



Understanding Customary Criminal Law in Indonesia

AUTHOR INFO

Siswadi
Universitas Panca Bhakti
siswadi@upb.ac.id

Henny Damaryanti
Universitas Panca Bhakti
henny.kasdi@gmail.com

Agustinus Astono
Universitas Panca Bhakti
agustinusastono@upb.ac.id

Welhelmus Meligun
Universitas Panca Bhakti
welhelmusmeligun@upb.ac.id

ARTICLE INFO

ISSN: 2808-1307
Vol. 5 , No. 2, Agustus 2025
<http://jurnal.ardenjaya.com/index.php/ajsh>

© 2025 Arden Jaya Publisher All rights reserved

Saran Penulisan Referensi:

Siswadi., Damaryanti, H., Astono, A., & Meligun, W. (2025). Understanding Customary Criminal Law in Indonesia. *Arus Jurnal Sosial dan Humaniora*, 5 (2),2960-2967.

Abstrak

Hukum pidana adat di Indonesia berakar pada nilai-nilai komunal yang menempatkan hukum sebagai sarana menjaga keseimbangan sosial dan kosmis. Berbeda dengan hukum pidana nasional yang menekankan kepastian dan sanksi retributif, hukum pidana adat lebih berorientasi pada pemulihan, rekonsiliasi, dan harmoni. Rumusan masalah dalam penelitian ini adalah bagaimana pemahaman mendalam mengenai hukum pidana adat di Indonesia. Penelitian ini bertujuan menganalisis dan mendeskripsikan pemahaman mendalam mengenai hukum pidana adat di Indonesia. Dengan menggunakan metode empiris dan pendekatan sosiologis. Temuan menunjukkan bahwa sanksi pidana adat lebih menekankan pada pemulihan, rekonsiliasi, dan pengembalian harmoni, misalnya melalui pembayaran adat dan ritual tertentu, daripada pada penghukuman individual. Mekanisme ini sejalan dengan prinsip *restorative justice* yang kini berkembang dalam hukum nasional. Meskipun menghadapi tantangan dalam hal kodifikasi, legitimasi formal, dan relasi dengan hukum negara, hukum pidana adat tetap relevan sebagai sumber nilai keadilan yang berakar pada budaya, serta memperkaya sistem hukum nasional yang bersifat pluralistik.

Kata Kunci: Adat, Hukum, Indonesia, Pidana, Restorative Justice

Abstract

Customary criminal law in Indonesia is rooted in communal values that place law as a means of maintaining social and cosmic balance. Unlike national criminal law, which emphasizes certainty and retributive sanctions, customary criminal law is more oriented toward restoration, reconciliation, and harmony. The problem formulation in this study is how to gain a deep understanding of customary criminal law in Indonesia. This study aims to analyze and describe a deep understanding of customary criminal law in Indonesia. Using empirical methods and a sociological approach, the findings show that customary criminal sanctions emphasize restoration, reconciliation, and the restoration of harmony, for example through customary payments and certain rituals, rather than individual punishment. This mechanism is in line with the principle of restorative justice that is currently developing in national law. Despite facing challenges in terms of codification, formal legitimacy, and relations with state law, customary criminal law remains relevant as a source of justice rooted in culture and enriches the pluralistic national legal system.

Key Words: Criminal, Custom, Indonesia, Law, Restorative Justice

A. Introduction

Indonesia is a country rich in diverse customs and traditions spread from Sabang to Merauke. According to data from the Alliance of Indigenous Peoples of Nusantara (AMAN) in 2022, there are 2,161 indigenous communities in Indonesia (Rizaty, 2022), spread across 38 provinces and 17,380 islands (Arlinta, 2024). The diversity of customs and traditions in Indonesia constitutes a cultural wealth that must be preserved and sustained.

