

Bridging Law in Books and Law in Action: Ethnographic Insights into Indonesia's Legal Pluralism

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ABSTRACT

The dominance of normative-positivist approaches in Indonesian legal scholarship creates a persistent gap between “law on the books” and everyday legal practice. This scoping review contributes new insight by showing how ethnography functions as a methodological bridge to understand legal pluralism as lived interaction among state, customary, and religious orders. Drawing on a systematic search of Scopus, JSTOR, and Google Scholar (2020–2025), 78 publications were identified and 10 ethnographic studies were synthesized using PRISMA. Ethnographic methods—immersion, in-depth interviewing, document analysis, and network-sensitive observation—reveal dynamics that doctrinal analysis overlooks: hybridization of norms, strategic forum navigation, and locally grounded bases of authority and legitimacy. Three advances are offered: (1) an integrated analytical lens combining interpretive anthropology, practice theory, and critical legal pluralism; (2) a mapping of power and agency in plural arenas, including elite capture and marginalization; and (3) attention to methodological innovations (e.g., meta-ethnography and social-network-informed approaches). Implications include context-sensitive policymaking, strengthened access to justice, and more inclusive dispute-resolution design.

Keyword: Legal Ethnography; Legal Pluralism; Customary Law; State Law; Religious Law

ABSTRAK

Dominasi pendekatan normatif-positivistik dalam kajian hukum Indonesia menciptakan kesenjangan yang terus-menerus antara “hukum di atas kertas” dan praktik hukum dalam kehidupan sehari-hari. Scoping review ini menawarkan wawasan baru dengan menunjukkan bagaimana etnografi berfungsi sebagai jembatan metodologis untuk memahami pluralisme hukum sebagai interaksi hidup antara tatanan negara, adat, dan agama. Berdasarkan pencarian sistematis pada Scopus, JSTOR, dan Google Scholar (2020–2025), teridentifikasi 78 publikasi dan 10 studi etnografi disintesis menggunakan PRISMA. Metode etnografi—meliputi imersi, wawancara mendalam, analisis dokumen, dan observasi yang peka terhadap jaringan sosial—mengungkap dinamika yang luput dari analisis doktrinal: hibridisasi norma, navigasi forum secara strategis, serta dasar-dasar lokal kewenangan dan legitimasi. Kajian ini menawarkan tiga kontribusi: (1) lensa analitis terpadu yang menggabungkan antropologi interpretatif, teori praktik, dan pluralisme hukum kritis; (2) pemetaan kuasa dan agensi dalam arena hukum yang plural, termasuk dominasi elite dan marginalisasi; serta (3) perhatian pada inovasi metodologis (misalnya, meta-etnografi dan pendekatan berbasis jejaring sosial). Implikasinya mencakup perumusan kebijakan yang peka konteks, penguatan akses keadilan, dan desain penyelesaian sengketa yang lebih inklusif.

Keyword: Etnografi Hukum; Pluralisme Hukum; Hukum Adat; Hukum Negara; Hukum Agama



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1. Introduction

In Indonesian legal studies, the dominance of normative and positivist approaches has neglected the social and cultural dimensions of legal practice. Law is often treated as a rational system of rules autonomous from its social context, with analysis limited to statutory texts, court decisions, and formal procedures. The positivist approach emphasizes that law is a social phenomenon that can be fully classified according to formal norms, without considering broader moral aspects or social values (Baltrimienė 2018; Dyrda and Gizbert-Studnicki 2022).

Consequently, a significant epistemic gap has emerged—namely, the divide between “law on the books” and “law in action.” In practice, particularly within Indonesia’s rural and multicultural communities, legal norms operate in ways that diverge substantially from formal statutory provisions. Communities in Aceh, Bali, Maluku, and other regions maintain complex legal systems grounded in customary law, religious law, and local norms, which are often perceived as more effective and legitimate than state law (Hakim et al. 2025; Lubis 2025; Mubarak 2025; Sopian 2015).

The ethnographic approach offers a methodological and epistemological response to this gap. As Cotterrell (Cotterrell 2006), emphasizes, law does not exist in isolation; it is embedded in society, enacted by individuals, and shaped by complex cultural meanings. Law cannot be understood apart from the social and cultural contexts in which it operates. Ethnography, as developed within legal anthropology, provides robust methodological and theoretical tools to examine these interconnections. Unlike socio-legal research based on surveys or traditional legal analysis, ethnography involves immersive fieldwork, thick description, participant observation, and contextual analysis that uncover the symbolic, ritual, and relational dimensions of law (Bens and Vetter 2018).

