

Plural Legal Spaces and Ritual Innovation in the Midodareni Tradition of the Jaton Community

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Abstract: This article discusses the dynamics of legal pluralism in the practice of *Midodareni* rituals in the Javanese community of Tondano (Jaton), North Sulawesi, Indonesia. By adopting an interdisciplinary approach involving legal, anthropological, and sociological perspectives, this study explores how Islamic law, customary law, and state law interact, meet, and often clash in implementing these traditions. Through the qualitative method of case studies, data is collected through in-depth interviews, participatory observations, and analysis of local documents. The findings show that *Midodareni* is not just a cultural rite, but a complex arena of legal negotiations, in which local actors, including traditional leaders, religious leaders, and village government officials, play an active role in adapting traditional practices to religious norms and state regulations. This ritual transformation reflects the process of cultural Islamization, legal framing by the state, and the preservation of the collective identity of the Jaton community as a formidable minority. This article contributes a new understanding of how local traditions can survive and transform creatively in a pluralistic society fraught with tensions between customs, religion, and formal law.

Keywords: legal pluralism, customary law, cultural Islamization, social negotiation, collective identity, *Midodareni*, Jaton community.

Introduction

In a culturally and religiously pluralistic society, the law is never present singularly (Bukido et al., 2022; Shah, 2016). He is always intertwined with various social norms in local communities, such as customs, religious practices, and the country's legal system. This phenomenon is referred to as legal pluralism, which is the simultaneous existence and interaction of various overlapping legal systems in one social space (Scott, 2021). Griffiths (2011) and Crowe (2015) classically distinguishes between strong legal pluralism, where various legal systems coexist autonomously, and weak legal pluralism, which only recognizes pluralism within the institutional boundaries of the state. It is within this framework that law cannot be understood solely as a formal product of the state, but also as the result of social negotiations between various normative authorities that have legitimacy in the eyes of the community, be it customary, religious, or state (Geyer, 2023; Scott, 2021).

Legal pluralism is becoming increasingly relevant in postcolonial countries such as Indonesia, where the colonial legal system of Dutch heritage continues to coexist with Islamic law and local customary law (Manse, 2024). For example, the study by Hefner (2023) shows that Indonesian society often faces a dilemma between religious obligations, customary loyalty, and state regulations in family law. In practice, citizens "choose" the applicable law and actively negotiate values and legitimacy through various social arenas, including traditional rituals and ceremonies (Scott, 2021). This is in line with the idea of Burchardt (2022) about interlegality, where individuals and communities create hybrid spaces between overlapping legal systems, often in the form of cultural rituals that serve as a medium of validating norms and identities.

Traditional rituals such as *Midodareni* in the Java Tondano (Jaton), North Sulawesi community, are a concrete example of how legal pluralism works in practice. This tradition, which was initially part of a series of Javanese weddings with spiritual-mystical content, has undergone significant transformation due to migration, Islamization, and state intervention (Makka et al., 2024). In this context, local actors such as traditional leaders, ulama, and village officials function as normative implementers and active mediators in harmonizing sometimes contradictory values. This shows that law is an arena of contestation and articulation of meaning that is contextual and constantly changing (Tamanaha, 2017).

Unfortunately, many legal studies in Indonesia are still stuck in a normative-positivistic approach that emphasizes compliance with the formal laws of the state (Hasanudin, 2020; Prasetyo, 2018, 2022), while ignoring how the law is lived, negotiated, and interpreted locally (Salim, 2015). In the study of *Midodareni*, most studies tend to be descriptive and focus on purely cultural or theological aspects, without exploring how this practice becomes a legal dialectic space involving shifts in authority and social identity (Afifah et al., 2024; Stuart & Scott, 2020; Makka et al., 2024; Sasongko & Manggala, 2024). In fact, in a multicultural society, studies of legal anthropology show that rituals are an important means of maintaining social cohesion, protecting the rights of minorities, and responding to the pressure of homogenization of national laws (Comaroff & Comaroff, 2016; Zhou, 2021).

Therefore, this article aims to fill this void by analyzing *Midodareni* as a negotiating ground for legal pluralism in the Jatton community. Combining legal, anthropological, and sociological perspectives, this article examines: (1) how *Midodareni* practices changed and negotiated under the pressures of three legal systems; (2) the role of local actors in shaping and reformulating plural legal practices; and (3) how these negotiations affect the formation of collective identities and the sustainability of traditions in minority societies. This study offers a new

understanding that legal pluralism is not just a matter of "diversity of legal systems". However, it is a dynamic social process in which traditions, religions, and the state are constantly negotiated through everyday practices full of symbolic and legal meaning.