In preserving and maintaining the continuity of customs and traditions in Indonesia, the Indonesian government has legally recognized the existence of indigenous peoples as stipulated in Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia. The recognition of indigenous communities in the 1945 Constitution of the Republic of Indonesia also acknowledges the customary laws followed by indigenous communities in Indonesia (Yusa, 2016). This recognition of customary laws implies the implementation of customary courts throughout the customary law areas in Indonesia.

Customary law, especially in Indonesia, is a way of life or set of rules for communities in a particular area known as customary territory (Satria et al., 2024). Customary law contains prohibitions that must not be violated, and if they are violated, the violator must carry out customary sanctions (Dawi et al., 2022), which are generally imposed by the customary leader. In general, customary prohibitions carry several sanctions, such as civil and criminal sanctions (Astono et al., 2024).

In civil sanctions under customary law, penalties are generally imposed in cases such as divorce, property disputes, and acts that cause material loss (Herniati et al., 2024). Meanwhile, criminal sanctions in customary law are generally imposed in cases such as violence, assault, fights, sexual violence, theft, robbery, and sorcery that can cause someone to lose their life. In general, civil and criminal sanctions in customary law in Indonesia are not clearly divided as they are in national law (Astono et al., 2023).

The new Criminal Code enacted by the Indonesian government in 2022, specifically Article 2, recognizes customary law as part of the legal system (Butt, 2023). This recognition, as stipulated in the Criminal Code, indirectly affirms the existence of customary criminal law within the formal legal framework of Indonesia (Mansar & Lubis, 2023). The paradox arising from this recognition raises several questions, such as, "Are only customary criminal laws recognized?" or "What customary criminal sanctions can be incorporated into the national criminal law provisions?" Furthermore, "Will these national criminal law provisions undermine existing customary law provisions?" Based on these questions, a more in-depth study is needed to address the existence of customary criminal law in Indonesia, both in terms of concept, practice, and its relevance within the national legal system.

A deeper understanding of customary criminal law in Indonesia is absolutely necessary to preserve the essence of customary law itself. The inclusion of customary criminal law in the national legal system has the potential to cause friction between customary law and national law, which could ultimately weaken existing customary law (Flora et al., 2023). This situation poses serious challenges, as on one hand the state has recognized customary law through the 1945 Constitution and the Criminal Code, yet on the other hand this recognition may limit the scope of customary law when it must be harmonized with the national legal system and the Indonesian public's understanding of customary law.

Based on the introduction above, this study is entitled "Understanding Customary Criminal Law in Indonesia." The problem statement in this study is how to gain a deep understanding of customary criminal law in Indonesia. The purpose of this study is to analyze and describe a deep understanding of customary criminal law in Indonesia.

B. Methodology

The research method used in this study is empirical, with a sociological approach (Hamzani et al., 2023). The data used is divided into primary and secondary data. Primary data is obtained from the main source, which is the community directly related to the research object. Secondary data is obtained through literature review and legal materials, specifically focusing on customary law in this study. Data collection techniques are conducted qualitatively. Analysis is performed using a descriptive-qualitative approach. Conclusions are drawn deductively, meaning they are derived from general principles to address specific problems encountered.

C. Results and Discussion

1. Concept and Characteristics of Customary Criminal Law in Indonesia

In order to gain a deep understanding of customary criminal law in Indonesia, it is necessary to first understand its concepts and characteristics. The concept of customary law in Indonesia is based on the community's worldview, which places law as a means of maintaining balance, order, and social harmony. Customary law is not merely written rules like state law, but rather a set of living norms that grow from communal values, traditions, and beliefs (Astono, 2023).

Koentjaraningrat argues that every community, whether simple or complex, always has social control mechanisms as a means of maintaining social order (Fox, 2024). In the Indonesian context, customary law is a set of rules that arise from practices that are alive, grow, and are passed down from generation to generation within indigenous communities (Tănăsescu, 2020). Therefore, Indonesian customary law can be seen as the embodiment of cultural values that are continuously preserved from one generation to the next (Jessen et al., 2022). The characteristics of customary law reflect the psychological structure and mindset of the Indonesian people, so the existence of customary law is inherently inseparable from the culture of Indonesia.