Geertz (1973) introduced the concept of “thick description,” which goes beyond recording surface behavior to uncover the deeper cultural meanings underlying actions. In the legal context, this entails not merely analyzing the decisions rendered by customary courts, but also understanding the rituals, symbolism, and social meanings that confer authority and legitimacy upon those decisions within the community (Merry and Canfield 2015).

Indonesia presents a unique and rich context for legal ethnographic research. Keputusan Mahkamah Konstitusi No. 35/PUU-X/2012 officially recognizes the existence of customary law communities (*masyarakat hukum adat*) and their rights over natural resources. This recognition creates a complex legal landscape in which: (a) State law (such as the Civil Code, Criminal Code, and special statutes) is formally declared supreme; (b) Customary law is constitutionally acknowledged when applied within specific communities and does not conflict with human rights; and (c) Religious law—particularly Islamic law—is recognized in the domain of national family law and fully implemented in Aceh through *Qanun* and the *Mahkamah Syar’iyah*.

The outcome of this constitutional recognition is a form of legal pluralism that is not merely formal but living and operational. Thus, legal pluralism in Indonesia is neither an obstacle nor an anomaly; it is a rich social reality that demands in-depth understanding.

This study reads Indonesian legal pluralism through an integrated theoretical lens that treats law as lived meaning, practice, agency, and historical configuration. We begin from interpretive anthropology, which understands law not as a neutral set of rules but as a cultural system of symbols that must be “read” in context. Following Geertz (1973), grasping legal authority and legitimacy requires thick description—attention to ritual, narrative, and locally resonant categories that mediate how decisions are made, justified, and accepted. This interpretive stance moves analysis beyond doctrinal texts to the social meanings that render legal orders intelligible and compelling in everyday life.

To explain how such meanings are produced and contested, we turn to practice-oriented insights. Bourdieu (1987) conceptualizes law as a juridical field—a structured space of struggle in which actors mobilize forms of capital to define what counts as law, authority, and truth; Moore’s semi-autonomous social fields show how communities generate internal norms while remaining permeable to wider political-legal forces. Together they foreground law as process and practice: actors negotiate rules, reinterpret categories, and strategically select forums, all within unequal configurations of power.

Building on these insights, critical legal pluralism recenters agency and the politics of choice in plural arenas. Drawing on Griffiths’ (1986) foundational definitions and developed by Kleinhans and Macdonald, this perspective treats individuals and communities as active legal agents rather than passive recipients of official or customary orders. It asks how actors navigate multiple legal repertoires, how asymmetries of power shape those choices and outcomes, and how pluralism itself can be both resource and constraint—empowering

elites while leaving marginalized groups confined to disadvantageous forums. Ethnographic inquiry reveals these dynamics at granular scale, linking strategic behavior to the moral economies of local life.

Agency, however, is exercised within historically situated architectures of law. The von Benda-Beckmann (2001) framework specifies this relational terrain through the notions of constellations—the configuration of state, customary, and religious orders in a given place and time—and entanglement, the processes by which these orders braid together via selective borrowing, boundary work, and hybrid formation. Thus, Minangkabau constellations differ markedly from Aceh or Bali, and in West Sumatra Islamic and customary law have been “woven together, separated, and rewoven” with shifts in state policy—patterns that intensified in the post-decentralization era as adat authority re-entered administrative life.

Synthesizing these traditions yields our guiding analytical model: interpretive anthropology asks what legal practices mean in local worlds; practice theory traces how power circulates through fields and semi-autonomous arenas; critical legal pluralism centers agency and strategic navigation across forums; and constellations—entanglement situates cases within historical configurations of plural orders. Taken together, this integrated lens enables an ethnography of law that is culturally sensitive, power-aware, and historically grounded—revealing Indonesian legal pluralism not as an abstract rule system, but as a living, contested field of social action.

2. Method

2.1 Research Design and Research Questions

This study is designed as a scoping review to map and analyze how ethnography has been employed in examining legal pluralism in Indonesia. A scoping review was chosen because this topic remains emergent and requires a comprehensive mapping of the literature landscape rather than an evaluation of the quality of individual studies, as in a systematic review (Arksey and O'Malley 2005; Lockwood, dos Santos, and Pap 2019; Munn et al. 2018).

