

# Dynamics of Interaction Between Law and Socio-Culture In The Context of A Multicultural Society

**Zaen Pasya Ashsyafa, Wulan Sari, Putri Amalya Rahayu, Diky Dikrurahman, Deni Yusup Permana**

Affiliation: Universitas Swadaya Gunung Jati Cirebon, Indonesia

E-mail: zaenpasya72@gmail.com, wulansari0405@gmail.com, rputriamalya@gmail.com, diky.dikrurahman@ugj.ac.id, deni.yusup@ugj.ac.id

## Keywords

law, social culture,  
multicultural society

## ABSTRACT

*In a multicultural society, the interaction between law and socio-cultural factors has a significant impact on people's daily lives. Various social and cultural norms, values and practices often collide with applicable legal principles, causing complex dynamics in law enforcement and the implementation of justice. This research aims to analyze the dynamics of interaction between law and socio-cultural factors in a multicultural society. This study used qualitative research methods. The data collection technique in this research is literature study. The data that has been collected is then analyzed in three stages, namely data reduction, data presentation and drawing conclusions. The research results show that the interaction between law and social culture is complex and dynamic. Law can influence social culture and vice versa. Law can influence social culture by encouraging social change and preserving culture. Meanwhile, social culture can influence law by forming norms and values and influencing of law enforcement.*

## INTRODUCTION

The Indonesian nation is often identified as a multicultural society because this country has cultural diversity as well as various ethnicities and races (Hendriani, Maulidin, Royani, Suherman, & Nurasikin, 2023). A multicultural society is a group of people who live in different cultures and have different characteristics from other societies. Multicultural society is also known as a society consisting of various ethnicities and cultures (Schlesinger, 2018).

Multiculturalism in Indonesia is not only considered as a legacy that must be preserved from our ancestors, but as a concept that still requires continuous efforts to be fought for, built and realized in the future. The diversity that exists today can be a strong foundation towards a multicultural Indonesia, but it can also be a source of potential disaster if not managed well. Multiculturalism requires empathy, solidarity, social justice and fairness in the law as absolute prerequisites (Makmur, 2015).

The origin of the concept of multiculturalism is cultural diversity. This diversity arises because of the existence of various cultural structures from various ethnic groups which have their own unique cultural characteristics, which are different from the cultures of other ethnic groups. A multicultural society respects differences between social, cultural and ethnic groups. However, this does not mean that there is inequality or differences in rights and obligations, because the principle of legal and social equality still exists (Tifani, 2023).

In a multicultural society, the interaction between law and socio-cultural factors has a very important impact on people's daily lives. Various social and cultural norms, values and practices often collide with applicable legal principles, creating complex dynamics in law enforcement and the implementation of justice. When traditional cultural norms

conflict with modern legal provisions, conflict occurs which affects the legal decision-making process and efforts to achieve justice in society. This highlights the need for a sensitive approach to cultural diversity in the legal system to ensure fair and equal treatment for all members of society.

Previous research by (Makmur, 2015) examined legal culture in a multicultural society. The research results showed that people obey the law usually because they are afraid of negative sanctions in order to maintain good relations with the government and other community members. Legal culture has a vital and very important role in law enforcement in Indonesia because law is very much determined by legal culture in the form of values, views and attitudes of the community concerned. Therefore, it is necessary to improve the quality of the role of legal culture, including through work culture and professional behavior of law enforcement officers, education and broad development of individual and social behavior, not only for law enforcement officers but all elements of society and government.

Similar research by (Saddam, Mubin, & Sw, 2020) examines the comparison of Indonesia's socio-cultural system from a pluralistic society to a multicultural society. The results of the research show that a pluralistic society is a society that lives in separate groups based on ethnicity, religion, race and social class with different characteristics. particular specialty. Racism is something that is perpetuated in a fundamentally pluralistic society. Multicultural society is a condition of a pluralistic society that has achieved order and harmony in society, with a lot of social differentiation in society creating harmony, mutual respect, equality and an awareness of responsibility as one unit.

The novelty of this research comes from the research object, namely the dynamics of interaction between law and socio-cultural factors in a multicultural society which has never been studied before. This research can provide new insights into how law and culture are interrelated and influence each other in shaping social norms, values and institutions. This research aims to analyze the dynamics of interaction between law and socio-cultural factors in a multicultural society.