In line with this, Bushar Muhammad argues that the laws that apply in a society, no matter how small or simple that society may be, always reflect its culture. Every society has a unique psychological structure (*geestesstructuur*) that shapes the characteristics and nature of its customary law (Wadjo & Uktolseja, 2025). Thus, Indonesian customary law is essentially a manifestation of real life needs, ways of life, and the cultural value systems that surround it. This view confirms that customary law is not uniform, but varies according to the culture of the society in which it grows, develops, and is practiced.

Based on its characteristics, customary law can be divided into several categories, such as having religious values, a sense of community, concreteness, visualizability, lack of codification, tradition, dynamism, openness, and simplicity (Utama, 2021). Religious values are reflected in the belief that every legal action is always related to faith in God Almighty. The communal nature is evident in the strong social bonds and solidarity in community life. Concrete and visual characteristics mean that legal relationships are only valid if they are tangible, such as payment in a sale or the exchange of tokens in a marriage. Uncodified indicates that customary law generally exists orally and is passed down from generation to generation. However, it remains traditional and dynamic because it survives from generation to generation while also adapting

to changes over time. Its openness allows customary law to accept external elements that are compatible with local values, while its simplicity makes it easy to understand and apply in everyday life (Satria & Astono, 2025b).

Based on the general concepts and characteristics of customary law, as explained above, when discussing the concepts and characteristics of customary criminal law in Indonesia, customary criminal law refers to the application of the basic values of customary law in general to the realm of criminal sanctions. Customary criminal law is not merely an instrument for enforcing rules, but also serves to maintain the balance of the cosmos and social harmony that indigenous communities believe to be the foundation of communal life (Rusdi Antara et al., 2021). Customary criminal law reinforces the religious belief that every violation not only harms individuals but can also disrupt the broader spiritual and social order. Therefore, customary criminal law views every act against custom as a collective issue that must be resolved through deliberation and customary mechanisms, not merely as an individual violation that demands punishment.

In addition to enforcing order, customary criminal law also plays a role in strengthening a sense of community, solidarity, and communal responsibility. Every sanction imposed is not only intended to deter the perpetrator, but also to restore balance in relationships between individuals, families, and groups within the customary community. This resolution mechanism is always adapted to the local cultural values, social structure, and cosmological worldview of the indigenous community. As such, customary criminal law not only regulates social behavior but also serves as a means of preserving the identity, values, and culture passed down through generations (Darma, 2021).

In both national and Western legal systems, violations are generally divided into two categories, criminal offenses, which fall under the jurisdiction of criminal judges, and civil violations, which are examined by civil judges because they only result in civil consequences. However, customary law does not recognize such distinctions. Any act that violates customary law is considered a disturbance to the balance of communal life and must therefore be remedied. The customary law leader, as the community leader, has the authority to determine the appropriate customary law measures to restore that balance.

2. Forms of Violations and Sanctions in Customary Criminal Law

In customary law, criminal and civil sanctions cannot be separated because they are an integral part of customary law. However, to better understand these customary criminal sanctions, one example is reflected in the provisions of the Dayak Kanayat'n customary council, or referred to as the Dayak Kanayat'n customary law book, which explains that criminal sanctions in Dayak Kanayat'n customary law are found in a section called *badarah merah*. A "*badarah merah*" customary violation is a type of crime or customary violation that causes direct or indirect consequences to a person's life, whether committed intentionally or unintentionally. This *badarah merah* customary violation includes events that result in loss of life due to the use of sharp objects, blunt objects, firearms, fights, or other similar forms of violence (also known as "*parangk bunuh*").

