



Negotiating Islamic Legal Culture: Muslim Majority Participation under Non-Muslim Leadership in Multicultural Villages

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Abstract: This study analyzes non-Muslim leadership in a Muslim-majority community through Islamic legal culture, highlighting how religious norms, legal consciousness, and local wisdom inform tolerance and coexistence. Using qualitative participatory action research, data were collected via participant observation, with in-depth interviews, and documentation, and also triangulation ensuring validity. The Jrahi community, grounded in Islamic values of *ukhuwah* (brotherhood), *'adl* (justice), and *ta'āwun* (mutual help), responded positively to a non-Muslim village head whose character and service aligned with principles of justice and public welfare in Islamic ethics. His election reflected a negotiation between Islamic normative ideals and pragmatic governance, prioritizing integrity, maturity, and leadership capacity over religious affiliation. Although peace promotion was absent from his formal vision and mission, it was realized through cooperation and preservation of local traditions consistent with the Islamic legal value of *maslahah*. The community's choice sought to maintain unity, prevent conflict, and guard against both syncretism undermining *'aqidah* and radical extremism disrupting social order. This case demonstrates how Islamic legal culture adapts within multicultural realities, offering insights into the acceptance of minority leadership in Muslim-majority settings without compromising core Islamic legal and ethical principles.

Keywords: Islamic legal culture, minority leadership, Muslim-majority community.

Abstrak: Penelitian ini menganalisis kepemimpinan non-Muslim di tengah komunitas mayoritas Muslim melalui budaya hukum Islam, dengan menyoroti bagaimana norma keagamaan, kesadaran hukum, dan kearifan lokal membentuk toleransi dan koeksistensi. Dengan menggunakan penelitian kualitatif berbasis *participatory action research*, data dikumpulkan melalui observasi partisipan, wawancara mendalam, dan dokumentasi, dengan validitas yang dijaga melalui triangulasi. Komunitas Jrahi, yang berakar pada nilai-nilai Islam berupa *ukhuwah*, *'adl*, dan *ta'āwun*, memberikan respons positif terhadap kepala desa non-Muslim yang karakter dan pengabdiannya sejalan dengan prinsip keadilan dan kesejahteraan publik dalam etika Islam. Pemilihannya mencerminkan negosiasi antara ideal normatif Islam dan praktik pemerintahan yang pragmatis, dengan menempatkan integritas, kedewasaan, dan kapasitas kepemimpinan di atas afiliasi agama. Meskipun promosi perdamaian tidak tercantum dalam visi dan misi formalnya, hal tersebut terwujud melalui kerja sama dan

pelestarian tradisi lokal yang konsisten dengan nilai hukum Islam berupa maslahah. Pilihan komunitas ini bertujuan menjaga persatuan, mencegah konflik, serta menghindari sinkretisme yang dapat melemahkan akidah maupun ekstremisme radikal yang berpotensi merusak tatanan sosial. Kasus ini menunjukkan bagaimana budaya hukum Islam beradaptasi dalam realitas multikultural, serta memberikan wawasan tentang penerimaan kepemimpinan minoritas di lingkungan mayoritas Muslim tanpa mengorbankan prinsip-prinsip hukum dan etika Islam yang mendasar.

Kata Kunci: budaya hukum Islam, kepemimpinan minoritas, komunitas mayoritas Muslim.

Introduction

Community participation in leadership is crucial in ensuring that development goals and objectives are achieved as intended.¹ Building leadership support in a plural society composed of multiple groups and social strata requires a relatively homogeneous background of community groups, such as culture, religion, beliefs, customs, and ideologies, which are often dominant factors in shaping successful leadership.² Second, the bond of religious ideology, perceived as rooted in a historical struggle to realize spiritual values, becomes a symbol of collective pride based on religious spirit. Third, strong social cohesion enables the effective implementation of development programs, ensuring that policies leaders adopt are well-received.³

In an Islamic context, this participation is also framed by Islamic legal culture, the lived expression of shari‘ah values, legal consciousness, and communal norms derived from Qur’anic injunctions and prophetic traditions. These values emphasize *shūrā* (consultation), ‘adl (justice), maslahah (public benefit), and *ukhuwah* (brotherhood) as guiding principles in governance, even when a religious minority holds leadership. Thus, leadership is not merely a political position but a locus where Islamic ethical-legal norms are interpreted and negotiated in a multicultural setting.

Multiculturalism in society is like two inseparable sides of a coin. On one hand, it serves as a foundation for character development; on the other, it functions as a living character-shaping community identity respecting differences, honoring diversity, and acting justly towards all, regardless of ethnicity, religion, or race. Historical records in Indonesia show that when multicultural character is weak, personal disputes can escalate into intergroup conflicts, such as the Sampit riots, Tarakan riots, and Balikpapan clashes. Internationally, similar tragedies include the Rwandan genocide, the Oromia-Somali conflict in Ethiopia, and the Dungan-Kazakh conflict.

