

CULTURAL IMPLICATIONS OF DAYAK TOMUN INDIGENOUS PEOPLES IN THE MANAGEMENT LAND RIGHTS: A CASE STUDY OF LAMANDAU, CENTRAL KALIMANTAN, INDONESIA

Achmadi^{1*}, Khudzaifah Dimyati², Absori³, Arief Budiono⁴

^{1*}Lecturer, Faculty of Islamic Religion of Muhammadiyah University Palangkaraya, Indonesia; ²Lecturer, Faculty of Law of Universitas Muhammadiyah Surakarta, Indonesia; ³Lecturer, Faculty of Law of Universitas Muhammadiyah Surakarta, Indonesia; ⁴Lecturer, Universitas Muhammadiyah Surakarta, Indonesia.
Email: ^{1*}achmadiump@gmail.com, ²kd255@ums.ac.id, ³absorisaroni@gmail.com, ⁴areevahims@gmail.com

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Abstract

Purpose of the study: This research aimed at highlighting the cultural implications in the context of the Dayak Tomun community in maintaining the management of land rights based on the customary in Lamandau, Indonesia.

Methodology: This study used a quantitative doctrinal research method to look at the macro problems in legislation products and a qualitative non-doctrinal research method to look at the problems conceptualized at the level of microanalysis as a symbolic reality.

Main Findings: This research revealed that the cultural approach perspective of the local indigenous people had an important role in the management of land rights. This study discovered the procedures for managing the people's customary land rights, which were simple and based on the local wisdom of the local community, which implied a philosophical meaning of *belom behadat* (living in traditions, obeying customs), human nature in protecting the realm from destruction.

Applications of this study: The findings of this study may be useful for the government in Indonesia since the findings reveal information as regards the management of land rights viewed from not only the rules and laws, but also a form of behavior, actions, and actual and potential human interactions that will be patterned in the management of land rights of Dayak Tomun indigenous people. The cultural implications of the Dayak Tomun indigenous people in managing local land rights based on local wisdom are sacred.

Novelty: Indigenous people's background has management procedures, which can be seen from the characteristics of traditional lands, such as the presence of planting and family tree. Meanwhile, the term in the management of land rights is a hereditary habit and contains legal values derived from beliefs (religion), customs, and social culture.

Keywords: *Cultural Implications, Dayak Tomun, Indigenous Peoples, Legal Values, Management, Land Right.*

INTRODUCTION

According to the news of the Jawa Pos multimedia group online media accessed on March 16, 2017, Indonesia was ranked the first in the Asia Pacific and became the third-largest in the world with the largest tropical forests. The Indonesian tropical forest area approximately spans around 1,148,400 square kilometers. As an agrarian country, Indonesia has abundant biological natural resources, is rich in flora and fauna, and is a good producer of oxygen for life. This tropical forest area has commercial wood species estimated at 400 species of dipterocarp, which are of very valuable value compared to those of other countries in the Southeast Asian region.

As a country rich in tropical forests, the region is considered promising as an expansion target because it is still green, vast, and has abundant natural resources. Plantation expansion has an impact on the land-grabbing problem faced by indigenous peoples mainly because of illegal control and occupation over land rights by plantation companies. One of the main agents is influenced by the liberal and capitalist market and corporation of multinational companies, which began to massively launch a plantation company business since the 1970s in the Asian region.

The concept of liberalization and capitalization of forest conversion by oil palm plantations is a serious threat resisted by the indigenous community. The violation of values originating from the agrarian law in the context of land control, land development, and ownership by oil palm companies results in a matter of injustice, welfare, and social care in the community. According to (Cotterrel 2006), implications culture may be a good concept to use in addressing these matters. Besides culture, the law is one of the most important elements of our society (Butculescu, 2012).