In the Dayak Kanayat'n customary law book, violations related to criminal sanctions or what are referred to as red blood customary violations are regulated into 15 articles containing provisions on various acts that result in the loss of life or serious injury to a person. These customary criminal articles include *Raga Nyawa* or *Pati Nyawa*, which are acts that directly take the life of a person. *Balah Nyawa*, which refers to serious injuries that threaten life. *Pakatangan*, which refers to acts of violence that cause serious injury. *Pamace Tubuh* or *Pamacet Tubuh*, which refers to acts that cause physical disability, and *Sarangk Darah*, which refers to acts that cause bleeding due to sharp, blunt, or firearms. Furthermore, there is *Birakng Nyawa*, which is an attempt to take a life. *Pangalabur Nyawa* is an act that indirectly results in death. *Mati Sadit* is death due to negligence or accident, and *Mati Manjahana'* is death resulting from a riot or mass brawl. In addition, *Longke* is defined as hidden murder. *Batangan Tubuh* regulates murder, which in custom is calculated based on the victim's body parts. *Nyimah Tubuh* refers to permanent injuries that do not cause death. *Basuayak* or *Muang Singkaro* relates to disputes that end in serious injury or death. *Karama Mati* is death that occurs in a sacred place or is

related to something sacred, and finally *Pamabangk*, which is a custom established to prevent riots or revenge after a murder, with violations subject to customary sanctions.

The customary sanctions imposed for violations of the *badarah merah* custom generally take the form of heavy customary payments, as they involve human life. These sanctions are manifested in the form of payments of *batangan tubuh*, which is the calculation of all the body parts of the victim from head to toe, which are replaced with customary objects such as pots, gongs, pigs, or gold (*tahil/amas*), which are then valued in money. Additionally, customary sanctions may include the imposition of additional *uba'atn adat* or the aggravation of customary penalties if the offense is committed intentionally, repeatedly, or causes widespread unrest in the community. In certain circumstances, such as in cases of murder that have the potential to cause riots or revenge, a *Pamabangk* is installed in the form of a traditional ritual, animal sacrifice, and sacred equipment as a form of protection against bala or bad luck, to maintain balance and peace. Meanwhile, for perpetrators who are extremely poor, disabled, or have no heirs, the punishment may be replaced with *Darah Ampa'* as a form of exemption or mitigation of customary punishment through a special ritual. Thus, the customary punishment of *badarah merah* is not merely punitive but also serves to restore balance, mitigate grudges, and maintain harmony within the Dayak Kanayat'n community.

Based on the examples of customary criminal sanctions in Dayak Kanayat'n customary law, it is evident that customary criminal law in the implementation of its sanctions is not like national criminal law, which imprisons perpetrators and imposes physically painful punishments. Customary criminal law places greater emphasis on restoration mechanisms through customary payments, customary rituals, and the moral obligation of the perpetrator to restore the balance disrupted by their actions. The orientation of customary criminal law is not individual retribution, but rather the restoration of social relationships and cosmic harmony between the perpetrator, the victim, their families, and the broader community. Thus, customary criminal sanctions serve as a means of reconciliation and restoration of justice, not merely as a means of inflicting suffering on the perpetrator, as seen in the national criminal justice system.

However, if a violation of the *badarah merah* custom results in death, then the act is not considered solely a matter of custom, but also falls under the category of criminal homicide under national criminal law. In this context, customary law and national law operate in parallel, customary law continues to regulate mechanisms for compensation and social restoration through customary payments, while state law enforces the legal-formal aspects, including criminal penalties against perpetrators, such as imprisonment as stipulated in the Criminal Code. The presence of national law does not eliminate the perpetrator's obligation to fulfill customary demands, as both have different orientations and functions. Customary law serves to restore social and cosmic balance within the community, while national law ensures legal certainty, protects the right to life of citizens, and maintains public order.