¹ Supriyadi Supriyadi and Forbis Ahamed, “The Legal Culture in The Distribution of Heritage Property Among The Muslim Community in Karas Kepoh Village, Pancur District, Rembang, Central Java,” *AL-’ADALAH* 18, no. 1 (October 28, 2021): 77–96, <https://doi.org/10.24042/andalah.v18i1.5422>; Jafar Jafar, “Al Jam’iyatul Washliyah Dan Problem Kepemimpinan Non Muslim Dan Perempuan,” *AHKAM : Jurnal Ilmu Syariah* 17, no. 2 (July 5, 2017), <https://doi.org/10.15408/ajis.v17i2.5204>; Deniansyah Damanik et al., “Religious Moderation By Organization Of Islamic Al-Jam’iyatul Washliyah (Character, Identity, And Attitude),” *Islamadina : Jurnal Pemikiran Islam* 24, no. 2 (September 22, 2023): 233, <https://doi.org/10.30595/islamadina.v24i2.17089>.

² Jafar Ahmad and Nisaul Fadillah, “An Analysis of the Failures and Successes of the Presidential Decree in the Parliament Dissolution (A Comparative of the Presidential Decree in Tunisia and Indonesia During Soekarno and Abdurrahman Wahid),” *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 21, no. 2 (December 25, 2021): 163–81, <https://doi.org/10.30631/alrisalah.v21i2.897>; Rintan Arikda Dwi Afida, Siti Aimah, and Bannaga Taha Elzubair Hussen, “Building Harmony in Diversity: Pesantren Strategies to Resolve Cultural Conflicts in Non-Muslim Communities,” *Journal of Islamic Education Research* 5, no. 3 (December 2, 2024), <https://doi.org/10.35719/jier.v5i3.453>.

³ Raha Bahari and Ezmi Sivana, “The Meaning of Socio Cultural Values From the Islamic Law Perspective,” *MILRev : Metro Islamic Law Review* 1, no. 1 (December 27, 2022): 90–102, <https://doi.org/10.32332/milrev.v1i1.6192>.

Such events influence societal leadership, often prompting communities to prefer leaders whose religious and cultural backgrounds align closely with the majority, to ensure obedience and loyalty. This tendency can hinder integration when mutual understanding, tolerance, and respect for diversity are lacking.

In contrast, Jrahi Village in Gunungwungkal District, Pati Regency, presents a compelling case. Despite being predominantly Muslim, the community elected a non-Muslim village head. This choice reflects tolerance and a dynamic negotiation of Islamic legal culture, where communal *ijtihad*, practical reasoning grounded in Islamic values, is applied to contemporary governance. The leader's acceptance demonstrates the community's ability to balance doctrinal fidelity with pragmatic considerations for social harmony, in line with the *maqāṣid al-shari‘ah* (objectives of Islamic law) such as preserving religion, life, intellect, lineage, and property.⁴

To examine this phenomenon, this study explores patterns of interreligious relations in fostering a peaceful culture, the interaction of dominant Muslim legal-cultural norms with minority leadership, and strategies to anticipate potential conflicts.⁵

This study employed a Participatory Action Research (PAR) design to investigate Muslim-majority community participation in accepting non-Muslim leadership in the multicultural setting of Jrahi Village, Central Java, Indonesia.⁶ The site was purposively selected due to its unique leadership composition, with the village head representing a religious minority. Data were collected through participant observation, in-depth interviews, and documentation, involving the village head, community leaders, religious figures, and knowledgeable adult residents selected via purposive sampling. Analysis utilized content analysis with inductive coding, guided by Braun and Clarke's six-stage thematic framework and complemented by Miles and Huberman's model of data reduction, display, and conclusion drawing. This approach provided a systematic and contextually grounded understanding of leadership acceptance in a religiously diverse environment.

Non-Muslim Leadership Response to the Muslim Majority Community in Jrahi Village, Gunungwungkal District, Pati Regency

Diversity in a society has two possible outcomes. First, the negative possibility. This is indicated by the existence of a society that forms ethnocentric groups that color all members of the group, so that there is a chance of conflict. This can be influenced by the doctrine of the group leader who has intolerant thoughts, which can give rise to bad intentions that encourage the growth of hostility. This thinking arises because of the intense love for oneself, one's group, and identity. Excessive religious fanaticism can cause conflict between religions because of the strong sense of love followed by a sense of ego without regard for the rights of others.⁷

⁴ Mursyid Djawas et al., "The Position of Non-Muslims in the Implementation of Islamic Law in Aceh, Indonesia," *AHKAM: Jurnal Ilmu Syariah* 23, no. 1 (2023), <https://doi.org/10.15408/ajis.v23i1.32127>; Gulseren Kozak-Isik, "Contemporary Legal Pluralism, the Modern Metropole, and Immigrant Integration: Negotiating the Law and Legal Institutions in Immigrant Contexts," *Social & Legal Studies* 34, no. 2 (April 18, 2025): 224–53, <https://doi.org/10.1177/09646639241257589>.

