissie voor de Volkslectuur Ruygrok."

adhere to Islam as the true religion, therefore they are required to submit to the applicable rules through paying *jizyah*.²⁹

Beyond its symbolic dimension of submission, *jizyah* also used as compensation for the release of non-Muslims from military obligations imposed on Muslims. This rule reflected the responsibility of Islamic government to protect non-Muslims in its territory as part of a peace or protection agreement (*dzimmah*). Thus, the obligation of *jizyah* was not only about financial but also a form of integration of Islamic government system, where the rights and obligations were regulated to maintain social balance, security and harmony in a multicultural society.³⁰

Satish Candra explained about the existence of *jizyah* levies in other parts of the Islamic world besides Banten. The *jizyah* levy was re-imposed by Emperor Aurangzeb in 1679 in the Mughal Empire, India, which was considered a significant turning point in the history of the empire. This decision was often seen as the culmination of a spirit of religious intolerance that triggered alienation towards non-Muslim groups such as the Rajputs, Marathas and Hindus in general. As a result, This policy contributed to the acceleration of imperial fragmentation Mughal Empire by creating tensions between Hindus and Muslims. On the other hand, some authors considered this policy to have emerged as a response to growing Hindu opposition to Mughal rule, so that Aurangzeb felt the need to strengthen Muslim support by returning to practices to some rules which were more closely identified with Islamic law.

Although the policy was often associated with religious conflict; the social, economic and political contexts also played a major role in its implementation. The imposition of *jizya* not only reflected Aurangzeb's religious preferences, but also became a strategy to strengthen the economic structure of the empire amidst increasingly complex political challenges. The controversy within

²⁹ M.A. Muchsin and A. Manan, "Historical Development Of Tax During The Early Islamic Period: Jizyah And Kharaj: A Historical Analysis," *Journal of Al-Tamaddun* 14, no. 2 (2019): 1-7.

³⁰ S. Mustaqilla, "Konsep Jizyah Dalam Pandangan Ibn Rusyd Al-Qurtubī (Analisis Perspektif Siyāsah Māliyah)," *As-Siyadah: Jurnal Politik dan Hukum Tata Negara* 1, no. 1 (2022): 21-38.

the court over the role of religion in government also influenced this policy, where there had been a change in approach since the establishment of Muslim rule in India. The imposition of *jizya* also symbolized the changes of Mughal government which shifted from an accommodating policy towards Hindus, as carried out by Aurangzeb's predecessors to a more exclusive policy which deepened the gap between Hindu and Muslim communities in India.³¹

The implementation of *jizyah* for non-Muslim communities in Banten reflected the adaptation of Islamic law in socio-economic context of the Sultanate. In the case of Ki Jongjo, *jizyah* confirmed the existence of an Islamic legal basis that was applied to collect contributions from non-Muslims as a form of protection and the right to live under Islamic rule. This *jizyah* was not only used as a source of state revenue but also as a mechanism to regulate relations between Muslim and non-Muslim communities, creating a balance between political and social interests. However, the implementation of *jizyah* in Banten were adjusted to the characteristics of its community, so that it would not be a burden in a multi-ethnic and multicultural society.

The Banten Sultanate demonstrated a pragmatic and adaptive application of Islamic law, particularly through flexible trade taxes and *jizyah*, which accommodated the British Chinese trading community. This policy reflected the Sultan's diplomatic acumen in balancing religious principles with economic strategy. Unlike rigid models seen elsewhere, Banten integrated Islamic law with local customs, using it not only for legitimacy but as a dynamic tool to sustain maritime trade. Port governance, shaped by sharia and local wisdom, exemplified how Islamic law was operationalized through contextual adaptation to foster political stability and economic growth, making Banten a unique model of an Islamic maritime state. This pattern suggests that Islamic law in Banten was integrated into governance practices through

³¹ S. Chandra, "Jizyah and the State in India during the 17th Century," *Journal of the Economic and Social History of the Orient/Journal de l'histoire Economique et Sociale De l'Orient* (1969): 322–40.

adaptation and negotiation, shaped by the practical demands of maritime trade rather than by doctrinal uniformity.

Conclusion

These findings indicate that references to Islamic law played a significant role in shaping maritime governance in the Sultanate of Banten, not through formal legal codification, but through their incorporation into local administrative and political practices. Rather than functioning as a comprehensive legal system, Islamic legal concepts operated as a flexible normative framework that informed governance in ways responsive to the commercial, social, and institutional conditions of a plural port society.

Within the sphere of port administration and trade regulation, Islamic legal norms served as points of reference for structuring expectations of order, legitimacy, and fairness among diverse trading communities. Fiscal practices involving non-Muslim traders likewise reflected negotiated arrangements, in which Islamic legal vocabulary provided normative justification for authority and obligation without implying uniform enforcement or rigid doctrinal application.

Taken together, these findings underscore that the significance of Islamic law in Banten's maritime governance lay in its capacity to function as a contextual and adaptive normative resource. By examining how Islamic legal references were embedded within everyday practices of governance in a heterogeneous maritime environment, this article contributes to a more nuanced historical understanding of the relationship between law, authority, and governance in early modern Southeast Asian port polities, while also highlighting the limitations of approaches that view Islamic law solely through the lens of formal doctrine.

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