Thus, someone who commits murder is not only burdened with moral and social responsibility before their indigenous community, but also faces formal legal consequences from the state. This shows that the customary law system and national law can complement each other. Customary sanctions ensure that there is no lingering resentment within the community, while state criminal sanctions ensure legal certainty and the protection of human rights. From a justice perspective, this combination reflects a meeting point between the restorative justice administered by customary law and the retributive justice administered by state law. Therefore, the application of customary sanctions in the case of *badarah merah* does not eliminate the national legal process, but rather reinforces the principle that every unlawful act, especially those involving human life, must be held fully accountable under both customary law and state law.

3. Relevance and Challenges of Customary Criminal Law in the National Legal System

The existence of customary criminal law in Indonesia has strong relevance in the context of legal pluralism. The recognition of laws that exist in society as stipulated in Article 2 of the latest Criminal Code reinforces the position of customary law, including customary criminal law, as part of the national legal system. This indicates that the state does not rely solely on codified positive law but also allows space for social norms that emerge and evolve within society (Satria

& Astono, 2025a). As a result, customary criminal law is considered relevant because it bridges the needs of indigenous communities that still uphold values such as communal solidarity, cosmic balance, and conflict resolution through consensus-building (Riyanto et al., 2025).

This relevance is clearly evident when customary criminal law is compared with national criminal law. State criminal law tends to emphasize individual punishment, for example through imprisonment or fines, which are formal and retributive in nature. In contrast, customary criminal law focuses on social restoration, peace, and reconciliation between perpetrators, victims, and the community. It is this restorative orientation that is now increasingly being adopted in national legal reform through the concept of restorative justice (Tolkah, 2021). Therefore, customary criminal law is not a foreign entity, but can serve as a model for conflict resolution that is in line with the spirit of criminal law reform in Indonesia.

However, the integration of customary criminal law into the national legal system is not without challenges. First, there is a risk of reducing the meaning of customary law when it is harmonized with a national legal framework that tends to be rigid and uniform. Customary law, which is inherently flexible, contextual, and consensus-based, may lose its essence if forced to comply with positive legal mechanisms. Second, there is potential for overlapping authority between customary courts and state courts, particularly in serious criminal cases such as murder. At this point, customary law and state law do indeed run parallel, but without clear boundaries, the potential for conflicts of authority remains open.

Another challenge is the issue of legitimacy and documentation. Many indigenous communities still practice customary criminal law orally, making it difficult to codify in written form. This situation poses challenges in formal court proceedings, particularly when state courts demand clear legal certainty. Additionally, differences between one indigenous community and another add to the complexity, as the nature and characteristics of customary law are not uniform but are heavily influenced by each community's local culture.

However, behind these challenges, customary criminal law still has great prospects for playing a role in national legal reform. Customary criminal law can serve as an inspiration in strengthening the restorative justice paradigm, providing conflict resolution mechanisms that are more in line with the community's sense of justice, and preventing prolonged resentment through customary reconciliation. Customary criminal law also functions as a vehicle for preserving the cultural identity of the nation, making its existence not only important from a legal perspective but also strategically valuable for strengthening the identity of Indonesian law.

Thus, the relevance of customary criminal law in the national legal system lies in its ability to provide a more humane alternative to conflict resolution, rooted in local culture and oriented towards restoration. Meanwhile, the main challenge that must be addressed is how to ensure that customary law remains authentic without being reduced by state law, as well as how to create fair harmonization mechanisms between customary criminal law and national criminal law. Addressing these challenges is a prerequisite for legal pluralism to truly become a strength, rather than a source of conflict, in the development of Indonesia's legal system in the future.

D. Conclusion

Customary criminal law in Indonesia is part of customary law that exists within communities with religious, communal, concrete, traditional, and dynamic characteristics. Customary criminal law not only serves as a means of enforcing rules but also maintains social and cosmic balance through restorative mechanisms. A concrete example can be seen in the customary law of the Dayak Kanayat'n through the violation of the customary law of *badarah merah*, with sanctions in the form of customary payments and rituals to reduce conflict and restore harmony. In the context of national law, customary criminal law is relevant as a model of restorative justice, in line with the spirit of the new Criminal Code, which recognizes the laws that exist within society. However, future challenges may arise, such as the erosion of the meaning of customary law and overlapping jurisdictions between national and customary courts. Therefore, fair harmonization between customary law and national law is key to ensuring that both complement each other in building Indonesia's legal system.