⁵ Ali Lubis, "Open Promotion Sekda Kabupaten Sambas: Perspektif Fikih Siyasah Dan Perundang-Undangan Di Indonesia," *Journal of Islamic Law* 1 (August 2020): 158–81, <https://doi.org/10.24260/jil.v1i2.56>.

⁶ John W Creswell and J David Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (Sage publications, 2017).

⁷ Mujar Ibnu Syarif, "A Non-Muslim President in a Muslim State: Islamic Political Discourse in Contemporary Indonesia," *AHKAM : Jurnal Ilmu Syariah* 12, no. 2 (August 7, 2012), <https://doi.org/10.15408/ajis.v12i2.971>; Muhammad Tahmid Nur et

Second, positive possibilities. Positive values can occur when people understand each other and respond to differences. A region with a society with positive values will understand differences as something unique that must be preserved. They believe this is appropriate and cannot be avoided in community life.⁸ This positive condition occurs in Jrahi Village, Gunungwungkal District, Pati Regency. The existing diversity follows the values of Pancasila, which unite religious and cultural differences to build and grow the identity of diversity. Pancasila, as the foundation of the state, is a collection of five essential items, because understanding and experiencing them can make society prosperous. The values of Pancasila act as a unifier and bonding agent between community groups based on the diversity of languages, ethnicities, religions, and cultures.

Four different beliefs or religions show the religiousness of the community, Islam as the majority, Protestant Christianity ranks second, followed by Buddhism, and then the Sapta Dharma believers.⁹ This religiousness does not cause chaos or conflict between religious groups. However, there is a peaceful culture of religious relations.

In a gathering, Jrahi society does not discuss religion; instead, it discusses other things outside of religion, such as greeting, talking about hobbies, work, and efforts to advance the village in the bureaucratic system. In other words, discussions in interactions between communities avoid themes regarding religion.

The Jrahi Village community has long had residents with different religious backgrounds. The strong tolerance and harmony of the community from generation to generation have made Jrahi Village dubbed the Village of Religious Moderation and Pancasila Tourism Village.

Universally, religious moderation is associated with the tolerance of one religious group towards other religions. In Indonesia, the Ministry of Religious Affairs of the Republic of Indonesia initiated the concept of religious moderation, which described religious tolerance, local cultural accommodation, and national commitment. The context of religious moderation is related to religiosity, which emphasizes tolerance, harmony, and the prevention of radicalism.¹⁰ The concept of religious moderation is used as a basic foundation for creating a culture of peace, both at the local and national levels.¹¹ In Indonesia, the Ministry of Religious Affairs of the Republic of Indonesia established the first Religious Moderation Village in July 2023 to promote tolerance and peace in

al., "Negotiating Islamic Identity Through Cultural Adaptation: A Fiqh Al-Aqalliyat Analysis of Masselle Aseng Practice in Indonesian Muslim Minorities," *Jurnal Ilmiah Al-Syir'ah* 23, no. 1 (2025): 117–38, <https://doi.org/http://dx.doi.org/10.30984/jis.v23i1.3132>; Hasrat Efendi Samosir et al., "Recontextualizing the Medina Charter: Consensus-Based Political Communication for Contemporary Plural Societies," *MILRev: Metro Islamic Law Review* 4, no. 1 (June 30, 2025): 645–75, <https://doi.org/10.32332/milrev.v4i1.10523>; I Wayan Sumertha, Busro Busro, and M. Yusuf Wibisono, "Sacred Spaces, Shared Souls: Interfaith Harmony at Taman Kemaliq Lingsar, Lombok, Indonesia," *Jurnal Ilmiah Peuradeun* 13, no. 1 (January 30, 2025): 127–54, <https://doi.org/10.26811/peuradeun.v13i1.1584>.

⁸ Mulyono Jamal et al., "Tanmiyah Waqf Al-Manāfi Min Ajl Al-Istiqlāliyah Fī Majāli Al-Iqtisād: Dirāsah Fī Ma'had Tazakkā Al-'Āṣrī," *Al-Ahkam* 33, no. 1 (April 30, 2023): 89–112, <https://doi.org/10.21580/ahkam.2023.33.1.13586>.