The legislation product hegemony in article 28 H paragraph 4 of the 1945 (UUD 1945) Constitution of the Republic of Indonesia states, "Everyone has the right to property, and no one shall be arbitrarily deprived of his property." Article 28 H paragraph 4 contained doctrinal phrases relating to human rights. In article 33, paragraph 3 of 1945 (UUD 1945). The law as the constitutional basis of the economy and social welfare, or commonly referred to as a people's economy, it is stated: "Everything contained in the natural resources in it is controlled by the state and used for the greatest prosperity of the people." Furthermore, according to the Basic Agrarian Law Number 5 of 1960 Article 5 (UU NO 5 TAHUN 1960), it is stated that the agrarian law rests on the values of customary law. Thus, in this instance, at least, the normative view can include legitimation, but generally, this is not the case (Seeck, Sturdy, Boncori, Fougere, 2020).

From this article, it can be understood that all-natural resources contained in the earth should be prioritized for the main points of people's prosperity as much as possible. It becomes a doctrinal phrase and serves as a philosophical and juridical basis in the management of Indonesia's natural resources. There is still something to be prioritized other than just to achieve prosperity, namely the principles of justice and prosperity. The conflict between *das sein* (reality) and *das sollen* (supposedly) reveals the law always becomes a powerful instrument within the scope of a capitalism-based corporate system. Related to this, to determine the existence of a specific group of indigenous peoples that meets the requirements as stipulated in the constitution will be difficult. Limited awareness concerning this law has led to the conception of land rights as the customary owners can only be defined as having customary rights (*hak ulayat*) and other similar rights (Rajah, 2004).

It is necessary to conduct a legal study, so the government can make the regulations that are substantially in line with the conception and philosophy of the Indonesian state. Many shifts in interests in the control over land rights in Central Kalimantan, especially in Lamandau District, which is dominated by large-scale companies in the plantation sector, are of particular concern for quickly conducting legal studies that provide legal certainty based on justice and welfare. The argument proposed is that rule of law, as a mere legal/institutional construction, has no transcendence for development (Fonseca, 2015). This is the case of legal systems, which represent the distinguishing factor between national cultures (Botezat, 2012). They are like sub-systems within the overall social or communal structure (Koonthong, Aphirathing, Sriuksa, 2020).

To conduct legal studies, the role of culture can be made a funnel of legal substance because, in it, there is the nature of noble values. Contextually, the term legal culture in question can be refined into a set of ideas, norms which become guidelines for saying, behaving, and acting as expected by most local people. Thus, the notion of norms referred to is the source contained like customary Law, religious Law, and state law. For the Dayak Tomun indigenous people, the notion of norms is a fundamental essence that influences cultural terminology as a guide for behavior and speech.

The massive progress of the development of oil palm plantation companies that threatens ownership of customary land rights of the local community is factually emphasized by the forest exploitation and the development of oil palm plantation companies that have production plants in Lamandau Regency. There are 8 (eight) crude palm oil (CPO) producing plantation companies in Lamandau Regency based on the data sourced from the Indonesian Palm Oil Association (GAPKI), which is PT. First Lamandau Timber International (FLTI), PT. Gerneraksa Mekarsari, PT. Nirmala Agro Lestari, PT. Sawit Multi Utama, PT. Dharma Satya Nusantara, PT. Tanjung Sawit Abadi, PT. Sumber Mahardika Graha, PT. Satria Hupasarana (Gerakan Pengusaha Kelapa Sawit Indonesia-GAPKI, 2018).

Until now, the mainstream of law formation in Indonesia has not been able to escape from the dynamics of the current positivism inherited from the Dutch legal system. The legal positivism paradox for the Dayak Tomun peoples is considered contrary to the legal system of customary land rights that have been passed down and patterned amid indigenous peoples. The right to control customary land or customary right is a very old right and originated from the 'religious' right in nature. Van Vollehoven formulated customary rights as a very old right, and its origin was religious "religio - magical" possessed by a tribe (*stam*), a group of villages (*dorpsbond*), or only one village that did not belong to an individual (Jefri and Samuel, 2014).