The scoping review is guided by three primary research questions: (1) How is ethnography utilized as a methodological approach in studies of legal pluralism in Indonesia? (2) Which theoretical frameworks are most commonly applied in Indonesian legal ethnography? (3) What empirical findings does ethnography reveal about the dynamic interactions among state law, customary law, and religious law within local Indonesian communities?

This study is designed as a scoping review to map and analyze how ethnography has been employed in examining legal pluralism in Indonesia. A scoping review is an ideal method for understanding the broad and diverse literature landscape on an emerging topic. The process involves five systematic steps: (1) formulating clear research questions; (2) collecting literature from multiple databases; (3) screening and selecting studies based on predefined criteria; (4) extracting and analyzing data from the selected literature; and (5) reporting the findings (Arksey and O'Malley 2005). The selection process is presented using a PRISMA diagram (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) to ensure transparency and methodological rigor at each stage.

Literature searches were conducted across three major electronic databases: Scopus (as a leading multidisciplinary international database), JSTOR (for high-quality social science journals), and Google Scholar (to capture a broader range of sources, including local and gray literature). Combining these databases was essential to achieve comprehensive coverage, particularly given that many Indonesian legal ethnography studies are published in local journals or as academic book chapters that are not always fully indexed in Scopus. Searches were performed using tailored keyword combinations for each database. For Scopus, the search syntax applied was: TITLE-ABS-KEY (ethnography OR "legal ethnography" OR "qualitative research") AND (law OR "legal pluralism" OR "customary law" OR "adat law" OR "living law" OR "hukum adat") AND (Indonesia OR Aceh OR Bali OR Java OR Sumatra OR Maluku), dengan pembatasan tahun publikasi 2020–2025.

For JSTOR, the search was conducted using the following query: ethnography AND ("legal pluralism" OR "customary law" OR "adat law") AND Indonesia, with the publication period restricted to 2020–2025. For Google Scholar, the search employed the same keyword combinations, followed by manual filtering for the publication period 2020–2025 and selection based on relevance to the research focus. This search yielded 23 sources from Scopus, 25 from JSTOR, and 30 from Google Scholar, resulting in an initial total of 78 references.

All references collected were imported into Rayyan.ai, a cloud-based platform specifically designed to facilitate systematic screening in scoping and systematic reviews. A deduplication process was conducted to remove duplicate articles indexed across multiple databases, resulting in the elimination of two duplicates and leaving 76 unique records for the next screening stage. Subsequently, a comprehensive screening was performed based on titles, abstracts, and full texts using clearly defined inclusion and exclusion criteria.

Studies were included if they met the following criteria: (1) full-text availability or accessibility; (2) written in English or Indonesian; (3) based on ethnographic research or qualitative studies focusing on law and/or legal pluralism; (4) published in peer-reviewed journals or indexed in reputable databases; (5) published between 2020 and 2025; and (6) geographically situated in Indonesia with a focus on interactions among state law, customary law, and/or religious law.

Conversely, studies were excluded if they: (1) consisted solely of normative legal analysis without ethnographic or sociological dimensions; (2) presented only abstract theoretical discussions without empirical fieldwork; (3) were conference abstracts or non-peer-reviewed working papers; or (4) lacked empirical data on the practice of legal pluralism in Indonesia.