E. References

- Arlinta, D. (2024, December 14). *63 Pulau Baru Teridentifikasi di Indonesia*. Kompas. <https://www.kompas.id/artikel/ada-63-pulau-baru-yang-teridentifikasi-di-indonesia-total-menjadi-17380-pulau>
- Astono, A. (2023). *Pembangunan Berkelanjutan: Tinjauan Beberapa Pilar*. Putra Pabayo Perkasa. https://www.researchgate.net/publication/374028096_Pembangunan_Berkelanjutan_Tinjauan_Beberapa_Pilar
- Astono, A., Alkadrie, S. M. R. R. M., Fitriani, Y., Arabiyah, S., & Sitorus, A. P. M. C. (2023). Sustainable Mining Development Based on Local Wisdom in West Kalimantan: Progressive Legal Perspective. *Changing of Law: Business Law, Local Wisdom and Tourism Industry*, 47–55. https://doi.org/10.2991/978-2-38476-180-7_7
- Astono, A., Muyassar, Y. R., & Wagner, I. (2024). Perempuan Dayak dalam Peran Menjaga Lingkungan Hidup Perspektif Ekofeminisme terhadap Hukum Lingkungan di Kalimantan Barat (Studi Kasus: Kecamatan Sengah Temila, Kabupaten Landak). *Arus Jurnal Sosial Dan Humaniora*, 4(1), 8–16. <https://doi.org/10.57250/ajsh.v4i1.308>
- Butt, S. (2023). Indonesia's new Criminal Code: indigenising and democratising Indonesian criminal law? *Griffith Law Review*, 32(2), 190–214. <https://doi.org/10.1080/10383441.2023.2243772>
- Darma, I. M. (2021). New Paradigm of Indonesian Criminal Law Policy to Formulate Sanctions for Cases of Customary Crimes. *PADJADJARAN Jurnal Ilmu Hukum (Journal of Law)*, 8(2), 275–291. <https://doi.org/10.22304/pjih.v8n2.a6>
- Dawi, K., Haryono, D., Yulastini, A., & Astono, A. (2022). Restorative Justice Paradigm of Kanayat'n Dayak Customary Law on Environmental Damage Caused By Shifting Cultivation. *Jurnal Analisis Hukum*, 5(2), 245–252. <https://doi.org/10.38043/jah.v5i2.3918>
- Flora, H. S., Thuong, M. T. H., & Erawati, R. D. (2023). The Orientation and Implications of New Criminal Code: An Analysis of Lawrence Friedman's Legal System. *Jurnal IUS Kajian Hukum Dan Keadilan*, 11(1), 113–125. <https://doi.org/10.29303/ius.v11i1.1169>
- Fox, J. J. (2024). KOENTJARANINGRAT MEMORIAL LECTURE: Koentjaraningrat's Legacy and Contemporary Anthropology in Indonesia. *The Asia Pacific Journal of Anthropology*, 25(1), 49–63. <https://doi.org/10.1080/14442213.2023.2284275>
- Hamzani, A. I., Widyastuti, T. V., Khasanah, N., & Rusli, M. H. M. (2023). Legal Research Method: Theoretical and Implementative Review. *International Journal of Membrane Science and Technology*, 10(2), 3610–3619. <https://doi.org/10.15379/ijmst.v10i2.3191>
- Herniati, Rustan, Atmaka, E. W., Aman Serah, Y., Astono, A., Famulia, L., & Watunglamar, B. (2024). *Pengantar Ilmu Hukum* (W. Yuliani, Ed.). Lingkar Edukasi Indonesia. https://www.researchgate.net/publication/387143511_PENGANTAR_ILMU_HUKUM
- Jessen, T. D., Ban, N. C., Claxton, N. X., & Darimont, C. T. (2022). Contributions of Indigenous Knowledge to ecological and evolutionary understanding. *Frontiers in Ecology and the Environment*, 20(2), 93–101. <https://doi.org/10.1002/fee.2435>
- Mansar, A., & Lubis, I. (2023). Harmonization of Indonesian Criminal Law Through the New Criminal Code Towards Humane Law. *Journal of Law and Sustainable Development*, 11(12), e2381. <https://doi.org/10.55908/sdgs.v11i12.2381>
- Riyanto, R., Waluyo, B., & Harefa, B. (2025). Application of Customary Law in the Indonesian Criminal Law Framework after the Enactment of Law Number 1 of 2023 concerning the Criminal Code. *Journal of Progressive Law and Legal Studies*, 3(02), 161–175. <https://doi.org/10.59653/jplls.v3i02.1540>
- Rizaty, M. A. (2022, August 9). *Ada 2.161 Komunitas Adat di Indonesia, Berikut Sebarannya*. DataIndonesia.Id. <https://dataindonesia.id/varia/detail/ada-2161-komunitas-adat-di-indonesia-berikut-sebarannya>
- Rusdi Antara, G. E., Budiana, I. N., & Sadnyini, I. A. (2021). Formulation of Customary Criminal Law in Future Criminal Code and Legal Enforcement in Indonesia. *Substantive Justice International Journal of Law*, 4(2), 164. <https://doi.org/10.33096/substantivejustice.v4i2.149>
- Satria, R., & Astono, A. (2025a). *KONFIGURASI POLITIK DAN KRISIS KEADILAN SOSIAL DAERAH*. CV. Angkasa Media Literasi.