There is a close relationship between the indigenous peoples and the occupied land that is religio-magical, which causes the customary community to acquire the right to control the land. This right is referred to as customary right, which is the authority, according to customary law, owned by a certain indigenous community over a certain area which is the environment of its people to take advantage of natural resources, including land in the region for their survival due to outward and inward relationships from generations to generations that are always interconnected between the indigenous peoples and the area concerned (Malak, 2006).

Within the scope of interests to provide legal certainty guarantees, positive law rests the philosophy of the workings of speculation and identifies the law through legislation. Only by identifying the law with these legislations can the legal certainty be known because people know exactly what they may and may not do. This thought implies a very sharp separation between law and morals. The law is only seen as a way of workings of speculation and identification but does not profoundly assess the rules of the source of the law that comes from values that have lived with the community. According to (Wheatley, 2019), arguments for natural rights invariably depend on a two-stage process of analytical reasoning. First, moral philosophers explain what they see as the distinctive nature of human existence, often without reference to insights from anthropology, biology, psychology, or sociology, etc. Second, they proceed, by process of deductive reasoning, to explain the natural rights necessary to protect those essential qualities.

In the positive legal doctrine, the rule of law is obeyed because it has been established by legitimate authorities, but that has not been able to provide the purity of the value of justice. Lawrence Friedman introduced the idea of legal culture in the sociology of law and the history of law, which is aimed at serving as an "art term", part of an effort to show that social pressures and the need for forms of legal change more than developments in autonomy within the legal tradition itself (Nelken, 2014). Thus part of the work of cultural analysis of the law of the kind represented in law in the Domains of Culture is to read the legal dimensions of cultural productions and the cultural meanings encoded in the popular representation of legal processes and events (Sarat and Kearns, 2000). They understand the 'cultural' in terms of the

'particular world of beliefs and practices associated with a particular group' (whether that group is understood as the internal world of a municipal legal system or the external national culture that shapes it). Instead of this approach, it is necessary to engage with the law itself as a cultural form, that is, as a system of symbolic and material practices that produces meaning ([Campbel, 2013](#)).

Because control of rights to land has historically been an instrument of oppression and colonization ([Gilbert, 2013](#)), an important point of this research is that the rule of law can implement objective justice between indigenous peoples and the interests of entrepreneurs or multinational investors concerning managing ownership of customary land rights. This way, the legal aspired to by the people can put forward the legal culture values in general, which is between ratio, behavior, values, and the rule of law commonly practiced over generations in the Dayak Tomun indigenous community.

METHODOLOGY

This study uses a mixed research method consisting of the quantitative doctrinal and the qualitative non-doctrinal research methods. The quantitative doctrinal research method was used to look at problems in the product of legislation at the macro-level of analysis as the empirical reality. Meanwhile, the non-doctrinal qualitative research method was used to look at, examine, and solve problems that are conceptualized at the level of microanalysis as a symbolic reality. The law is viewed from not only the rules and laws, but also a form of behavior, actions, and actual and potential human interaction that will be patterned in the management of land rights of the Dayak Tomun indigenous peoples. This study is part of a dissertation study conducted on February 5-15, 2018, in Belantikan Raya District, Lamandau Regency.

This study uses the normative legal research and socio-legal research, or the juridical-sociological method, as the work principles are applied simultaneously, which includes law in books and law in action. This normative legal research and the empirical legal research which also adopts the legal anthropology research analysis is supported by using the qualitative method approach paradigm to find the symbolic meanings which exist behind the subjects and objects analysed. Through this qualitative method approach paradigm, the researchers are supported in understanding the human behaviors and analyze them further to understand the meaning behind those behaviors. The symbolism approach is what is developed in the combined research of legal sociology and anthropology.