Method

This study uses a qualitative approach with an interpretive case study design to understand the dynamics of legal pluralism and social identity negotiation in ritual practice, *Midodareni* in the Javanese Tondano (Jaton), North Sulawesi community. This approach was chosen because the issues studied concern the complex interaction between customary law, religious norms, and state regulations that cannot be reduced to statistical numbers, but need to be traced through meanings, symbols, and social practices that live in communities. As suggested by Creswell (2014), the qualitative approach allows for an in-depth exploration of the experiences of social actors and their meanings of plural legal realities.

The single case study design was chosen because the research focuses on one unique local community, the Jatton community, which has distinctive historical, cultural, and religious characteristics. Interpretive case studies allow researchers to holistically capture the complexity of local realities through local actors' perspectives and social contexts (Yin, 2018). Thus, this research is descriptive and analytical, seeking to interpret power relations, legal negotiation forms, and identity formation dynamics in specific ritual realms.

Data was collected through three main techniques: semi-structured in-depth interviews, participatory observation, and document analysis. Interviews were conducted with 17 key informants: traditional leaders, religious leaders, village officials, traditional actors, and family members directly involved in the *Midodareni* ritual. The selection of informants used purposive sampling techniques, taking into account their active involvement in the social processes studied. The interview questions were directed to explore their understanding of the function of rituals, interpretations of customary and religious elements, and experiences interacting with the country's legal norms. Interviews are recorded, transcribed, and thematically analyzed.

Participatory observations were conducted for two months (March-April 2022) on three *Midodareni* events in Tondano Java Village. Researchers are directly involved in the preparation, implementation, and discussion of the community to capture symbolic practices, social interactions, and the role of actors in real-life situations. Field notes, visual documentation, and critical reflection complement observations. Meanwhile, document analysis includes readings of local customary rules, village archives, state regulatory documents (such as the marriage law), and

recordings of informal decisions such as fatwas of religious leaders and minutes of village deliberations.

The data were analyzed using a reflective thematic analysis approach, as developed by Braun and Clarke (2023), which consists of six stages: (1) familiarizing yourself with the data, (2) creating initial code, (3) identifying themes, (4) reviewing themes, (5) naming and defining themes, and (6) crafting an analytical narrative. This entire process is carried out with an interdisciplinary perspective, which combines the theory of legal pluralism (Tamanaha, 2017). Concept of 'social space' by Pierre Bourdieu (Hardy, 2014), as well as a collective identity approach (Giddens, 2023). The validity of the results was strengthened through triangulation of sources, confirmation with informants (member checking), and critical reflection by researchers.

To systematically map how the interaction between customs, sharia, and state law takes place in Midodareni practice, the authors compile the following visual framework that describes the space for legal negotiation and the role of local actors in forming norms.

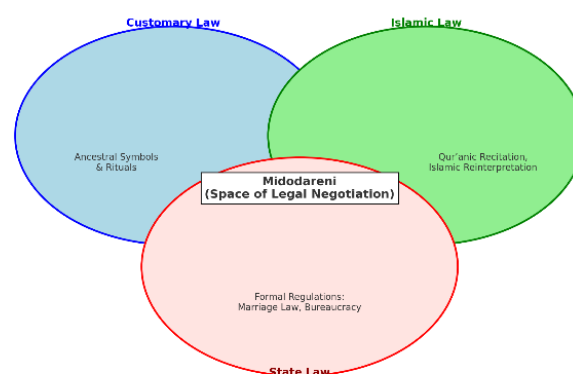


Figure 1. Jatun Legal Tri-Negotiation Framework

This image shows the wedges between the three legal systems 'Customary Law, Islamic Law, and State Law that interact with each other in the practice of *Midodareni*. This visualization shows how each system contributes values, symbols, and rules to a lively legal negotiation space.

In maintaining research ethics, all informants are given information about the purpose and methods of the research, and are asked for written consent (informed consent). Anonymity is maintained by using pseudonyms, and all data is kept secure. The researcher also applies the principle of reflexivity by being aware of his subjective position as an interpreter outside the community and actively reflecting on biases and positions of power during the research process (Syamsuddin, 2017).

Results and Discussion

Midodareni as an Arena of Interlegality: Between Customs, Sharia, and State Law

Ritual *Midodareni*, which initially developed in Javanese tradition as part of a pre-marriage procession with a strong mystical and symbolic content, underwent significant changes when practiced in the Javanese community of Tondano (Jaton) in North Sulawesi (Makka et al., 2024). This tradition is not just a cultural rite. However, it has transformed into a complex negotiation space, where three central legal systems, customary law, Islamic law, and state law, meet, overlap, and influence each other. In this context, *Midodareni* can be read as a field of Interlegality (Giddens, 2023) a space where the boundaries between legal systems are not rigid, but fluid, and are reconstructed through everyday social practices. As Merry stated, Interlegality refers to situations in which individuals and communities combine elements from different legal systems to create a normative regime that is socially acceptable and locally legitimate. This is especially evident in the Jatón community, where *Midodareni* not just cultural reproduction, but also the practice of the law of life (living law) that continues to be negotiated (Diala, 2017).