## **METHODS**

This study used qualitative research methods. Qualitative research methods are research methods used to explain a phenomenon in as much depth as possible. In qualitative research, researchers place more emphasis on the depth of the data obtained, with more focus on the meaning and perspective of the subject in the research (Sari et al., 2022). The data collection technique in this research is literature study. Literature study is a research method that utilizes information sources from various literature that are relevant to the research topic. In this case, researchers collect data from books, scientific journals, articles, conference papers, and other sources related to the dynamics of interaction between law and social culture in the context of a multicultural society. The data that has been collected is then analyzed in three stages, namely data reduction, data presentation and drawing conclusions.

## **RESULTS**

Law and socio-culture are two important elements in people's lives (Sinaga & Atmoko, 2023). These two elements are interrelated and influence each other in shaping the structure and function of society as a whole. Without a strong relationship between law and socio-culture, society will not be able to function properly (Azhari, 2016). Because human behavior in society is strongly influenced by the norms accepted in their culture, and also by the rules imposed by the legal system. When these social relations are not maintained, then society can experience instability, conflict, and legal uncertainty.

Law is a set of rules and norms enforced by a government or competent authority, aimed at regulating the behavior and interactions between individuals in a society. It

includes rules that can be officially written or sometimes unwritten, but are generally recognized and respected by society as guidelines to be followed in living together. An orderly social life requires the existence of law as a foundation for individual behavior and relationships between members of society. The success of law in achieving its goals often depends on the level of awareness and compliance of citizens with the rules set by the government or authorized institutions (Farahwati, 2019).

According to (Remaja, 2014), in terms of philosophy, law has an ontological goal in the form of creating peace and happiness for human life. This is considered the essence of the law itself. This is considered the essence of the law itself. In addition, law is also seen as a tool to form fair rules of society. Meanwhile, from an epistemological perspective, law is born through a structured and objective method, by conducting systematic studies, thus producing legal science as part of science. Finally, in the axiological dimension, law has values that must be respected and carried out by every individual in the life of the nation and state. This shows that law is not just a formal rule, but also has a deep dimension related to justice, happiness, and moral and ethical values in society.

Meanwhile, culture can be defined according to the Big Indonesian Dictionary, referring to the mind, customs, and everything that has developed and become a habit that is difficult to change. In everyday use, culture is often equated with tradition, which refers to the visible habits of society (Putra, 2015). In contrast to the opinions of several experts cited in research (Syakhrani & Kamil, 2022), culture is defined as a pattern of basic assumptions found and established by a particular group. This pattern develops due to the process of learning and mastering the problems of external adaptation and internal integration, which have proven effective in practical experience. Culture is then taught to new members as a way that is considered appropriate for understanding, thinking, and feeling things related to these problems. That is, culture is a mental framework formed from the group's experience in dealing with external and internal challenges, and is maintained through teaching and learning to new members in order to adapt and integrate effectively in the environment.

The role of law and social culture cannot be separated in the life of society, including in multicultural societies. Multicultural society is known as a society that has a variety of cultural diversity. When talking about society, it refers to a group of individuals who have lived and worked together in a social organization that allows them to identify themselves as a unit with certain boundaries. When the concept of society is combined with multicultural, the concept of multicultural society emerges, which describes the diversity or cultural differences between one group and another (Boty, 2017). Thus, it can be concluded that a multicultural society is a group of individuals who live and reside in a place that has unique and diverse characteristics and cultures that distinguish one community from another. Each community in a multicultural society will produce a distinctive culture that is different from one another.

In multicultural societies, most follow the notion of multiculturalism, which views each culture as having equal value and distinct advantages (Nurhayati & Agustina, 2020). However, multicultural societies are also often still segregated based on ethnicity, race, religion, and various other diversities, so there is a strong separation between groups in society. This often results in the domination of one group over another. Groups in multicultural societies tend to be divided into dominating groups and dominated groups. Meanwhile, multicultural society has several characteristics that include, (Nurhayati & Agustina, 2020):

1. Abundant cultural diversity causes societies to have more than one cultural structure.
2. The segmentation of society, where groups are separated based on race, ethnicity and culture, often with divisions referred to as primordial concepts.
3. Non-complementary institutional structures, which have difficulty in organizing society due to the separation of certain segments.

