

INTISARI

Penelitian ini dilatarbelakangi oleh ketidakjelasan kedudukan hukum imam desa dalam sistem hukum Indonesia yang plural. Di satu sisi, imam desa memiliki legitimasi historis dan sosial sebagai pemimpin keagamaan dan tokoh adat di tingkat desa, khususnya di Sulawesi Selatan. Namun di sisi lain, keberadaan mereka belum memperoleh pengakuan hukum yang memadai di tingkat nasional, sehingga menimbulkan kerentanan perlindungan hukum, ketidakpastian status, dan fragmentasi regulasi. Permasalahan utama penelitian ini adalah bagaimana kedudukan hukum imam Desa dalam konteks pluralisme hukum tata negara Indonesia serta bagaimana seharusnya pengaturan hukum terhadap imam desa dilakukan.

Penelitian menggunakan pendekatan sosio-legal dengan metode kualitatif, memadukan pendekatan historis dan studi lapangan. Data dikumpulkan melalui studi pustaka terhadap literatur sejarah dan hukum, wawancara mendalam dengan pemangku kepentingan (Imam Desa, Kepala Desa, DPRD, Kepala KUA, tokoh agama dan masyarakat), serta observasi partisipatif di Desa Lara, Kabupaten Luwu Utara. Analisis dilakukan melalui interpretasi data sejarah, analisis naratif, dan analisis konten.

Hasil penelitian menunjukkan bahwa secara historis, imam desa merupakan hasil transformasi lembaga adat keagamaan (*parewa sara* ') yang mengalami proses Islamisasi dan adaptasi dalam pemerintahan kolonial hingga masa otonomi daerah. Secara empiris, imam desa menjalankan fungsi administratif, spiritual, dan sosial tanpa rekognisi hukum nasional yang memadai, meskipun di beberapa daerah sudah terdapat peraturan daerah atau keputusan kepala desa yang memberikan pengakuan parsial. Dalam kerangka pluralisme hukum lemah, keberadaan imam desa diakui secara terbatas oleh negara, namun tidak diikuti sistem perlindungan hak dan kesejahteraan yang setara dengan kontribusinya.

Penelitian ini merekomendasikan tiga model pengaturan hukum imam desa, yaitu rekognisi fungsional, rekognisi administratif parsial, dan integrasi parsial ke dalam lembaga kemasyarakatan desa. Model rekognisi administratif parsial dipandang sebagai pilihan paling relevan karena dapat menjembatani kebutuhan perlindungan hukum tanpa menghilangkan karakter komunitarian imam desa.

Kata Kunci: Pluralisme Hukum, Imam Desa, Rekognisi Hukum, Pengaturan Daerah, Sulawesi Selatan.

Abstract

This research is motivated by the legal uncertainty surrounding the status of village imams within Indonesia's plural legal system. On the one hand, village imams hold historical and social legitimacy as religious leaders and customary figures at the village level, particularly in South Sulawesi. On the other hand, their existence has not yet received adequate legal recognition at the national level, resulting in vulnerabilities in legal protection, uncertainty of status, and regulatory fragmentation. The main problems addressed in this research are how the legal status of village imams is situated within the context of constitutional legal pluralism in Indonesia and how the legal framework governing village imams should be established.

This study employs a socio-legal approach with qualitative methods, combining historical analysis and field study. Data were collected through literature review of historical and legal references, in-depth interviews with stakeholders (village imams, village heads, regional legislators, heads of religious affairs offices, religious and community leaders), and participatory observation in Lara Village, North Luwu Regency. The analysis was conducted through interpretation of historical data, narrative analysis, and content analysis.

The findings indicate that, historically, the village imam is the result of the transformation of the traditional religious institution (parewa sara'), which underwent a process of Islamization and adaptation during the colonial government and the era of regional autonomy. Empirically, village imams carry out administrative, spiritual, and social functions without sufficient national legal recognition, although in some regions there are local regulations or village head decrees providing partial acknowledgment. Within the framework of weak legal pluralism, the existence of village imams is only partially recognized by the state and is not accompanied by a system of rights protection and welfare proportional to their contributions.

This research recommends three models for regulating the legal status of village imams: functional recognition, partial administrative recognition, and partial integration into village community institutions. The partial administrative recognition model is considered the most relevant option because it can bridge the need for legal protection without eroding the communitarian character of the village imam.

Keywords: *Legal Pluralism, Village Imam, Legal Recognition, Local Regulation, South Sulawesi.*