The most striking changes in implementing *Midodareni* in Java Tondano are a shift from mystical symbolism to a form of Islamic spirituality. *Midodareni* in Java is filled with animistic symbols and belief in the presence of goddesses (mythological figures) who are believed to be present to bless the bride-to-be. However, in practice in the Jatón community, these mystical elements have been experienced through the reinterpretation of Islam. *Khataman* Al-Qur'an, joint prayer, and *tausiyah* from religious leaders replace summoning the spirit or using specific offerings. This transformation reflects the process of legal hybridity, that is, the formation of new legal norms that originate from the interaction of various legal systems, but do not originate exclusively from any of them (Sand, 2012). In this case, *Midodareni* in Jatón is a form of traditional Islamization and a hybrid product of customary law and sharia that has gone through social and ideological filtering.

The transformation did not occur spontaneously, but resulted from intensive negotiations between social actors representing three normative authorities: indigenous leaders, religious leaders, and state representatives (especially village officials and the Office of Religious Affairs). Religious leaders, especially ustaz and community imams, are important in determining which ritual elements are according to sharia principles and which need to be eliminated or adjusted (Khuri, 2014). In an interview with Ustaz Harun, one of the religious leaders in Jatón village, he stated, "*Midodareni* is still valid and needs to be preserved, as long as it does not contain elements of shirk. So we change it not by removing, but replacing the substance into prayer, *khataman*, and useful advice" (Interview, April 10, 2022). This selective attitude shows the active role of religious leaders as a legal filter, which

filters traditional symbols through the lens of Sharia without necessarily rejecting their social and cultural substance (Akilah et al., 2025).

The state's role, although indirect in the implementation of rituals, is present in the form of administrative legal corridors. Since the enactment of Law No. 1 of 1974 concerning Marriage and its derivative regulations, customary practices related to marriage must be in line with the provisions of state law, such as the minimum age limit for marriage, the requirement for official registration, and the prohibition of discrimination (Jumarim, 2024; Lathifah et al., 2022). In this context, village officials play a strategic role as facilitators and legal brokers, which bridge customary interests and positive legal demands. In his remarks at one of the processions, *Midodareni*, the Head of Jaton Village, stated, "We carefully preserve this tradition, while ensuring that all legal administrations of the state remain fulfilled, including registration and marriage age." This shows that state law is not oppressive or negotiable to customs, but is included in the local normative configuration as 'umbrella law', which establishes administrative boundaries and formal legality over existing cultural practices.

Symbolically, adaptation *Midodareni* reflects the power relations between the legal system. Most customary symbols were replaced or Islamized not only for religious reasons, but also because of the need to gain formal and social legitimacy. Elements *Squirt* 40 days, for example, which was initially related to spiritual purity in Javanese beliefs, is now reinterpreted as a form of *i' tikaf* and moral building before entering domestic life (Makka et al., 2024). Even The Twins or Squirting, which has a local spiritual content, is replaced by the symbol of 'zam-zam water' or recitation (Yusuf & Mantu, 2022). This symbolic adaptation is not just a form of cultural survival, but a strategy of 'Vernacularization of Law', which is the translation of dominant norms into local idioms that are acceptable to the community (Ramberg, 2019; Sartori, 2020). In this case, Islamic and state law are not simply adopted, but translated and adapted to remain coherent with the structure of local meaning.

Based on these statements, *Midodareni* in Java, Tondano reflects how local cultural practices can survive and even thrive under the pressures of legal plurality. It is not only an example of legal pluralism in the form of coexistence, but also evidence of 'interlegal praxis', in which individuals and communities consciously organize their legal lives through a dialogue between customary norms, religious principles, and the formal rules of the state (Husain et al., 2024). Thus, *Midodareni* is not a static artifact of tradition, but rather a social constitution of life that is constantly renewed, negotiated, and justified by plural law actors in one dynamic social space.

Negotiating the Three Legal Systems: Power, Consensus, and Resistance

In the practice of law that lives in society, the interaction between the customary law system, religion, and the state does not occur in a neutral or balanced space. Instead, it is a complex arena of power negotiations, in which each legal authority carries different legitimacy, moral claims, and capacities for social control (Kabelen & Putri, 2022; Scott, 2024). This is very evident in practice, *Midodareni* in the Javanese community of Tondano, where the implementation of rituals is not solely guided by the customary norms of ancestral heritage, but is also subject to the limitations of Islamic sharia and the formal provisions of state law. In this context, we can see *Midodareni* as a legal practice in semi-autonomous social fields, that is, a social space that has autonomy in creating and enforcing its norms, but remains connected and influenced by a larger, formal legal system (Siallagan, 2024). This becomes the proper framework for understanding how communities like Jatón shape their laws functionally, while constantly interacting and negotiating with rules that originate outside their communities.