4. Low levels of consensus in decision-making, due to the difficulty of reaching a common agreement amidst diversity.
5. Relatively high potential for conflict due to the different ethnicities, cultures and customs within the community.
6. Integration often grows through coercion, as voluntary integration is difficult in multicultural societies.
7. The existence of political domination by certain groups over other groups, where groups that have power tend to prioritize their own group interests.
8. The emergence of minority and majority groups as a result of the diversity that exists in a multicultural society.

The presence of diversity in multicultural societies and the potential for divisiveness demands an approach that involves law and socio-culture. The interaction between law and socio-culture is a complex and ever-changing process. Law has the ability to influence socio-cultural dynamics, and conversely socio-culture can also influence the development of law. Law and culture have a complementary relationship in the formation of a harmonious social order.

Law has a close relationship with culture, because law is basically the result of human culture. This is because law is a product of thoughts, values, and norms that exist in society. As a cultural product, law is created by humans and has characteristics that vary from one region to another, in accordance with the diversity of local culture. This means that culture plays an important role in shaping law, because the norms, values, and traditions that exist in a culture influence the process of law formation (Ahmad, 2021).

From another perspective, culture provides the foundation of norms and values on which the law is based. Law acts as a formal framework that regulates behavior and resolves conflicts in society. According to (Purba, 2017), culture holds a set of values that form a value system. These values become the basis for formulating policies and making laws as legal guidelines and codes of behavior in people's daily lives. The hope is that the law will reflect the high values possessed by a nation. Then, in addition to being interrelated, there is also a mutual influence relationship between law and culture, where both influence each other.

Law has an influence on socio-culture with its ability to promote social change by regulating and prohibiting practices that are deemed incompatible with modern values. Traditional teachings often assume that laws strictly define prohibited or permitted behaviors, and it is assumed that the majority of people will abide by these laws. Covariance theory, on the other hand, emphasizes that there is a correspondence between laws and patterns of permitted or prohibited behavior (Usman, 2015).

Social change refers to significant transformations in social structures, patterns of behavior, and overall systems of social interaction, including changes in norms, values, and cultural phenomena. Internal factors such as economic conditions, technology, science, religion, and so on, as well as external factors such as natural disasters, wars, mountain eruptions, tsunamis, and so on, can cause social change (Goa, 2017). The social changes that occur have the potential to affect the culture in society, so the law must respond to the social changes that occur.

Law can act as a tool to stimulate social change by regulating and prohibiting practices that are deemed incompatible with modern values. Examples are the regulation of discrimination, the protection of individual rights, or the legalization of social changes such as same-sex marriage. When the law establishes these rules, it can influence people's awareness and attitudes, stimulating changes in culture and social behavior.

Furthermore, law can also affect culture by preserving culture by regulating the interaction between local communities and emerging cultural trends, and balancing tradition and modern development. Law also plays a central role in protecting the rights of local communities that may be threatened by social and cultural change, such as property

rights, natural resource rights, and cultural rights inherent to indigenous peoples. Wise and fair legal arrangements are also important in regulating social and cultural change (Lauren, 2023).

In addition, the law can also play a role in preserving culture by protecting the rights of indigenous peoples and cultures. For example, cultural heritage protection laws or official recognition of certain cultures can help maintain the continuity and diversity of cultures in society. Concrete examples of this can be seen in the national legal framework, where there are important legal foundations such as Law No. 5/1960 on Agrarian Principles, which regulates land and natural resource rights, and Law No. 39/1999 on Human Rights, which protects the rights of local communities. This shows that the law has a strategic role in ensuring the continuity and protection of culture in society.

On the other hand, socio-culture also has an influence on the law by shaping norms and values in supporting the law. Laws originating from original laws that grow and develop from community customs that greatly influence the process of enacting laws in Indonesia. The development of customary law through legal interpretation (jurisprudence) can provide insight into the shift and growth of law (Aditya, 2019). The norms and values held by society have a major impact on the formation and change of law. Laws often reflect the values upheld by the majority of society or dominant political interests. If a value is considered important in society, then laws tend to reflect and recognize that value.