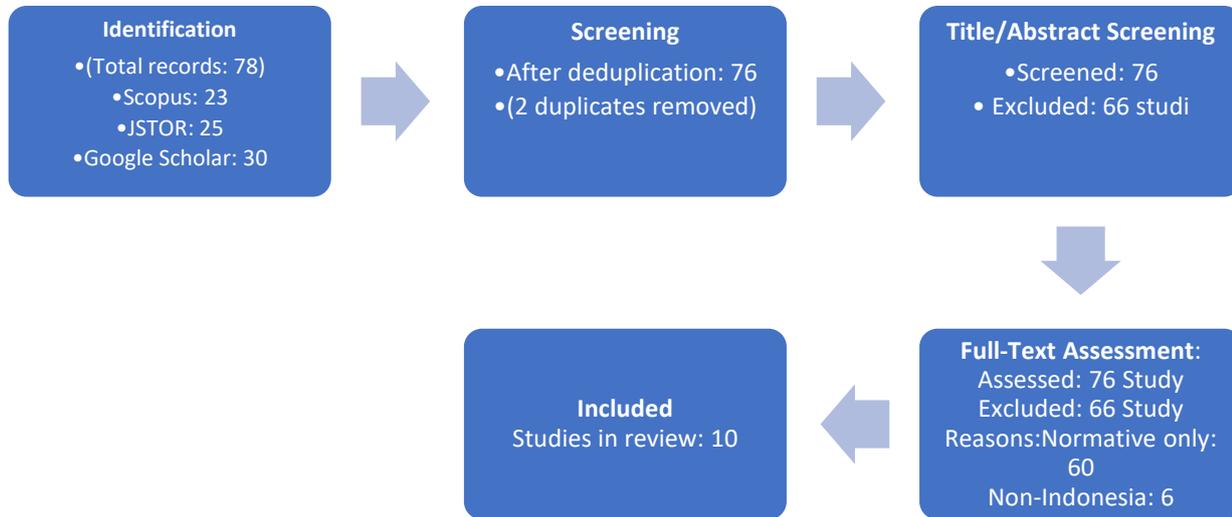


Figure 1. PRISMA Flow Diagram

From the 76 records screened by title and abstract, 66 were excluded for not meeting the criteria (60 consisted solely of normative legal analysis, and 6 were not focused on Indonesia). Ten studies advanced to the full-text screening stage. At this stage, all 10 studies met the inclusion criteria and were incorporated into the final analysis. Data from the included studies were manually extracted using a standardized Excel spreadsheet template covering bibliographic information (author, year, source), study characteristics (geographic location, research design, fieldwork duration, number of participants), theoretical frameworks applied (Geertz, Bourdieu, Moore, von Benda-Beckmann, among others), specific ethnographic methods employed (participant observation, in-depth interviews, focus group discussions, document analysis), and empirical findings on interactions among state law, customary law, and religious law.

Data analysis followed Braun and Clarke's (2012) thematic analysis framework through six stages: familiarization (reading all studies thoroughly), manual initial coding based on three core dimensions (ethnographic methodology, theoretical framework, and empirical findings), identification of themes based on frequency and coding patterns, reviewing and refining themes through re-examination of relevant excerpts, defining each theme operationally, and reporting findings. Methodological quality was assessed using the CASP (Critical Appraisal Skills Programme) Qualitative Checklist, which comprises eight key criteria for evaluating rigor, relevance, and credibility. Narrative synthesis was conducted by organizing findings according to geographic dimensions (Aceh, Bali, Maluku, Java, and multi-regional), types of legal system interaction (state–adat, state–Islamic, state–adat–Islamic), dispute domains (land, family, natural resources, criminal), and dispute resolution mechanisms.

3. Result and Discussion

3.1 Result

3.1.1 Study Characteristics and Quality Assessment

This scoping review analyzed 10 ethnographic studies that met the inclusion criteria. The temporal distribution reveals a concentration of publications between 2023 and 2025, with the majority (8 studies) published in the last two years (2024–2025), indicating a surge of interest in Indonesian legal ethnography during this recent period. Two additional studies, published in 2017 and 2023, provide temporal depth for comparative analysis.

Geographically, the studies span a wide representation across the Indonesian archipelago. Java accounts for the largest number of research sites (3 studies: Samin in Central Java, Blitar/Karangasem in East

Java/Bali, and Cigugur in West Java), followed by Sumatra (2 studies: Minangkabau and Dharmasraya), Nusa Tenggara (2 studies: Lombok, Sangehe Islands, and Manggarai Flores), and Maluku (2 studies: Kei Islands and urban kampung in Malang/Bandung). This multi-site coverage enables comparative insights across diverse cultural, legal, and political contexts.

Fieldwork duration varied significantly, ranging from intensive short-term engagements (two months in Manggarai) to longitudinal case studies spanning nearly four decades (1984–2023 in East Java/Bali). Most studies conducted extensive multi-month fieldwork, allowing for thick description and sustained participant observation—both essential for high-quality ethnography.