The negotiation process between customary law, religion, and the state in *Midodareni* often manifests through deliberation and compromise, which does not always go smoothly. Tensions arise, for example, when the bride's family wants to maintain a symbolic form, such as *Squirt*, for 40 days and use flower offerings or incense as part of ancestral traditions. These elements, although considered sacred in customary reasoning, are seen as problematic by religious figures who consider that such practices are close to the form of *tasyabbuh* or contain potential shirk (Ananda, 2022). In an interview with one of the religious leaders, he asserted that "as long as there is an element that resembles the invocation of supernatural powers, it must be abandoned... we can replace it with prayer or dhikr by sharia" (Interview, April 12, 2022). However, traditional leaders argue that these symbols are cultural expressions that contain the value of respect, not worship. In such a situation, a deliberative forum was created between traditional leaders, religious leaders, and the family, where a compromise was decided: the mystical element was removed, but replaced with Islamic spiritual activities that functionally still fulfilled the meaning of purification and spiritual readiness.

These negotiations reflect a form of legal awareness (legal consciousness) community, i.e., how citizens understand, assess, and respond to the law based on their life experiences and social contexts (Wang, 2023). The legal consciousness of the Jatón people is not dualistic between submission and resistance but moves on a spectrum between strategic adaptation and symbolic resistance. In practice, citizens adopt state law and religious elements, but do not entirely remove customary elements. They are looking for the middle way, which allows ritual practices to continue legally, spiritually, and administratively. For example, to comply with the country's legal rules regarding marriage registration, Jatón residents align schedules

with legal proceedings at the Office of Religious Affairs, but still hold a traditional procession the day before as a form of respect for ancestors. This is where it is seen that law is practiced as an active cultural process, not merely a structure that governs from above (Susanto, 2023).

Local figures play a central role in building bridges between these legal systems. They not only function as normative implementers, but also as legal brokers, i.e., mediators who understand the language, logic, and demands of each legal system, and then translate them into social practices that all parties can accept (Rahmawati et al., 2024). A hamlet chief, for example, explained that in every *Midodareni*, he will ensure that "there is no element that is contrary to the rules of the village and religion, but also that it should not be so that the family feels that the customs are lost." This figure's position as a mediator allows for social flexibility that is impossible to create through formal rules alone. They play a role in mitigating potential conflicts and creating deliberative spaces, where law is treated as a social product negotiated continuously.

However, the relationship between legal systems does not always result in a harmonious consensus. There are also moments of resistance and symbolic contestation, especially when the state or religion is seen as too dominant in defining the boundaries of local culture. In one case, the bride's family refused to remove the flushing ritual because it was considered the last respect of the parents to their child before marriage, even though religious leaders criticized the practice as excessive and lacking the basis of Sharia. The decision to maintain the flush, albeit, is a form of symbolic resistance to the universalistic narrative of religion and the state. Here, it appears that local spirituality does not always submit passively, but actively asserts its existence through symbols and practices that remain preserved, even if it has to be through adjustment.

Thus, *Midodareni* became a place of cultural expression and a space of legal dialectics, where various authorities negotiated their boundaries and legitimacy. In this case, the Jaton community serves as a semi-autonomous social layer that has power in shaping and regulating norms, while continuing to dialogue with the larger legal structure. This process demonstrates communities' capacity to survive and illustrates their ability to innovate legally, socially, and culturally. In the context of legal pluralism, this confirms that law is not a single and absolute entity, but rather the result of social negotiations within the framework of ever-changing power, consensus, and resistance.

Women and Family as Agents of Ritual Transformation

Women's role in preserving and transforming traditions, *Midodareni* in the Javanese community, Tondano, cannot be reduced solely to a passive or complementary actor in a male-dominated ritual space. Instead, they are central in reconstructing cultural, spiritual, and legal practices that significantly reshape *Midodareni's* face. In the framework of legal anthropology of gender, law is produced not only by the state or formal institutions, but also by social relations that take place in domestic spaces, in which women play the role of guardians of values, negotiators of norms, and at the same time, living agents of legal transformation (Merry, 2010). In this context, the household is not only a private space, but also a dynamic field of customary and religious law production, where women are at the center.

Ethnographic evidence suggests that mothers and young women strategically organize, interpret, and actualize *Midodareni*. For example, in one of the processions observed, a group of mothers formed a "kitchen team" that not only organized the logistics of the food. However, it was also responsible for the aesthetics of the ritual space, the selection of symbols, and the arrangement of events based on the order of customs they had inherited from generation to generation. In an interview with Mrs. Siti, a middle-aged woman known as a "traditional guardian", it was revealed that she actively revised the elements of the ritual to keep it in line with Islamic values without losing its cultural meaning. "We do not use offerings, but there are still flowers because they symbolize heart cleanliness. We have read the Yankees, but we have got to get the ball rolling. That is still our custom," he said (Interview, April 10, 2022). This statement shows how women occupy an important position as cultural-legal interpreters who can translate customary values into widely accepted spiritual and legal languages (Alhalalmeh et al., 2024).