Second, socio-culture can affect law enforcement by means of factors such as customs and traditions in society that influence law enforcement. Law is the result of values and norms that already exist in society, so the existence of law can also be influenced by socio-cultural factors in society such as customs, beliefs, and socio-cultural values (Hendrawan, 2024). It is important to remember that laws in Indonesia are formed by considering the values and norms that already exist in society, given the diversity of ethnicities, religions, races, and social and cultural values possessed by the Indonesian people, the law becomes a unification tool used to regulate all aspects of community life. The law also serves as a standard to determine whether an action is appropriate or not to be applied throughout the territory of Indonesia.

In recent years, local customs or what is often referred to as local wisdom that lives in the community has become one of the important considerations in the formation of state law. This applies both in the formation of laws and in the formation of regional regulations. Local wisdom is a legacy of our ancestors related to the values of life that are integrated in the form of religion, culture and customs. Traditional wisdom that is local in nature, according to each region, is part of the cultural heritage that exists in Indonesian society and is carried out for generations by the community group concerned (Sudirman, Yunus, & Arif, 2021). For example, in some communities, local norms or social customs may influence the strategies used in law enforcement. This is reflected in the handling of specific cases or in the determination of law enforcement priorities in certain areas.

The dynamic interaction between law and culture in a multicultural society is a complex and ongoing process. These two elements are intertwined and influence each other, making it important to maintain a balance between them in order to create a balanced and just social structure. This requires a deep understanding of the values, norms and cultural practices within a diverse society. By maintaining this balance, society can establish an environment that respects diversity, while ensuring that laws are applied fairly and individuals have an equal opportunity to experience justice.

## **CONCLUSION**

The interaction between law and social culture is a complex and dynamic phenomenon. The findings show that law has the ability to influence social culture and vice versa. Law not only functions as a tool to enforce rules and norms, but can also influence aspects of society's culture by encouraging social change or even maintaining existing

culture. On the other hand, socio-cultural factors also have a significant impact on law. Sociocultural norms, values and practices can form the basis for the formation of laws, as well as influence how laws are applied and implemented in society. Thus, the relationship between law and social culture is mutually influencing and interrelated, reflecting the complexity of dynamics in a multicultural society. Based on the research results, here are several recommendations for building harmony and tolerance in a multicultural society:

The government needs to review and revise laws and regulations that are discriminatory and unresponsive to the needs of a multicultural society.

Educational institutions need to include material about law and social culture in the educational curriculum.

Civil society organizations need to carry out educational and advocacy activities to increase public awareness about the importance of law and socio-culture.

Religious and community leaders need to play an active role in encouraging dialogue and cooperation between ethnic, religious and cultural groups.