In carrying out the research activity, there needs to be the object or the target of research. It is collected using the data collection instruments, such as observation, either structured or unstructured profound interviews, and document tracking. The data collection techniques used in this study are as follows:

- a. Observation. It is the technique of observing the legal symptoms which are related to the focus of the research. During the observation, the researcher takes notes of everything which may explain the focus of the research. One important thing which must be considered is that during this observation, there should be efforts so that the research objects do not feel that they are being observed so that the information received are not biased. In this case, the researchers are involved in the life of the local people.
- b. Profound Interview. It is the technique of collecting primary data, carried out by using interview guidelines. The interview is carried out in a detailed and systematic manner with the research interviewees. According to ([Mikkelsen, 2003](#)), in the "qualitative method through interviews", the informants are generally taken from keynote figures. The informants or the interviewees in this research are:
 - 1) Customary figures of the Dayak Tomun tribe.
 - 2) The societal elements of the Dayak Tomun tribe.
 - 3) The relevant governmental institutions from the village level to the District level.
- c. Document tracking. It is a secondary data collection technique that uses documents related to the research problem, aim of the research, and benefit of research. In this research, the writer seeks information through the documents related to the management rights of the customary land, which contain cultural elements, in the form of legislation or governmental decrees which support them. Apart from that, other data are collected from literature, books, and research results.

RESULTS AND DISCUSSION

Land Right and Legal Relations Dayak Tomun Indigenous People

Most of the Dayak Tomun indigenous people who inhabit part of the Lamandau Regency are the indigenous residents. The Tomun Dayak tribe is a group of communities that live along the watershed of Lamandau River in Lamandau District area and Belantikan River, who inhabits and has Laman Tompu (*Tanah Arai*) village, created by the creator of the *RISAK SAKAYU TANAH SAKOPAL (Sebatang Labodak and Sagenggam Tanah)* for every person. Therefore, humans, who have been born, have the right to use the land for life or death ([Decision of the Indigenous Consultation of Lamandau District, 2003](#)).

Land rights indicate the existence of a legal relationship between the indigenous peoples as the subject of the rights and the land as the object of their rights where the indigenous peoples and their territorial land have a controlling

relationship. According to Maria Sumardjono, the existence of customary rights is related to the existence of indigenous peoples themselves. Meanwhile, the indicators of existence in question are:

1. The existence of indigenous peoples who fulfill certain characteristics as the subject of customary rights of indigenous peoples.
2. The existence of land or territory with certain boundaries as *lebensraum* (living space) which is the object of customary rights.
3. The existence of the authority of indigenous peoples to take actions related to land, other natural resources, and legal actions ([Sumardjono, 1998](#)).

These requirements indicate the existence of customary rights to land and natural resources among the indigenous people. Therefore, the criteria referred to are expected not to be a barrier to the presence or absence of indigenous peoples, but rather to help decision-makers accept the existence of an indigenous community. The existence of indigenous peoples as the legal subject, legal object, and the authority of indigenous peoples shows that the subject of the community rights over their customary territories (customary rights) in the applicable national legislation is the indigenous peoples in Indonesia who are a community of the territorial (territorial), genealogical (descendants), and territorial-genealogical (territories and descendants) similarities. Thus, there are diverse forms of indigenous peoples from one place to another ([Saptomo, 2010](#)).

Different attributes of general culture, legal culture, as a localized understanding, tradition, and identity have been invoked in state-building processes ([Law 2015](#)). Cultural terminology in the form of the power of characters is in the form of thought, creativity, and sense of the humans who live together. Community works produce technology and material culture, which is needed and used by humans to control their natural surroundings. Creation is a mental ability, the human's ability to think which, among other things, produces philosophy and science. Meanwhile, the sense that includes the human soul embodies all the rules and social values needed to regulate society ([Soekanto, 1982](#)).

Thus, the context of customs or habits is integral from the values of the results of the thought, creativity, and sense of community that is often referred to as culture. Culture, especially the sense of element that produces the rules and values, is a normative structure in the form of "design for living", which means that culture is also a "blueprint of behavior" that provides guidelines and/or standards for community behavior ([Soekanto, 1976](#)).