⁹ Muhammad Rikza Muqtada et al., "Fiqh Contestation on Women's Public Leadership in Indonesia and Malaysia: Reproducing Qur'anic and Hadith Interpretations," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 19, no. 1 (June 30, 2024): 221–48, <https://doi.org/10.19105/al-lhkam.v19i1.13163>; Putra Halomoan Hsb, Fatahuddin Aziz Siregar, and Suud Sarim Karimullah, "Inheritance in the Mandailing Community: Value Changes from a Legal Culture Perspective," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 25, no. 1 (April 10, 2025): 83–108, <https://doi.org/10.19109/nurani.v25i1.24870>. It was found that:

¹⁰ Imam Subchi et al., "Religious Moderation in Indonesian Muslims," *Religions* 13, no. 2 (2022): 1–11, <https://doi.org/https://doi.org/10.3390/rel13050451>.

¹¹ Ismatu Ropi, "Whither Religious Moderation? The State and Management of Religious Affairs in Contemporary Indonesia," *Studia Islamika: Indonesian Journal for Islamic Studies* 26, no. 3 (2019): 597–601; Akdel Parhusip, "Exploring the Evolution of Religious Moderation Leadership from the Local to National Level," *HTS Teologiese Studies/Theological Studies* 80, no. 1 (2024): 1–6, <https://doi.org/https://doi.org/10.4102/hts.v80i1.8630>.

society. Jrahi Village is one part of the Religious Moderation Village, with its people considered capable of maintaining a culture of peace amidst religious diversity.

A tourist village is an area with specific characteristics that are attractive to tourists. Generally, tourist villages have a population composition that is independent and efficient. The criteria for a tourist village include accessibility, attractiveness, public facilities and tourism facilities, promotion or marketing, and community empowerment.¹² Pancasila is the “basic philosophy of the state and the worldview of the Indonesian people”. Pancasila is always said to be a cure for social diseases.¹³ Pancasila has five essential values that are part of civic and moral education for learners.¹⁴ Pancasila Village has a population composition with religious diversity and behavior that is considered harmonious, tolerant, and peaceful.¹⁵ The culture of peace and harmony of religious life has influenced the development of tourism in Jrahi Village.

This moderate multiculturalism and multi-religion has been going on for generations. Even the leaders who lead the village are individuals who come from minority groups based on religion. An individual leads the current village head with a Protestant Christian background. The election of the last village head, which was the election of the village head on Saturday, December 21, 2019, was not the first time a village head was elected from a minority group based on religion. Jrahi Village was previously also led by an individual with a Buddhist background for two terms.

Several factors that cause the village head from the minority group to be elected are: First, a figure who can embrace the youth. The figure has a personality that can embrace and be close to the youth. The youth are also part of society, which plays an essential role in the future. The figure has a character that is easy-going, humble, and friendly with the youth of Jrahi Village.

Second, a young figure. Some of the people of Jrahi Village want their leader to be someone who is young and has a higher education. Some of the young people of Jrahi Village, who have the authority to vote in the village head election, want a new leader figure and someone of a relatively young age. In addition, it is seen with the stereotype that the figure does not talk much but works a lot.

Third, the influence of the father. His father is an educator. His father used to be a school principal. He was Head of the Village Community Resilience Institute (Lembaga Ketahanan Masyarakat Desa / LKMD) and was active in the community and the village government. It is alleged that the figure succeeded in becoming a village head due to the influence of his father's track record.

The election of village heads does not use identity politics, as regulated by the Republic of Indonesia's law on implementing general elections. However, the dominant factor is the commitment to support the wishes of all its people with equitable and fair development programs. In addition, the figure supports the principles of social norms, such as tolerance and shared interests.

¹² Neneng Komariah, Encang Saepudin, and Saleha Rodiah, “Development of Tourist Village Based on Local Wisdom,” *Journal of Environmental Management & Tourism* 9, no. 6 (2018): 1172–77.

¹³ Pranoto Iskandar, “The Pancasila Delusion,” *Journal of Contemporary Asia* 46, no. 4 (2016): 723–35, <https://doi.org/http://dx.doi.org/10.1080/00472336.2016.1195430>.

¹⁴ Shigeo Nishimura, “The Development of Pancasila Moral Education in Indonesia,” *Southeast Asian Studies* 33, no. 3 (1995): 303–16, https://doi.org/10.20495/tak.33.3_303.

¹⁵ Sofyan Tsauri, “Management of Multicultural Education as in the Village Pancasila Moderation Diversity Efforts in Indonesia,” *Jurnal of Positive School Psychology* 6, no. 2 (2022): 5841–61.

Most of the population has a positive relationship and response to the village head figure. The socio-cultural construction that creates kinship between different religions in society creates a peaceful culture in social interaction between groups. The long-standing interaction between religions in Jrahi supports this positive response. Although there was a religion that could be said to be new at that time, the community accepted the entry of new religions such as Islam, and a reduction in followers of Buddhism did not cause conflict in the community. In other words, this interaction is influenced by the dynamics of the spread of religion in the Gunungwungkal District area.