## REFERENCES

- Aditya, Zaka Firma. (2019). Romantisme Sistem Hukum Di Indonesia: Kajian Atas Kontribusi Hukum Adat Dan Hukum Islam Terhadap Pembangunan Hukum Di Indonesia. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*, 8(1), 37–54.
- Ahmad, Dimas Rijalul. (2021). *Hubungan Budaya Dengan Kebudayaan Hukum*.
- Azhari, Fathurrahman. (2016). Dinamika Perubahan Sosial Dan Hukum Islam. *Al-Tahrir: Jurnal Pemikiran Islam*, 16(1), 197–221.
- Boty, Middy. (2017). Masyarakat Multikultural. *Jurnal Studi Agama*, 1(2), 28–44.
- Farahwati, Farahwati. (2019). Hakekat Hukum Untuk Mewujudkan Aspek Hukum Yang Berkeadilan. *Legalitas: Jurnal Ilmiah Ilmu Hukum*, 4(1), 57–76.
- Goa, Lorentius. (2017). Perubahan Sosial Dalam Kehidupan Bermasyarakat. *Sapa: Jurnal Kateketik Dan Pastoral*, 2(2), 53–67.
- Hendrawan, Fendy. (2024). Quo Vadis Eksistensi Penerapan Hukum Adat Dalam Hukum Nasional. *Prosiding Mewujudkan Sistem Hukum Nasional Berbasis Pancasila*, 83–93.
- Hendriani, Aan, Maulidin, Achmad, Royani, Ahmad, Suherman, Ahmad, & Nurasikin, Agus. (2023). *Moderasi Beragama Dalam Masyarakat Multikultural (Studi Kasus Kecamatan Kramatwatu)*.
- Lauren, Cindy Cintya. (2023). Analisis Adaptasi Masyarakat Lokal Terhadap Perubahan Sosial Dan Tren Budaya Di Indonesia Ditinjau Dari Perspektif Hukum Adat. *Jurnal Hukum Dan Ham Wara Sains*, 2(09), 874–884.
- Makmur, Syafrudin. (2015). Budaya Hukum Dalam Masyarakat Multikultural. *Salam: Jurnal Sosial Dan Budaya Syar-I*, 2(2), 383–410.
- Nurhayati, Ifa, & Agustina, Lina. (2020). Masyarakat Multikultural: Konsep, Ciri Dan Faktor Pembentuknya. *Akademika*, 14(01).
- Purba, Iman Pasu. (2017). Penguatan Budaya Hukum Masyarakat Untuk Menghasilkan Kewarganegaraan Transformatif. *Jurnal Civics: Media Kajian Kewarganegaraan*, 14(2), 146–153.
- Putra, Kristiya Septian. (2015). Implmentasi Pendidikan Agama Islam Melalui Budaya Religius (Religious Culture) Di Sekolah. *Jurnal Kependidikan*, 3(2), 14–32.
- Remaja, Nyoman Gede. (2014). Makna Hukum Dan Kepastian Hukum. *Kertha Widya*, 2(1).
- Saddam, Saddam, Mubin, Ilmiawan, & Sw, Dian Eka Mayasari. (2020). Perbandingan Sistem Sosial Budaya Indonesia Dari Masyarakat Majemuk Ke Masyarakat Multikultural. *Historis: Jurnal Kajian, Penelitian Dan Pengembangan Pendidikan Sejarah*, 5(2), 136–145.
- Sari, Ifit Novita, Lestari, Lilla Puji, Kusuma, Dedy Wijaya, Mafulah, Siti, Brata, Diah Puji Nali, Iffah, Jauhara Dian Nurul, Widiatsih, Asri, Utomo, Edy Setiyo, Maghfur, Ifdlolul, & Sofiyana, Marinda Sari. (2022). *Metode Penelitian Kualitatif*. Unisma Press.
- Schlesinger, Arthur M. (2018). The Disuniting Of America: Reflections On A Multicultural Society. In *Color-Class-Identity* (Bll 199–212). Routledge.
- Sinaga, Niru Anita, & Atmoko, Dwi. (2023). Kesiapan Sistem Hukum Indonesia Dalam Transformasi Masyarakat Dari 4.0 Menuju 5.0. *Krtha Bhayangkara*, 17(1), 119–126.
- Sudirman, Sudirman, Yunus, Ahyuni, & Arif, Mohammad. (2021). Implementasi Nilai-Nilai Hukum Adat Dalam Mewujudkan Hukum Yang Bersendikan Kearifan Lokal. *Journal Of Lex Generalis (Jlg)*, 2(1), 89–106.
- Syahrani, Abdul Wahab, & Kamil, Muhammad Luthfi. (2022). Budaya Dan Kebudayaan: Tinjauan Dari Berbagai Pakar, Wujud-Wujud Kebudayaan, 7 Unsur Kebudayaan Yang Bersifat Universal. *Cross-Border*, 5(1), 782–791.
- Tifani. (2023). *Mengenal Masyarakat Multikultural Di Indonesia, Begini Penjelasannya. Diakses Pada 8 April 2024. Opgehaal Van* <https://katadata.co.id/lifestyle/varia/64532eb769f6d/mengenal-masyarakat-multikultural-di-indonesia-begini-penjelasannya>.
- Usman, Atang Hermawan. (2015). Kesadaran Hukum Masyarakat Dan Pemerintah Sebagai

Faktor Tegaknya Negara Hukum Di Indonesia. *Jurnal Wawasan Yuridika*, 30(1), 26–53.

---

**Copyright holder:**

Zaen Pasya Ashsyafa, Wulan Sari, Putri Amalya Rahayu, Diky Dikrurahman, Deni Yusup  
Permana (2024)

**First publication rights:**

International Journal of Social Service and Research (IJSSR)

**This article is licensed under:**