Not only in implementation, but the role of women is also dominant in transmitting values and the legitimacy of rituals to the next generation. Young women, for example, are involved in Qur'anic reading exercises, living room arrangements, and even documentation of activities (Ananda, 2022). This process is not just a form of symbolic participation, but also a mechanism of inheritance of traditions that allows for cultural sustainability. In the approach of gendered legal consciousness, women's agency is seen as internalizing legal and cultural values while developing strategies to preserve traditions through contextual reinterpretation (Chua & Engel, 2019). Thus, women not only transmit customary law as inheritance but also create new versions of the law according to the dynamics of the times, religious values, and changing social expectations.

The domestic space, which is often considered a non-legal area in practice, is the main arena for production, living law run by women (Diala, 2017). Process squirt, for example, is run and controlled by the mother and the older woman in the family. The duration, form of activities, and advice given to the bride-to-be are

carefully arranged to combine the values of customs and Islamic guidance. This ritual is not only a form of spiritual exile, but also a means of moral education, the strengthening of gender identity, and social legitimacy for the role of women in the family. Decisions related to the symbols used, the boundaries of the aurat, and the type of food served show that both customary and religious laws are lived, practiced, and interpreted actively by women in private spaces.

Women's agency in *Midodareni* can also be read as a form of subtle cultural resistance to the dominance of state and religious legal narratives that tend to be masculine and formalistic. When the state emphasizes administrative legality and Sharia sets theological boundaries, women create a "third space" where law can be carried out more flexibly and contextually. This can be seen from how Jatun women maintain the element of *rewang* (women's cooperation), which is not regulated in state or religious law but has a powerful socio-legal function: strengthening solidarity, reducing economic burden, and affirming the community's collective commitment. In this case, women do not only play the role of legal subjects, but also political *subjects* who produce social norms that have legal force in their communities.

Thus, women and families in *Midodareni* are not supporting actors but the main pillars in negotiating legal pluralism. Through daily practice in the kitchen, living room, and courtroom, they establish and update living laws that are not only customarily and religiously valid but also socially accepted by the state and society. Their presence as subjects of cultural law confirms that the understanding of law must shift from a formal perspective to a relational and gender-sensitive approach. Traditions like *Midodareni*, when viewed through this lens, are not just artifacts of the past, but living constitutions that women continue to rewrite at the heart of their communities.

***Gotong Royong* as a Social Mechanism of Legal Pluralism**

In local societies that are in the shadow of the legal structure of the state and the normative dominance of religion, cooperation is often understood simply as a collective work ethic or a spirit of solidarity. However, in the context of the Javanese Tondano (Jatun) community, cooperation plays a much deeper role as a form of expression of vernacular legal order that is, a legal system that lives and develops from below, born from the collective norms of the community, and functions as an effective social regulation mechanism even though it is not formally codified (Slikkerveer, 2019). Deep *Midodareni*, the practice of cooperation, not only supports the smooth running of the event technically, but also becomes a Social Law Mechanism that regulates, maintains, and simultaneously legitimizes the continuity of tradition within the framework of complex legal pluralism.

Gotong royong in implementation *Midodareni* is seen in all stages of preparation and implementation, from the erection of tents, the provision of food, the division of roles, to participation in prayer. Without formal legal coercion or administrative sanctions, all community members ensure the ritual runs smoothly. Adult mothers and women form kitchen groups for large quantities of cooking; young people help with decoration and lighting. Meanwhile, the men arranged the chairs, picked up guests, and regulated vehicle traffic. This mechanism works based on collective awareness, social familiarity, and moral obligation, which, according to the framework, Barkin & Lemus (2014), is a form of Mechanical Solidarity that is, solidarity that arises from the similarity of values and beliefs in traditional communities. In this context, the law does not exist as a law, but manifests in a collective custom accepted and enforced through social participation.

More than just working together, cooperation is a cultural instrument that strengthens the identity of the Jatun community as a minority group that can still survive amid the pressure of homogenization from state law and dominant religion. In an interview with Pak Suparno, a senior resident, he stated that "if it is not *rewang* (working together), it is not *Midodareni*'s name. That is not our custom. We are not city people who all pay vendors. It is our tradition, and we are proud to help each other." (Interview, April 11, 2022). This statement describes *gotong royong* not only as an economic or social practice, but also as a claim to legal identity, a way for communities to assert their existence and sovereignty over the norms of life they consider legitimate. In the framework of legal pluralism, *gotong royong* is a normative circuit structure that is not consistently recognized by state law, but functions as substantive *law* in people's lives.