Table 1. Literature Extraction

No	Penulis	Lokasi	Metode	Framework	Fokus Hukum	Temuan Utama
1	(Pradhani 2023)	Timor (Mollo)	Interviews; Observation	Legal pluralism	State-adat	Customary law must adapt to state law; challenges of authority and livelihoods
2	(Wakhidah et al. 2024)	Central Java (Samin)	In-depth interviews; Participant observation; Document analysis	Legal pluralism; Natural law; Social construction	State-adat-Islamic	Samin community exhibits diverse preferences in family law; gradual transformation from customary family law to localized hybrid law shaped by negotiation among adat, state, and Islamic norms.
3	(Wimra et al. 2025)	West Sumatra (Minangkabau)	Meta-ethnography; Synthesis of 12 ethnographic studies; Thematic coding; Interlegality matrix	Living law; Legal pluralism; Interlegality; Living fiqh	State-adat-Islamic	Minangkabau marriage practices demonstrate interlegality among adat, fiqh, and state law; living fiqh remains dynamic and continuously renegotiated to meet socio-cultural and legal needs
4	(Sukriono et al. 2025)	East Java & Bali (Blitar, Karangasem)	Ethnographic fieldwork; In-depth interviews; Longitudinal case studies (1984–2023); FGD	Legal pluralism; ADR; Restorative justice	State-adat-Hindu/Islamic	Persistence of ADR mechanisms rooted in adat; emphasis on non-litigation dispute resolution through mediation and reconciliation
5	(Yusuf et al. 2025)	Lombok (Wetu Telu) & Sangehe Islands (Masade)	Ethnographic qualitative design; Semi-structured interviews (6 informants); Observasi partisipatif; Document analysis	Living law; Legal pluralism (Keebet von Benda-Beckmann); Reception theory; Fiqh domains (ibadat/muamalat)	Islamic law- Adat ritual orders	Wetu Telu: substantive reception (ritual form and legal intent merged); Masade: selective/symbolic reception (Islamic symbols retained, obligations reframed)
6	(Salim et al. 2025)	Manggarai Regency (Nao & Popo Villages), Flores, NTT	Socio-anthropological ethnographic; Intensive fieldwork (2 months); In-depth interviews; Observasi partisipatif; Document analysis; Triangulation model	Legal pluralism; Indigenous communities (MHA Manggarai); Customary land (ulayat)	State protection-Adat customary land rights	Nao Village: Land available but 94% uncertified, undistributed ulayat; Popo Village: Complete ulayat privatization (87% uncertified); Three protection models: Common property rights, Registration with safeguards, Management rights (HPL)
7	(Mutolib, Yonariza, and Rahmat 2024)	Dharmasraya, West Sumatra; Production Forest Management	Social Network Analysis (SNA) ethnographic; Semi-structured interviews; Field observations;	Legal pluralism; Social networks; Indigenous ulayat forest rights; Customary authority role	State production forest - Adat ulayat land	Systematic deforestation via social networks: 40 actors identified (22 directly involved); adat authorities as central nodes (27 ties); land sold for USD 300–1,300; broker system

		Unit (PFMU)	Spatial analysis (satellite imagery); Network centrality analysis		overlapping claims	facilitates elite-driven transactions
8	(TRIDEW IYANTI, Luh Rina APRIANI, dan MIQAT 2024)	Kei Islands, Southeast Maluku Regency	Ethnographic qualitative; In-depth interviews; Observasi partisipatif; Cultural-historical analysis	Caste system (Mel-mel/nobles, Ren-ren/middle, Iri-ri/lower); Hegemony & domination; Intracultural communication; Larwul Ngabal (customary law)	Adat caste-based stratification system	Three-tier hierarchy persists in traditions but erodes in urban areas; Mel-mel dominance in bureaucracy, religious leadership, marriage, and land control; sacred ceremonies legitimize caste; democratization enables Iri-ri mobility
9	(Kuswahyono et al. 2024)	Kampung Jodipan/Warna-Warni (Malang), Kampung Heritage Kajoetangan (Malang), Kampung Kreatif Dago Pojok (Bandung)	Ethnographic socio-legal approach; In-depth interviews (6 informants); Observasi partisipatif; FGD; Document analysis; Visual documentation	Legal pluralism (Keebet von Benda-Beckmann); Collaborative governance; National Slum Upgrading Program (NSUP/Kotaku); SDGs	Formal state policies - Informal community norms in urban revitalization	Three transformation models: (1) Jodipan = CSR + artistic intervention; (2) Kajoetangan = government heritage preservation; (3) Dago Pojok = community-led cultural empowerment; success requires balancing formal policies and informal participation
10	(TRIDEW IYANTI, Luh Rina APRIANI, and MIQAT 2024)	West Java (Cigugur, Kuningan) - Komunitas Adat Karuhun Urang (AKUR)	Ethnographic research; Participatory observation; In-depth interviews; Document analysis	Legal pluralism; Religious justice; Rawls & Nozick theories; Customary law	State-adat-religious beliefs intersection	Systematic injustice against AKUR: denial of identity documents, education, marriage registration; discrimination based on belief; violation of fundamental rights; advocacy for recognition of indigenous belief systems

3.1.2 Ethnographic Methods Employed

Based on Table 1, all ten studies demonstrate consistent use of classical ethnographic techniques. In-depth interviews were universally applied, underscoring their importance in capturing subjective experiences and local meanings of plural legal practices. Participant observation was employed in nine studies, enabling researchers to directly witness legal practices in the field—from *gampong* courts in Aceh and *paruman desa pakraman* in Bali to family mediation within the Samin community. Document analysis was conducted in seven studies, encompassing state regulations, customary *awig-awig*, regional *qanun*, and historical archives to triangulate ethnographic data with written sources.