The village head figure is said to be easy to get along with others, from young people to adults, but still knows his limits. The limit is not to differentiate or group people based on their identity. The village head figure believes that all Jrahi people are his citizens and part of his family. In addition, the village head figure has a program to advance human resources for his community. Human resources are an essential factor that can influence the development of sustainable innovation.¹⁶

The village head figure leads by not thinking about one group only, but all religious groups. For example, in the case of Muslims who hold recitation events, *tahlilan*, *selapanan* recitation, *fatayat*, when the village head figure is invited to attend the Islamic religious event, he is present as long as there is no other activity. The village head figure has also held a thanksgiving with *sholawatan* in Islam.¹⁷

The majority of the community responded positively to the village head figure. Likewise, the village head figure showed a positive attitude and behavior and was actively involved in serving the community well. The village head figure believes that all people are his citizens and are part of his family, so the needs of physical and material support and the spiritual needs of the Jrahi community are met without distinguishing religious status.

The Impact of Non-Muslim Leadership on the Continuity of the Peaceful Culture Reproduced by the Dominant Muslim Culture with the Non-Muslim Minority in Jrahi Village, Gunungwungkal District, Pati Regency

Theoretically, cultural and religious diversity holds the potential for conflict, as it is often prone to competition or misunderstanding in everyday interactions.¹⁸ However, the situation in Jrahi challenges this notion, as the community has navigated these differences without disputes or conflict-inducing factors. Religion has played a significant role in regulating and guiding the attitudes and behavior of the Jrahi community. Additionally, the public's awareness and understanding of social ethics have fostered a culture of peace within Jrahi Village.

¹⁶ Solihan Solihan et al., "Legal Syncretism in Practice: Acculturation of Islamic and Customary Norms in the Tunggu Tubang Marriage Tradition of Semende," *Nurani: Jurnal Kajian Syari'ah Dan Masyarakat* 25, no. 1 (June 2, 2025): 185–99, <https://doi.org/10.19109/nurani.v25i1.25060>; Chaereyranba Sholeh, Sintaningrum, and Yogi Suprayogi Sugandi, "Formulation of Innovation Policy: Case of Bandung Smart City," *Jurnal Ilmu Sosial Dan Ilmu Politik* 22, no. 3 (2019): 173–86, <https://doi.org/10.22146/jsp.33698>.

¹⁷ Fahmi Fatwa Rosyadi Satria Hamdani et al., "Traditional Law vs. Islamic Law; An Analysis of Muslim Community Awareness in Inheritance Issues," *Al-Ahkam* 32, no. 1 (April 28, 2022): 109–30, <https://doi.org/10.21580/ahkam.2022.32.1.11000>.

¹⁸ Erawadi Erawadi and Fadlan Masykura Setiadi, "Exploring Religious Harmony Through Dalihan Na Tolu: Local Wisdom in Peacebuilding in Indonesia," *Jurnal Ilmiah Peuradeun* 12, no. 3 (September 30, 2024): 1379, <https://doi.org/10.26811/peuradeun.v12i3.1398>; Irmayanti and Ita Rodiah, "Pewarisan Budaya Dan Nilai Keislaman Pada Tradisi Sayyang Pattu'du' Oleh Etnis Mandar," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam*, May 3, 2024, 25–38, <https://doi.org/10.56593/khuluqiyya.v6i1.133>.

The culture of peace in Jrahi Village is in the form of social interaction and lifestyle, namely the realization of peaceful conditions and mutual tolerance amidst the differences in Jrahi society. The existence of a moderate nature in society does not give rise to seeds of extreme thinking in the name of religion. Religious teachings on maintaining harmony between religious communities have been successfully implemented. The reality occurs in worship activities in each religion that teaches harmony and mutual respect between differences.¹⁹

Religious understanding is upheld in each adherent, resulting in a correct perspective that differences are the nature of God.²⁰ On the other hand, the community forms local wisdom that contains religious and social values. Local wisdom of the Jrahi community, such as *sedekah bumi*, *ngalungi sapi*, *barikan*, *dawuhan*, *lamporan*, and interfaith prayers, is the result of community creations for the benefit of nature and society. In addition, the commemoration of seven days of death is carried out by people of different religions as a form of condolence, sending prayers, and joint activities in celebrating religious holidays. Some create family ties with family members who have different faiths. This is common for the Jrahi community to respond to the diversity of beliefs within the family. The existence of the local wisdom of Jrahi Village has been realized until now with the aim of strengthening brotherhood between residents and showing that a high sense of respect and appreciation positively impacts a high sense of respect for differences. The creation of various local wisdom in Jrahi Village manifests efforts to avoid potential conflicts due to differences.²¹

In traditional social activities such as cooperation, all Jrahi people do not discriminate. Cooperation is a social activity in their respective teachings to form solidarity and cooperation. Religious background is a personal matter for each person. Religious teachings do not condemn or prohibit cooperative activities. Therefore, the strong harmony and unity of the Jrahi people come from awareness, the influence of religion, and situations and conditions that have occurred for generations.