Gotong royong also gives birth to reciprocal networks, which serve as social security. Who is the host today, *Midodareni*, will be helped by those who have been helped in the past. This reciprocal system serves as an unwritten social contract that reinforces horizontal accountability and forms reciprocal trust, a form of communitarian justice that stems from moral logic, not from a formal adjudicative system (Barkin & Lemus, 2014; Kabelen & Putri, 2022; Moriarty, 2020). In an economic situation that is not always stable, this system protects communities from vulnerability, creating support structures that strengthen their social position without being entirely dependent on the state (Alhalalmeh et al., 2024). Thus, cooperation plays a dual role: as a material redistribution system and an instrument to strengthen the community's legal position amid a plurality of competing norms.

In addition, cooperation in *Midodareni* is readable as a form of cultural resistance to the state's legal narrative that prioritizes individualism, procedural efficiency, and an administrative law approach. When formal law is often not sensitively present in customary spaces, collective practices like this take shape.

Counter-legal legitimacy, that is, when the social legitimacy of the community is stronger than that of formal authority that comes from outside (Solissa & Attack, 2024). When the state regulates the implementation of marriage with bureaucracy, cost, and formalism, gotong royong provides an alternative legitimacy: that the legality of a ritual does not only come from state registration, but also from social-communal recognition based on cooperation and mutual belonging.

Gotong royong, thus, is the central axis in maintaining the function of *Midodareni* as a living tradition and a legal space for the community. In a society like Jaton, where traditions, religions, and the state are constantly negotiated, these collective social practices become vital to maintaining the continuity of customary law without being entirely subject to state laws or specific religious dogmas. It binds community members in a network of norms and a stronger sense of shared responsibility than just written rules. In legal pluralism, cooperation is a concrete manifestation of the power of informal law, which is born from below (bottom-up law) and continues to be practiced even though it does not receive official recognition from the dominant legal system.

The Jaton community maintains its cultural identity and builds an organic form of legal pluralism based on social solidarity, communal legitimacy, and the sustainability of vibrant local values. Gotong royong is not only a way to make the event a success, but also a way for the community to strengthen the right to differ amid formal legal hegemony that is often homogeneous and centralistic.

Social Cohesion and Collective Identity in Minority Contexts

In a multicultural society surrounded by a centralized and homogeneous state legal framework, minority communities often develop cultural strategies to maintain their existence. One of these strategies is to revive tradition as a mechanism for reproducing collective identity and social cohesion. In the context of the Javanese Tondano (Jaton) community, *Midodareni* is not just understood as a traditional pre-marriage ritual, but as a legal performance, which is a social practice that articulates cultural identity and community law in a symbolic and open way (Husain et al., 2024; Nordin et al., 2025). In this tradition, the Jaton people presented themselves as a cultural group and as legal subjects who actively created norms, meaning, and legitimacy while affirming their position in a national legal landscape that often ignored local diversity.

The theory of identity politics explains that identity, especially minority identity, is not static or essentialist, but rather the result of a social construct that is actively negotiated in power relations (Giddens, 2023; Williams, 2007). Tradition *Midodareni* in this case it serves as a means of articulating a hybrid Jaton identity: rooted in Java, transformed in the Minahasa environment, and aligned with Islamic

values and state law. In every implementation of *Midodareni*, the Jatun community invited religious leaders, village governments, and non-Javanese communities to attend, witness, and even participate in the procession. This practice shows that *Midodareni* has become a symbolic space for claiming existence within Indonesia's legal and social framework. When the state often fails to recognize the diversity of local legal practice, communities like Jatun build their own "legal stage", where the meaning of legality is produced through collective and repetitive cultural performances.

Midodareni is also an arena where symbolic power is exercised, namely the power to define the legitimate meaning of a social practice (Amrullah, 2015; Kutsenkov, 2024). In this ceremony, the Jatun community presents a narrative that their traditions are not just a culture, but also part of religious expression and obedience to the state. Islamic symbols such as *khataman*, prayer readings, and remarks from the village head and local ustaz indicate synergy between norms and a symbolic tactic to gain dual legitimacy, namely from religious law and state law. Through this meticulous management of symbols, *Midodareni* is positioned as a legitimate and respectable practice, not as an archaic practice that is at odds with the modernity of the law.

Furthermore, this practice also strengthens the internal social cohesion of the community. Cross-generational engagement, women's active participation, and cooperation in all aspects of ritual organization have created *an affective network* that strengthens solidarity and belonging. In field observation, it can be seen that *Midodareni* is a moment of collective reunion, where families from outside the area return home, relationships between houses are restored, and the younger generation is invited to reacquaint with their cultural roots. This cohesion is not exclusive but is performatively inclusive: openness to outsiders from the Minahasa community and the local government creates a space for productive dialogue between identities. One of the Minahasa community leaders who attended the procession said he "has much respect for the Jatun culture because they maintain the tradition with great discipline but are still friendly to all of us." (Interview, April 12, 2022).