Methodological innovations emerged in several studies. Wimra et al. (2025) adopted meta-ethnography by synthesizing 12 prior ethnographic studies on Minangkabau marriage to identify recurring patterns in the interaction of customary law, fiqh, and state law. Mutolib et al. (2024) integrated Social Network Analysis (SNA) with ethnography to systematically map 40 actors involved in deforestation networks, revealing the centrality of customary authorities and elite dominance in ulayat forest conflicts. The combination of spatial analysis using satellite imagery with ethnographic interviews provided a layered understanding of how social networks facilitate illegal land transactions. Focus Group Discussions (FGDs) were employed in two studies (Kuswahyono et al. 2024; Sukriono et al. 2025), proving particularly effective in capturing collective narratives and contested interpretations of legal norms within community contexts.

3.1.3 Theoretical Frameworks Applied

Legal pluralism served as the universal framework across all ten studies, confirming its dominance in contemporary Indonesian legal ethnography. However, theoretical elaboration revealed significant variation. The von Benda-Beckmann framework of constellations and entanglement was explicitly applied in three studies (Kuswahyono et al. 2024; Wimra et al. 2025; Yusuf et al. 2025), demonstrating the enduring influence of their work on Indonesia. Wimra (2025) operationalized the concept of interlegality to analyze how

Minangkabau marriage practices are shaped through dynamic interactions among customary law, Islamic jurisprudence (fiqh), and state law—not as separate systems but as mutually constitutive legal orders.

The concept of living law was employed in three studies (Wakhidah et al. 2024; Wimra et al. 2025; Yusuf et al. 2025). Yusuf et al. (2025) introduced the term living fiqh to capture the dynamic negotiation of Islamic jurisprudence within Minangkabau communities, emphasizing fluidity and contextual adaptation. Reception theory was revitalized in (Yusuf et al. 2025) to analyze contemporary processes, distinguishing between substantive reception (as in Wetu Telu, where Islamic ritual forms and legal intent converge) and selective/symbolic reception (as in Masade, where Islamic symbols are retained but obligations are reformulated according to customary norms).

Additional theoretical frameworks from philosophy and social theory were also present. Rawls and Nozick's theories of justice were applied in Tridewiyanti et al. (2024) to evaluate systemic injustice against the AKUR community. Gramsci-inspired theories of hegemony and domination were employed in Rumra (2024) to examine how caste-based stratification is legitimized through sacred ceremonies and intracultural communication. Alternative Dispute Resolution (ADR) and restorative justice frameworks were utilized in Sukriono et al. (2025), reflecting a practical orientation toward understanding non-litigation dispute resolution mechanisms.

3.1.4 Substantive Legal Domains Examined

Empirical findings reveal five major substantive legal domains. Land and natural resources constitute the largest focus (four studies), underscoring the centrality of land in state–adat legal interactions in Indonesia. Salim et al. (2025) highlight the complexity of customary land certification in Manggarai, where 94% of land in Nao Village remains uncertified and undistributed, while Popo Village has undergone complete privatization with 87% still uncertified. Mutolib et al. (2024) expose systematic deforestation through social networks in the Dharmasraya Production Forest Management Unit, where customary authorities occupy central nodes (27 ties) within a broker system that facilitates illegal land sales (USD 300–1,300 per transaction). These findings reveal the darker side of pluralism: how adat institutions can be co-opted by elite networks to exploit ambiguities between state forestry law and customary ulayat claims.

Family and marriage law are explored in two studies (Wakhidah et al. 2024; Wimra et al. 2025), uncovering dynamic negotiations among adat, Islamic law, and state civil law. The Samin community in Central Java demonstrates diverse preferences in family law, with a gradual transformation from purely customary family law toward localized hybrid law shaped by tripartite negotiation. Older members tend to preserve traditional marriage rituals, while younger generations increasingly opt for state registration or Islamic ceremonies, creating generational tensions in legal identity.