DISCUSSION

Cultural Implications in The Management of Land Rights

The implication of the cultural context in its development plays a very important role in human life. It acts as a connector of the rule of law determined by the values or legal culture that is internally lived by the community. Therefore, the state and the law are required to realize the goal of justice for the whole nation. Equitable justice for all elements of society can be interpreted by understanding an ethical culture.

In the context of the management of land rights in Indonesia, Dayak Tomun indigenous peoples have the concept of management of customary land of the rights-based on a local value derived from human nature and correlation the ratio, values, behavior, and rules of law, which is commonly done in people's lives and integrated into a culture that has been passed down from generation to generation by their leaders.

According to their belief, the Dayak Tomun indigenous peoples explain the various terms used in managing land rights. Based on the results of the interview with [Mr. Wendi Soewarno as a Dayak Tomun customary figure \(personal communication, February 6, 2018\)](#), the terms are described as follows:

1. The term '*huma ladang*' is a place the Dayak Tomun peoples settle until it becomes *dahas* (settlement). The local community's *huma ladang* is given the boundary markers with some fruit trees and producing trees in the forest, such as rattan, red resin, and *jelutung* that have social functions between the *huma ladang* owners and the land.
2. *Pengampungan* is a land area of the local customary community that is used as agricultural land for growing fruit and fields. This *pengampungan* or agricultural land is the asset evidence of the management of customary land ownership for the Dayak Tomun peoples. Furthermore, the long-term *pengampungan* (agricultural land) is used by the Dayak Tomun peoples as a source of income for their families.
3. *Bedukuh* is looking for a place to open *huma ladang* (agricultural land), which is assisted by *hulun* (slave).
4. *Laman dahas* is a village inhabited by one descendant to his children, and grandchildren comprise *dahas babuy*, *dahas sebau*, and *dahas segunting*.

The terms above are ways of management that result in local wisdom relationships between landowners to maintain customary land through marking the limits of growing plants and genealogical ties of the ancestors or groups in the Dayak Tomun tribe (Dayak Tomun descendants). The procedure of managing peoples' customary land rights, which is simple and based on local wisdom of the local community, implies a philosophical meaning of *belom behadat* (living in traditions, obeying customs), human nature in protecting the realm from destruction.

The management of the land rights based on the local value in the Dayak Tomun indigenous peoples is preserved because it has the noble legal value of the people's soul (*volkgeist*) (Llyod, 1973) and this can be seen with the characteristics of the customary land such as growing plants, family tree reinforced with the treatise on customary land certificates (origin and history of rights to customary land ownership). These legal values mean values that originate from religion or beliefs, values of preserved customs, and socio-cultural values of the community. Moreover, by successfully stitching together these seemingly unconnected realms, collective experience appears to the members of a given culture to be not only logical and obvious but immanent and natural (Rosen, 2006).

Selecting a person to be the founder of a tradition implies that by this choice, one defines the content of the tradition (Tuori, 2011). Based on the results of the interview with Abo (an elder) Sudun, the traditional leader, as well as the caretaker of the Sampuraga hill in Belantikan Raya District Karang Bosi Village on February 9, 2018, the indigenous peoples, maintain the procedures for the management of land rights that have been taught over generations because most of them believe that the forest has a guardian, it is therefore considered as a sacred place to be preserved and cared for. Only top management can start this process of alignment through the appropriate governance structures and processes and procedures within the organization (Verhezen, 2010). Indigenous peoples believe that disaster will come if the forest is destroyed or disturbed by their ecosystem. Based on local values by making the forest as a sacred place is very meaningful for the preservation of the forest. The theoretical flow of conception findings is described as follows:

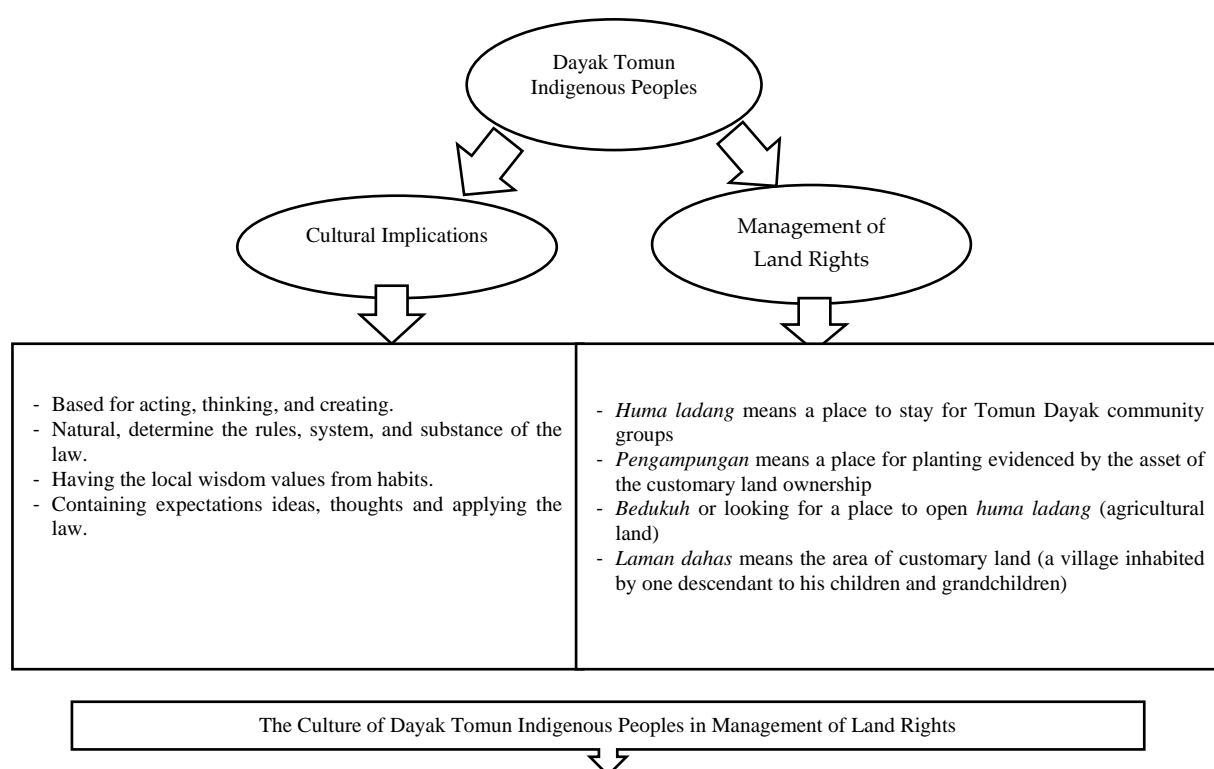


Figure 1: Theoretical Flow of Findings of Dayak Tomun Indigenous Peoples Cultural Conception in the Management of Land Rights

The cultural contexts in the management of land rights for the Dayak Tomun indigenous peoples can be integrated by unifying the values and concepts of management of land rights in the life of the Dayak Tomun peoples who are oriented to the basic meaning of upholding justice for all humans. Unification of values and concepts of management can be done by finding and exploring the law at the level of the reality of the community to the nature of justice. According (Tyson, 2010). In pursuit of recognition, local communities (or those acting on behalf of local communities) must be represented, and political representation is, by nature, a contested process prompting various types of mobilizations based on disparate meanings and interpretations of *adat*. The regularity that conduces to the concept of an object is, in fact, the indispensable condition (*condition sine qua non*) of grasping the object as a single representation and giving to the manifold its determinate form (Kant, 2007).

All laws function within particular contexts and social systems (Dutta, 2020). The values underlying the customary law regarding the management of customary land rights are the communalistic religious conceptions. It is in line with the view of the life of the Pancasila and Indonesian society with the nature and character of individuals who tend to prioritize the community interests together. Thus, the primary thing is not the interest of a specific group of individuals, but all levels of society. It provides a logical consequence regarding the rights of each individual regarding a community's responsibility.