This inter-ethnic dialogue is important, not only as a social practice, but also as a productive form of legal pluralism. When minority communities do not withdraw from cultural enclaves, but rather open their traditions as bridges of communication, they become an arena for legal and cultural hybridization that strengthens their position before the majority community and the formal structure of the state. Thus, *Midodareni* is not only a symbol of the heritage of the past but also a medium of identity politics that can reconstruct the power relations between the center and the periphery, between dominant norms and local practices.

In a society that continues to grapple with the homogenization of the law in the name of national unity and legal modernity, the Jaton community's experience organizing *Midodareni* offers an important alternative. This tradition shows that law does not always have to come from the center of power, but can live, grow, and become legitimate in the social practices of local communities that are aware of their identity and history. Through symbolism, collective work, and cultural perseverance, minority communities like Jaton have managed to create a form of legality that is not only internally binding but also externally recognized, though not always formally. This is where the power of *Midodareni* lies as a cultural ritual with legal meaning: it is a living representation of the aspirations, negotiations, and courage of minority communities to remain meaningful amid an often-unbalanced legal pluralism.

Traditions, Laws, and Religion in Southeast Asia

Southeast Asia offers a complex and interesting legal landscape for studying legal pluralism. Countries such as Indonesia and Malaysia show a pattern that combines the three central systems of local customary law, religious law (especially Islam and Buddhism), and state law in various areas of people's lives, especially in the personal and family spheres. Amid this plurality, local communities developed social and cultural strategies to negotiate their positions, mainly through ritual practices rooted in tradition. In this context, *Midodareni* of the Javanese community of Tondano (Jaton) can be a typical example of how minority communities maintain and negotiate their legal identities while actively interacting with religious norms and formal state regulations. To understand the uniqueness and contribution of the Jaton case more broadly, it is important to conduct a comparative study with similar experiences in the Malay, Dayak, and Sasak communities.

In Malaysia, the Malay community experiences a similar form of legal pluralism, especially in the practice of marriage customs such as the marriage contract, and wedding ceremony, which are often negotiated between local customary demands, Islamic sharia principles, and state policies (Rafianti et al., 2021). As in *Midodareni*, cultural symbols that are considered incompatible with Islam are symbolically reformulated so that they can still be practiced without being considered heretical. Through its sharia legal system, the Malaysian state regulates the formal legal aspects of marriage, while the community retains collective forms and expressions of local culture (Razif, 2020). However, the state's role in Malaysia tends to be more dominant. Unlike the Jaton context, it often intervenes in customary spaces directly, where negotiations are carried out more at the community level through dialogical compromises between religious leaders, customs, and village officials.

Meanwhile, the Sasak community in Lombok has a more similar dynamic to Jatón. Tradition *merariq* The practice of Sasak traditional elopement has repeatedly experienced friction with state laws that prohibit underage marriages and require official permission (Hariati et al., 2024; Suhardi, 2025). In many cases, deliberations between traditional leaders, religious leaders, and village officials harmonize tradition with regulations. In some cases, traditional rituals are carried out on a limited basis, followed by formal marriages at the Office of Religious Affairs (KUA) to fulfill state legality (Dankwa et al., 2022; Muchimah et al., 2024). Like Jatón, the Sasak community has shown the ability to manage legal friction through social and cultural negotiations that do not always abolish customs, but also do not violate formal laws (Salim, 2015).

From this comparative study, three common patterns emerge that represent legal pluralism in Southeast Asia. *First*, there is a tendency to Islamize or re-religiosity towards traditional rituals, where traditional symbols are substituted with religious practices that are considered more legitimate (Saidurrahman & Arifinsyah, 2018). *Second*, the negotiation of authority between customary, religious, and state leaders determines the outcome of the ritual continuation (Panakkal, 2024). *Third*, the adaptation of state regulations that sometimes encourage communities to transform forms of tradition to be legally accepted (Isra et al., 2017). However, the striking difference lies in the response of local communities to formal legal pressures and the level of women's agency in defending indigenous values through domestic and cultural spaces. In Jatón's case, the role of women, cooperation, and deliberation mechanisms proved to be the primary protective forces of the tradition from marginalization.

Typical contributions of the case *Midodareni* Jatón community are the discovery of cooperation as the basis of pluralism of life that not only functions as collective work, but as an informal legal mechanism that binds communities through solidarity and social trust. This tradition shows that the success of preserving customary law does not always depend on formal power, but on the durability of social networks, symbolic adaptability, and moral legitimacy in the eyes of the community. In the context of Southeast Asia, such an approach offers a model of legal pluralism that is organic, dialogical, and rooted in the wisdom of local communities (Buxbaum, 2024; Giddens, 2023; Nordin et al., 2025).