Jrahi Village, entitled the Village of Religious Moderation and Pancasila Tourism Village, is the result of community efforts to maintain and preserve the values of Pancasila. The diversity of religions does not become a barrier or problem for the community to realize harmony. For example, the first entry of Islam in Jrahi has reduced the existence of Buddhists in Jrahi. According to the developing folklore, this did not break the chain of humanizing humans. Religiousness theoretically supports the existence of majority and minority communities. Islam is the majority with a percentage of around 73%, but this does not mean that minority communities are not given the right to live their lives. This aims to prevent destruction in the blocks of relationships with the dominant community.

The Head of Jrahi Village for the 2020-2024 has achieved leadership in the Jrahi community. The following are the leadership achievements:

¹⁹ Edy Setyawan, Ahmad Alamuddin Yasin, and Rahman Dahlan, "Legal Culture Review and Judicial Track Record of the Kesultanan Cirebon in the Manuscript Pepakem Jaksa Pepitu," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 24, no. 1 (July 18, 2024): 1–21, <https://doi.org/10.18326/ijtihad.v24i1.1-21>.

²⁰ Arief Budiman, Muhammad Saifullah, and Bahrul Ulum, "Wājibah Will for Non-Muslim Heirs in Indonesia: A Legal Political Perspective Based on Justice and Welfare," *Ijtihad: Jurnal Wacana Hukum Islam Dan Kemanusiaan* 24, no. 2 (December 28, 2024): 223–50, <https://doi.org/10.18326/ijtihad.v24i2.223-250>.social situations, and the state's orientation in formulating policies regarding 'wasiat wājibah' or wājibah will (mandatory will

²¹ Syamsarina Syamsarina et al., "Dynamics of Different Religious Inheritance Decisions: The Case Study of the Religious Court Judges Ijtihad," *Syariah: Jurnal Hukum Dan Pemikiran* 25, no. 1 (2025): 1–21, <https://doi.org/10.18592/sjhp.v25i1.15717>.

Table 1.
Achievements of Jrahi Village Head for the 2020-2024 Period

No	Achievements	Date	Done by
1	Land certification with a total of 2663 certificates	2020-2024	The Head of Jrahi Village
2	Jrahi's coronation as a Pancasila Tourism Village with a Developing Category	December 2020	The Regent of Pati
3	Jrahi's Coronation as a Village of Religious Moderation	July 26 2023	Ministry of Religion of Pati Regency

Source: Obtained from primary data, 2024

Jrahi Village was named Pancasila Tourism Village and Religious Moderation Village as a manifestation of the positive interaction between the Jrahi Village government and its community. Without community support, results like this cannot be achieved. In other words, the collaboration between the leadership and its community has been carried out well.

Islamic Legal Culture and Its Adaptation under Non-Muslim Leadership in a Muslim Majority Context

Multicultural villages, such as Jrahi Village in Gunungwungkal District, Pati Regency, present a unique socio-legal environment where Islamic legal culture interacts with local governance under non-Muslim leadership. In this context, Islamic legal culture is understood as a set of values, norms, and practices derived from Islamic law (*shari'ah*) that influence the Muslim majority's behavior, expectations, and social interactions.²² The governance of a village led by a non-Muslim leader becomes a testing ground for Islamic legal culture's resilience, flexibility, and adaptability, particularly in maintaining community harmony, safeguarding religious identity, and accommodating pluralistic realities.²³

From a socio-legal perspective, Islamic legal culture in Jrahi Village does not operate in isolation.²⁴ It is embedded in the daily lives of the Muslim majority, reflected in the practices of worship, family law, economic transactions, dispute resolution, and moral norms. The challenge emerges when these religiously-informed norms must coexist with administrative decisions, public policies, and leadership styles shaped by a non-Muslim head of village. This governance arrangement inevitably requires negotiation between religiously grounded expectations and the secular legal framework of the Indonesian state, which recognizes village autonomy while upholding the principle of religious freedom.²⁵

²² Hilm Ridho, Hamim Maftuh Elmy, and Muhammad Sibawaihi, "Fiqh Al-Aqalliyat; Jurisprudence For Muslim Minorities As A Guide To Living In Non-Muslim Countries," *Syariah: Jurnal Hukum Dan Pemikiran* 23, no. 1 (2023): 93–106, <https://doi.org/0.18592/sjhp.v23i1.8611>.

²³ Ridwan Arifin et al., "A Discourse of Justice and Legal Certainty in Stolen Assets Recovery in Indonesia: Analysis of Radbruch's Formula and Friedman's Theory," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 6, no. 2 (December 2023): 159–81, <https://doi.org/10.24090/VOLKSGEIST.V6I2.9596>.