https://www.researchgate.net/publication/393860992_KONFIGURASI_POLITIK_DAN_KRISIS_KEADILAN_SOSIAL_DAERAH

- Satria, R., & Astono, A. (2025b). *PEMBANGUNAN DAN PERATURAN DAERAH BERBASIS HAM*. CV. Angkasa Media Literasi. https://www.researchgate.net/publication/393861084_PEMBANGUNAN_DAN PERATURAN_DAERAH_BERBASIS_HAM
- Satria, R., Yuliastini, A., Fitriani, Y., & Astono, A. (2024). Progresifitas Hukum Adat Dayak Kanayat'n dalam Menjaga Ekosistem Lingkungan Hidup. *Jurnal Adat Dan Budaya Indonesia*, 6(2). <https://doi.org/https://doi.org/10.23887/jabi.v6i2.66723>
- Tănăsescu, M. (2020). Rights of Nature, Legal Personality, and Indigenous Philosophies. *Transnational Environmental Law*, 9(3), 429–453. <https://doi.org/10.1017/S2047102520000217>
- Tolkah, T. (2021). Customary Law Existency in The Modernization of Criminal Law in Indonesia. *Varia Justicia*, 17(1), 72–89. <https://doi.org/10.31603/variajusticia.v17i1.5024>
- Utama, T. S. J. (2021). Between adat law and living law: an illusion of customary law incorporation into Indonesia penal system. *The Journal of Legal Pluralism and Unofficial Law*, 53(2), 269–289. <https://doi.org/10.1080/07329113.2021.1945222>
- Wadjo, H. Z., & Uktolseja, N. (2025). Implementation of the Customary Law System in Criminal and Civil Law Enforcement in Coastal Communities. *PAMALI: Pattimura Magister Law Review*, 5(1), 182. <https://doi.org/10.47268/pamali.v5i1.2459>
- Yusa, I. G. (2016). Identification And Analysis Of The Rights Of Indigenous Peoples In The Study Of Constitutional Law. *Constitutional Review*, 2(1), 001. <https://doi.org/10.31078/consrev211>