Thus, this comparative study enriches the understanding that legal pluralism is not simply a variant of national legal diversity, but is a living ecosystem of norms where the success of negotiations is determined by the internal power of communities to maintain their own legal space, through social practices such as rituals, cooperation, and deliberation. Jatón's case, through *Midodareni*, proves that

minority communities are not passive entities, but active actors capable of producing, managing, and reformulating their laws creatively and contextually.

Midodareni as the Living Constitution of Legal Pluralism

Traditions are not always static or serve as markers of the past. In a dynamic customary law society, such as the Javanese Tondano (Jaton) community, tradition can act as a living constitution, which is a normative framework that not only reflects the values and social structure of the community, but also regulates, mediates, and navigates relationships between individuals and between communities and external power structures. In the context of *Midodareni*, this ritual serves as an organic legal architecture that performs constitutional functions: creating norms, dividing social roles, resolving conflicts, and redefining the relationship between customs, religions, and the state. It is not just a cultural heritage, but a manifestation of legal pluralism in action that takes place in the living space of the community, moves adaptively, and continues to be negotiated from generation to generation.

The concept of constitutional pluralism that develops in the study of transnational law is the idea that in one political entity, various sources of legal legitimacy that dialogue with each other without having to be subordinated are very relevant to understand the position of *Midodareni* in the social life of the Jatón community (Araújo, 2023; Scott, 2024). Although not standardized in the country's constitution, this practice has become a microconstitution with a function within an internal setting. For example, in *Midodareni*, rules on who has the right to lead the procession, the order of symbols and prayers, the role of women, and interactions with religious leaders and state officials are regulated and enforced by living customary norms, not formal law. In this case, customary law is not abandoned, but re-functioned to coexist and dialogue critically with religious norms and state regulations. This process confirms the principle that legal pluralism is the result of ongoing negotiations, not a stable and final state of affairs (Tamanaha, 2017).

Midodareni also proves that negotiations between customs, religions, and the state do not always result in conflict or subordination, but can be a source of social and legal innovation. The process of transformation from mystical symbols to Islamic spirituality, the integration of sharia into the logic of cooperation, and the harmonization between state registration and marriage customs are a form of legal inventiveness, namely, community creativity in responding to normative pressures in contextual and constructive ways (Darling & Perzanowski, 2017). Compromise does not mean surrender, but legal agency strategy allows communities to retain control over the form and meaning of their traditions. In this situation, the Jatón community is not only the implementer of the law, but also the producer of the law,

as they actively create the norms that govern the relationships between individuals, families, and institutions in society.

Furthermore, *Midodareni* serves as a symbolic political space, where the Jatun community constructs a narrative about who they are and how they want to be recognized by a larger legal entity. In its implementation, this ritual indirectly challenges the narrative of homogenization of national law that often marginalizes local practices. However, these challenges are not carried out through explicit resistance, but through symbolic reformulation and strategic cooperation. The presence of government officials, religious leaders, and the Minahasa people in this ritual shows that *Midodareni* has become a platform for legal dialogue, not just a cultural ritual. This also reflects that legal pluralism is not just a plurality of norms. However, a plurality of ways of living the law is how society lives within the law and interprets the law socially and symbolically.

Finally, *Midodareni*, as the living constitution of the Jatun community, shows that the law does not always have to be present in a written, institutional, or centralized form. It can be born out of practice, guarded through symbols, and enforced through solidarity. In a pluralistic society, the constitution is not only owned by the state; local communities can also have their social constitution that is no less functional in creating order, legitimacy, and a sense of justice. Thus, *Midodareni* is a tangible embodiment of living legal pluralism: it is not the product of the overlapping legal system, but the result of intelligent, reflective negotiation work rooted in the power of the community: a pluralism that is not a dilemma, but a solution.

Conclusion

The *Midodareni* ritual in the Javanese Tondano (Jatun) community proves that local traditions can serve as a living constitution of legal pluralism, where customary norms, religious values, and state regulations are actively negotiated through social practices. This tradition is not just a cultural heritage, but an organic legal arena brought to life by local actors through cooperation, deliberation, and symbolic adaptation. The role of women and community leaders shows that law is not always sourced from the state, but is also produced in domestic and communitarian spaces.

More than just a theoretical contribution, Jatun's experience presents a community-based legal negotiation model that can serve as a policy reference for Southeast Asian countries. In a regional context facing a plurality of laws between customs, religions, and states, a dialogical approach like Jatun's suggests that legal harmony can be achieved without eliminating local identities. Communities that are given space to negotiate their legal practices can create stability, social legitimacy, and a more inclusive sense of justice. Thus, Jatun's model of legal pluralism deserves

to be used as an inspiration in designing more participatory, gender-sensitive, and contextual customary law policies in the Southeast Asian region. The state should not only be a formal regulator, but also a facilitator who recognizes and strengthens the mechanism of living law that develops from below (bottom-up legal order).

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