Religious identity and ritual practices were the focus of two studies that examined contested boundaries between the definition of official religions and indigenous belief systems. Yusuf et al. (2025) analyzed Wetu Telu (Lombok) and Masade (Sangihe Islands), revealing variability in the synthesis of Islamic and customary norms. Tridewiyanti et al. (2024) exposed systemic state discrimination against the Karuhun Urang Indigenous Community (AKUR) in Cigugur, Kuningan, whose belief system is not recognized as an official religion. The consequences include denial of identity documents, barriers to education, refusal of marriage registration, and procedural disadvantages in court proceedings—illustrating how the centralism of state law violates the fundamental rights of communities outside the official religious categories.

Dispute resolution mechanisms were comprehensively examined in a longitudinal study by Sukriono et al. (2025) in East Java and Bali. The study identified the persistence of Alternative Dispute Resolution (ADR) mechanisms rooted in customary practices: village deliberations (*musyawarah desa*), customary councils (*paruman adat*), and family mediation. The emphasis on non-litigation reflects cultural values of harmony and reconciliation over adversarial justice. Urban governance and community development were explored in Kuswahyono et al. (2024), extending the analysis of legal pluralism beyond conventional rural contexts. Three models of urban transformation reveal how formal state policies (such as the NSUP/Kotaku program) are implemented through negotiation with informal community norms.

3.1.5 Key Empirical Patterns

Cross-study analysis identifies five significant empirical patterns. First, the persistence and resilience of customary institutions despite the formal supremacy of state law. *Gampong* courts in Aceh, *paruman desa pakraman* in Bali, and various adat councils across Indonesia continue to function as primary forums for dispute resolution among community members. Second, elite domination and power asymmetries within plural legal systems. Mutolib et al. (2024) clearly demonstrate how customary authorities—expected to safeguard community interests—occupy central nodes in deforestation networks that systematically exploit ulayat forests.

Third, legal hybridization and co-constitution, where state, customary, and religious laws do not coexist in parallel but actively shape one another. Wimra et al. (2025) show how Islamic jurisprudence is continually renegotiated in the Minangkabau context, selectively borrowing from matrilineal adat principles and state civil law requirements. Fourth, strategic forum shopping and legal agency, as community members actively navigate plural legal systems to pursue favorable outcomes. Fifth, systematic marginalization of certain groups, particularly women, lower castes, and indigenous belief communities. Gender dimensions remain severely underexplored: only two of the ten studies substantially address women's experiences within plural legal systems, indicating a significant research gap.

3.2 Discussion

3.2.1 Ethnography as a Critical Method for Understanding Legal Pluralism

Findings from the ten studies confirm ethnography as an indispensable method for grasping the complexity of legal pluralism in Indonesia. The universal adoption of in-depth interviews and participant observation underscores that understanding legal pluralism requires more than regulatory text analysis or statistical surveys. Ethnography uniquely captures what Geertz (1973) terms thick description: not merely what people do, but the meanings they attach to legal practices, the symbols that render decisions authoritative, and the performative dimensions that produce legal legitimacy. Methodological innovations—such as meta-ethnography and ethnography combined with Social Network Analysis (SNA)—demonstrate the productive evolution of ethnographic inquiry beyond classical participant observation.

At the same time, the analysis reveals methodological gaps. Reflexivity regarding researcher-participant relationships—central to contemporary ethnography—receives insufficient attention in most studies. Ethical considerations, particularly in relation to sensitive topics such as illegal deforestation and caste-based discrimination, are not elaborated in adequate depth. A significant limitation is gender blindness: the underrepresentation of women's voices and the limited use of gender analysis across the corpus reflect broader patriarchal biases within legal anthropology.

3.2.2 Patterns of Interaction Among State, Customary, and Religious Law

Empirical findings strongly support von Benda-Beckmann's constellations-entanglement framework: state law, customary law, and religious law in Indonesia do not exist as separate, autonomous systems but are deeply interconnected through processes of mutual constitution. Wimra et al. (2025) illustrate this through the concept of living *fiqh*: Islamic jurisprudence in Minangkabau marriage is not merely "applied" alongside adat but is fundamentally reshaped through negotiation with matrilineal customary principles and state civil law requirements. The result is a hybrid legal formation—neither purely *fiqh*, purely adat, nor purely state law—but a syncretic system with its own internal logic and legitimacy.

Land and natural resources emerge as the most contested domain. Four studies focusing on land highlight that it constitutes the highest-stakes arena of legal pluralism, where economic value, identity significance, and political power intersect. State claims over production forests, indigenous assertions of *ulayat* rights, and caste-based land monopolies generate layered conflicts in which multiple legal authorities compete for jurisdiction.