²⁴ Irawan et al., "Negotiating Legal Pluralism: Syncretism of Islamic Law and Balinese Adat in Pegayaman Village," *El-Mashlahah* 15, no. 1 (June 25, 2025): 149–64, <https://doi.org/10.23971/el-mashlahah.v15i1.9072>.

²⁵ Hamza Abed Alkarim Hammad, Irwan Mohd Subri, and Hasanah Abd Khafidz, "The Impact of Religiosity on the Malaysian Muslim Community's Attitude Towards the Practice of Cupping," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 1 (June 17, 2023): 145, <https://doi.org/10.31958/juris.v22i1.8461>.

The adaptability of Islamic legal culture in this context can be analyzed through Lawrence M. Friedman's tripartite framework of legal culture, legal institutions, legal substance, and legal culture proper (values and attitudes).²⁶ In terms of institutions, the village head's office functions under the state legal system. Still, the influence of local religious institutions such as mosques, madrasah diniyah, and majelis taklim remains significant.²⁷ These institutions operate as moral and social anchors for the Muslim community, providing guidance and reinforcing Islamic legal norms regardless of who holds political leadership.²⁸

The legal substance laws and regulations governing village administration remain secular and uniform across Indonesia. However, its local application in Jrahi Village is mediated by the cultural and religious composition of the community. While the non-Muslim leader must apply state law equally, there is an observable tendency to respect and accommodate Islamic traditions, such as adjusting schedules for village meetings during Ramadan, refraining from organizing official events during Friday prayer times, and supporting Islamic holiday celebrations. This accommodation reflects a mutual recognition of the legitimacy of Islamic legal culture as a living norm within the community.²⁹

The most dynamic aspect, however, lies in the legal culture proper values, beliefs, and attitudes towards law and governance. The Muslim majority in Jrahi Village demonstrates a pragmatic approach. On one hand, they hold firmly to Islamic legal and moral values in personal and communal matters. On the other hand, they recognize the administrative authority of the non-Muslim leader, as long as it does not interfere with religious obligations or contradict core Islamic principles. This pragmatic stance is supported by the Islamic legal concept of *al-maslahah al-mursalah* (public interest), which allows for cooperation and harmonious coexistence in matters of shared concern, such as infrastructure, education, and disaster management, while safeguarding religious integrity.

This balancing act between Islamic legal culture and pluralistic governance also aligns with the Indonesian constitutional principle of *Bhinneka Tunggal Ika* (Unity in Diversity). For the Muslim majority, participating under non-Muslim leadership does not necessarily dilute their religious identity. Instead, it offers a platform to demonstrate that Islamic legal norms can coexist with diversity and contribute positively to social stability.³⁰ This reflects the *fiqh al-ta'āyush* (jurisprudence of coexistence), emphasizing peaceful interaction and mutual respect among religious communities.

A closer examination of dispute resolution practices further illustrates the interplay between Islamic legal culture and village governance.³¹ In personal and family disputes among Muslims, the

²⁶ Setyawan, Yasin, and Dahan, "Legal Culture Review and Judicial Track Record of the Kesultanan Cirebon in the Manuscript Pepakem Jaksa Pepitu."

²⁷ Ignacio Ferrero, W. Michael Hoffman, and Robert E. McNulty, "Must Milton Friedman Embrace Stakeholder Theory?," *Business and Society Review* 119, no. 1 (March 3, 2014): 37–59, <https://doi.org/10.1111/basr.12024>.

²⁸ Roger Backhouse, "The Debate over Milton Friedman's Theoretical Framework: An Economist's View," in *Economics and Language* (Routledge, 2020), 103–31.

²⁹ Jarudin Jarudin et al., "The Formalization of Islamic Attire for Students: Differentiation of Discrimination and Intolerance Paradigms in the Case of Perkada Sharia in West Sumatra," *JURIS (Jurnal Ilmiah Syariah)* 22, no. 1 (June 13, 2023): 81, <https://doi.org/10.31958/juris.v22i1.8606> as demonstrated by regional head regulations (Perkada

³⁰ Lilach Rosenberg-Friedman, "Nationalism, Gender and Feminine Identity: The Case of Post-World War II Zionist Female Emissaries," *European Journal of Jewish Studies* 8, no. 2 (2014): 194–216.

³¹ Kasman Bakry et al., "Political Dynamics of Muhammadiyah and Its Relevance to the Concept of the State in Islam," *AL-'ADALAH* 17, no. 2 (March 27, 2021): 383–96, <https://doi.org/10.24042/andalah.v17i2.6824>.and historical approach. The results of the study finds out: First, the characteristics of an Islamic state are applying God's law, adopting a form of leadership, being universal, not totalitarian, and applying a humane leadership pattern. This character is supported by a leadership system based on basic principles in the Islamic state (*al-mabda 'al-asāsi fi dawlah al-Islamiyyah*

community often resorts first to informal resolution mechanisms grounded in Islamic law, such as mediation by kyai or respected elders. Only if these efforts fail are cases brought to the formal village administration or religious court. This layered approach reflects the enduring authority of Islamic legal culture in guiding moral and legal behavior, even within a pluralistic administrative structure.