CONCLUSION

The pattern of cultural implications of the Dayak Tomun indigenous peoples related to the management of land the rights based on local values are correlated with the ratio, behavior, and rules of law unwritten. The land right management that is simple and has the philosophy of *belom behadat* (living in traditions, obeying customs) is the fundamental human nature in protecting natural ecosystems from destruction. As a source of life, indigenous people believe that there is a close relationship between the creator and the universe to be protected by humans. The culture and philosophy of Dayak Tomun are hereditary; their integration can be a new offer in the land right management in the indigenous people's social structure in Indonesia, which has a religious communalistic character.

As an implication, this study can specifically contribute to the development of a basis for strengthening the management of land rights for indigenous peoples in Indonesia as a form of the factual value of local wisdom which must gain attention from the government in concocting the unification of legal pluralism into the regulations applied in Indonesia.

LIMITATION AND STUDY FORWARD

This research only reveals several micro-cultures that are related to the procedures for managing the customary land rights in an indigenous community group. There are still many procedures for managing the customary land rights that are simple and have not been revealed in other indigenous groups. Aligned with the foregoing, further researchers are advised to conduct relevant studies.

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AUTHORS CONTRIBUTION

Specifically, the authors had diverse tasks in conducting this research and compiling the findings of this research. Author 1 designed the ideas and notions of the research issue concerning the management of the land rights of Dayak Tomun indigenous people and observed directly to the research object. Author 2 designed the research gap in managing the research background. Author 3 designed the legal framework and research methodology. Author 4 assisted the Author 1 as the entire person in charge of compiling the data and writing the manuscript.

REFERENCES

1. Botezat, O. (2012). the complexity of legal translation: Social and cultural bounds aspects. *Contemporary Readings in Law and Social Justice*, 4(1), 641–647, ISSN 1948-9137.
2. Butculescu, C. D. (2012). New developments regarding legal cultures in Europe: Exploring legal conflicts in the multicultural society. *Contemporary Readings in Law and Social Justice*, 4(1), 241–248, ISSN 1948-9137
3. Campbel, K. (2013). The making of global legal culture and international criminal law. *Leiden Journal of International Law*, 26, 155–172. <https://doi.org/10.1017/S0922156512000696>
4. Cotterrell, R. (2006). Culture, comparison, community. *International Journal of Law in Context*, 2(1), 1–10. <https://doi.org/10.1017/S1744552306001017>
5. Dutta, A. (2020). Identity, state, and tradition: A theoretical perspective. *Humanities & Social Sciences Reviews*. 8(3), 392-399. <https://doi.org/10.18510/hssr.2020.8342>
6. Fonseca, F. J. (2015). Deficiencies of the rule of law and the legal culture, and its relationship to underdevelopment. *Asian Journal of Law and Economics*, 6(2), 231–248. <https://doi.org/10.1515/ajle-2014-0008>
7. Gilbert, J. (2013). land rights as human rights: The case for a specific right to land. *International Journal on Human Rights*, 10(18), 114-227. <https://doi.org/10.2139/ssrn.2401190>
8. Indigenous Consultation of Lamandau District Decision. (2003). *Pembinaan dan pengembangan adat dan budaya suku Dayak Tomun dan hukum adat suku Dayak Tomun Kecamatan Lamandau (The customary counsel and development of Dayak Tomun tribal culture and the Dayak Tomun customary law of Lamandau district)*.
9. Indonesian Palm Oil Association (2018).
10. Interview with Mr. Wendi Soewarno as a Dayak Tomun traditional figure on February 6, 2018.
11. Jefri, D. A & Samuel, M. S. (2014). Masyarakat hukum adat dan hak ulayat di provinsi Papua Barat sebagai orang asli Papua di tinjau dari sisi adat dan budaya: sebuah kajian etnografi kekinian (People of the customary law and ulayat rights at the West Papua province as the original Papuan tribe in the aspect of culture and customs: a modern ethnographic analysis). *Jurnal Administrasi Publik*, 11 (2), 11-22.
12. Kant, I. (2007). *Critique of Judgement*. Oxford Worlds Classics, Oxford University Press.