3.2.3 Implications for Legal Policy and Practice

The findings carry profound implications for legal policy. First, recognizing that customary institutions remain the primary forum for dispute resolution for most citizens suggests that state law should engage with—not ignore—customary mechanisms. Hybrid models integrating adat-based mediation with procedural safeguards of state law can enhance access to justice. Second, elite domination and power asymmetries demand regulatory interventions that strengthen community accountability mechanisms: mandatory transparency in land transactions, broad-based community consultations for resource decisions, and independent monitoring of customary authorities.

Third, cases of religious discrimination call for urgent constitutional reform or judicial reinterpretation. The centralism of state law that restricts recognition to six official religions systematically violates the rights of indigenous belief communities. Fourth, gender justice requires cross-system reforms to dismantle patriarchal norms embedded across plural legal orders. Fifth, urban contexts necessitate rethinking legal pluralism beyond rural adat, developing participatory mechanisms that genuinely integrate community voices.

3.2.4 Limitations and Directions for Future Research

This scoping review has several limitations: language restrictions (English and Indonesian) may have excluded relevant ethnographies; database selection may underrepresent gray literature and NGO reports; and

the 2020–2025 timeframe offers only a snapshot of recent trends, omitting foundational ethnographies. Future research should prioritize longitudinal ethnography, comparative studies across Indonesia’s diverse contexts, digital ethnographic methods, and—most critically—decolonial approaches that interrogate Western legal categories and center Indigenous epistemologies.

3.2.5 Practical Implications of Ethnographic Findings

Ethnographic findings on norm hybridization, forum navigation, and power configurations point to three practical implications. First, legal policymaking must be context-sensitive by integrating customary mechanisms that meet state procedural standards (transparency, due process, accountability) to prevent elite capture and strengthen legitimacy. Second, judicial reasoning in cases involving family law, communal land (*ulayat*), and indigenous belief systems can incorporate thick description and interlegality to assess procedural fairness, bargaining positions, and the acceptability of adat-based mediation outcomes that meet minimum procedural rights. Third, access to justice can be strengthened through community paralegals, hybrid mediation units, mobile administrative services, as well as participatory mapping and network analysis to disrupt harmful brokerage chains—combined with gender-sensitive procedures to ensure equal protection for vulnerable groups.

4. Conclusion

This paper advances socio-legal scholarship by offering an integrated analytical lens that brings together interpretive anthropology, practice theory, and critical legal pluralism to explain interlegality as the co-constitution of state, customary, and religious orders in everyday life. Methodologically, the study demonstrates that ethnography—including meta-ethnography and network-informed approaches—provides a robust bridge beyond doctrinal analysis for uncovering norm hybridization, strategic forum navigation, and the circulation of power and agency across plural legal arenas. Through the synthesis of ten ethnographic studies, this review shows how law is lived, negotiated, and legitimized at the community level in ways that formal legal scholarship often overlooks.

These contributions matter because they directly address the long-standing gap between law in books and law in action. By grounding legal analysis in empirical realities, the findings offer a stronger evidential basis for context-sensitive policymaking that aligns state procedures with community practices, more nuanced judicial reasoning capable of incorporating thick description and interlegal interpretations in cases involving family law, *ulayat* or communal land, and belief systems, and more realistic access-to-justice strategies through community paralegals, hybrid mediation forums, and mobile administrative services. Recognizing hybrid legal formations and uneven power relations helps clarify when the state should intervene, when it should defer to community mechanisms with safeguards, and how hybrid institutional designs can protect rights while maintaining local legitimacy.

Building on these insights, future research should undertake longitudinal and multi-site ethnography to trace shifting patterns of interlegality over time; incorporate gender-responsive and intersectional perspectives to address persistent blind spots; and advance decolonial approaches that center Indigenous epistemologies while challenging imported legal categories. Further work should also refine mixed-method toolkits—combining ethnography, social network analysis, and participatory or spatial mapping—to uncover brokerage chains in land and resource conflicts. Finally, systematic piloting and evaluation of co-regulatory models that integrate adat-based mediation with state procedural guarantees, supported by clear indicators of legitimacy, equity, and rights protection, represent crucial next steps for reform.

Taken together, these directions move Indonesian socio-legal scholarship beyond text-centrism and toward a practice-grounded, power-aware, and reform-oriented understanding of legal pluralism—one that is both analytically rigorous and responsive to the lived realities of communities across the archipelago.

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