Economically, the Muslim majority in Jrahi Village maintains practices aligned with Islamic commercial ethics, such as avoiding *riba* (usury) in informal lending arrangements and ensuring halal status in communal food-related events. The non-Muslim leadership does not interfere in these practices, indicating a degree of legal pluralism in everyday governance. This tacit recognition allows Islamic legal norms to operate organically, without being codified in formal village regulations.

However, the coexistence of Islamic legal culture with non-Muslim leadership is not without its tensions. Concerns occasionally arise regarding allocating village funds, prioritizing development projects, or representing Muslim cultural symbols in public spaces. These issues require careful negotiation, often mediated by community forums where Muslim leaders articulate their perspectives while acknowledging the secular mandate of the village administration. The success of such negotiations depends largely on mutual trust, transparency, and the shared goal of maintaining social harmony.³²

From a broader perspective, the experience of Jrahi Village offers essential insights for understanding the adaptability of Islamic legal culture in multicultural governance settings.³³ It shows that Islamic legal norms are not rigidly oppositional to pluralistic structures; instead, they possess an inherent flexibility that allows for constructive engagement with diverse leadership, as long as the core principles of justice, fairness, and religious freedom are preserved. This reflects the *maqāṣid al-shari‘ah*, particularly the protection of religion (*hifz al-dīn*), life (*hifz al-nafs*), intellect (*hifz al-‘aql*), lineage (*hifz al-nasl*), and property (*hifz al-māl*).³⁴

In conclusion, the governance of multicultural villages like Jrahi under non-Muslim leadership reveals a dynamic negotiation between Islamic legal culture and the realities of pluralistic administration. The Muslim majority's participation is guided by a pragmatic balance between upholding religious values and engaging constructively with secular governance structures. This model demonstrates that Islamic legal culture, when understood in its broader ethical and social dimensions, can function as a unifying force that strengthens community cohesion, fosters mutual respect, and upholds the principles of justice in a diverse society.³⁵

Conclusion

In the framework of Islamic legal culture, the Jrahi community's experience demonstrates how *‘urf* (custom) and *maṣlaḥah* (public interest) function as living legal principles that guide social

³² Meirison Meirison, Desmadi Saharuddin, and Husnul Fatarib, "The Dynamics of Islamic Jurisprudence in The Eyes of Contemporary Muslims," *El-Mashlahah* 12, no. 1 (June 30, 2022): 70–83, <https://doi.org/10.23971/elma.v12i1.3939>.

³³ Muhammad Amrullah Drs Nasrul et al., "Unraveling Legal Complexities: Muslim and Non-Muslim Estate Administration Process in Malaysia and Brunei," *De Jure: Jurnal Hukum Dan Syar’iah* 16, no. 2 (December 30, 2024): 531–54, <https://doi.org/10.18860/j-fsh.v16i2.29827>.

³⁴ Achmad Faidi, "Reconstruction of the National Legal System: Study the Implementation of the Maqāṣid Al-Shari‘ah Theory," *AL-‘ADALAH* 15, no. 2 (January 24, 2019): 307, <https://doi.org/10.24042/andalah.v15i2.3387>.

³⁵ Abdullah Abdullah et al., "Fulfillment of The Living Rights of Children the Victims of Divorce in the Muslim Community of Lombok, Indonesia," *El-Usrah: Jurnal Hukum Keluarga* 7, no. 1 (July 1, 2024): 253–71, <https://doi.org/10.22373/ujhk.v7i1.22281>.

decision-making beyond mere textual formalism. By prioritizing justice (*'adl*), benefit (*maṣlahah*), and harmony (*ṣulḥ*) over rigid identity politics, the community illustrates the dynamic and adaptive character of Islamic law when engaged with multicultural realities. Their acceptance of non-Muslim leadership embodies the spirit of *maqāṣid al-shari‘ah*, particularly the protection of religion (*hifz al-din*), not through exclusivist separation but through the promotion of peaceful coexistence and the prevention of *fitnah* (discord). This negotiation between normative Islamic principles and local sociocultural contexts reflects a form of Islamic legal culture that is both context-sensitive and value-driven, where legitimacy is measured by *amānah* (trustworthiness) and *istiṭā‘ah* (capability) rather than sectarian affiliation. By consciously avoiding religious polemics in public affairs, the Jrahi community affirms a jurisprudential orientation rooted in *tasāmuḥ* (tolerance) and *ta‘āyush silmī* (peaceful coexistence), resonating with Islam’s ethical mandate to uphold social justice and communal well-being. Ultimately, this case highlights the potential of Islamic legal culture to act as a unifying force in plural societies, transforming diversity into a source of collective strength rather than division.

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