13. Koonthong, P., Aphirathing, P., Sriuksa, K. (2020). Structural function and symbolic relationship found in the local wisdom of the Katu Tribe, Lao PDR. *International Journal of Innovation, Creativity and Change*, 12(12), 835-851. https://ijicc.net/images/vol12/iss12/121278_Koonthong_2020_E_R.pdf
14. Law, S. (2015). From multiple legal cultures to one legal culture? Thinking about culture, tradition and identity in European private law development. *Utrecht Journal of International and European Law*, 31(81), 68-89. <https://doi.org/10.5334/ujiel.dg>
15. Llyod, D. (1973). *The idea of law*. Penguin Books.
16. Malak, S. (2006). *Kapitalisasi tanah adat (Capitalization of the customary land)*. Yayasan Bina Profesi Mandiri.
17. Mikkelsen, B. (2003). Metode penelitian partisipatoris dan upaya-upaya pemberdayaan, sebuah buku pegangan bagi para praktisi lapangan (Participatory research method in the empowerment efforts, a guidebook for fieldworkers). Yayasan Obor Indonesia.
18. Nelken, D. (2014). Thinking about legal culture. *Asian Journal of Law and Society*, 1(2), 255-274. Cambridge University Press. <https://doi.org/10.1017/als.2014.15>
19. Rajah, A. (2004). *Burma protracted conflict: Governance and non-traditional security issues*. Institute of Defence and Strategic Studies.
20. Rosen, L. (2006). *Law as culture - An invitation*. Princeton University Press. <https://doi.org/10.1515/9781400887583>
21. Saptomo, A. (2010). *Hukum dan kearifan lokal revitalisasi hukum adat nusantara (The law and the local wisdom, revitalization of the national customary law)*. Grasindo.
22. Sarat, A. & Kearns, T. R. (2000). *Law in the domains of culture*. The University of Michigan Press.
23. Seeck, H., Sturdy, A., Boncori, A.L., & Fougere, M. (2020). Ideology in management studies. *International Journal of Management Reviews*, 22, 53–74. <https://doi.org/10.1111/ijmr.12215>
24. Soekanto, S. (1976). *Beberapa kerangka permasalahan hukum dalam kerangka pembangunan di Indonesia (Some legal case frameworks in the development framework in Indonesia)*. Yayasan Penerbit Universitas Indonesia.
25. Soekanto, S. (1982). *Kedudukan dan peranan hukum adat di Indonesia (The position and the roles of the customary law in Indonesia)*. Penerbit Kurnia Esa.
26. Sumardjono, M. S. W. (1998). *UUPA dan Ulayat (UUPA and Ulayat)*. Badan Pertanahan Nasional.
27. The Republic of Indonesia's Constitution (UUD 1945). *Regarding the Human Rights*.
28. The Republic of Indonesia's Constitution (UUD 1945). *Regarding the National Economy and Social Welfare*.
29. The Republic of Indonesia's Constitution No. 5 (1960). *Regarding the Principles of Agriculture*.
30. Tuori, K. (2011). The disputed roots of legal pluralism. *Law, Culture and the Humanities*, 9(2), 330–351. <https://doi.org/10.1177/1743872111412718>
31. Tyson, A. D. (2010). *Decentralization and adat revivalism in Indonesia: The politics of becoming indigenous*. Routledge Taylor & Francis Group. <https://doi.org/10.4324/9780203849903>
32. Verhezen, P. (2010). Giving voice in a culture of silence: From a culture of compliance to a culture of integrity. *Journal of Business Ethics*, 96, 187–206. <https://doi.org/10.1017/S0922156512000696>
33. Wheatley, S. (2019). *The idea of international human rights*. Oxford University Press. <https://doi.org/10.1093/oso/9780198749844.001.0001>