



Customary Law as a Pillar of Identity and Sustainability: A Review of its Dynamics, Challenges, and Relevance in the Era of Modernization

Loso Judijanto

IPOSS Jakarta

Corresponding Author: Loso Judijanto losojudijantobumn@gmail.com

ARTICLE INFO

Keywords : Customary Law, Environmental Sustainability, Agrarian Conflict, Cultural Identity, Legal Harmonization, Local Wisdom

Received : 3 September

Revised : 22 October

Accepted: 20 November

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Internasional. The logo consists of two circles. The first circle contains the letters "cc" and the second circle contains a stylized person icon. Below the circles, the letters "BY" are visible.

ABSTRACT

Customary law is a crucial pillar of the Indonesian legal system that reflects the cultural values and traditions of local communities. This article examines the role, relevance, and challenges of customary law amid modernization and globalization. Using a qualitative literature review method, this study explores the dynamics of customary law in maintaining cultural identity, resolving disputes, and supporting environmental sustainability. The findings indicate that customary law has the flexibility to adapt to social changes while making a significant contribution to resolving agrarian conflicts and preserving ecosystems. However, customary law faces various challenges, such as marginalization by formal law, land ownership conflicts, and a lack of systematic documentation. This article offers recommendations for harmonizing customary law with formal law through strengthened regulations, digitalization of customary documentation, and the integration of customary values into public policies based on local wisdom. The novelty of this article lies in its integrative approach that connects the principles of customary law with contemporary issues such as environmental sustainability and restorative justice. With these strategic steps, customary law can continue to develop as an important element of the national legal system while also serving as a source of inspiration for inclusive development in Indonesia

INTRODUCTION

Customary law is a crucial pillar of the Indonesian legal system that reflects the cultural values and local community traditions. As the indigenous law of the Indonesian people, customary law has existed since the pre-Hindu era and has continued to evolve over time until today. Its existence is not only part of the collective identity of indigenous communities but also serves as a crucial instrument in regulating social life, the economy, and the environment in various indigenous communities. However, in the flow of globalization and modernization, customary law often faces significant challenges to remain relevant and recognized within the relatively formal and structured national legal system (Prahadini, 2017; Saleh et al., 2024; Sulistiani, 2021).

Since the colonial era, customary law has experienced marginalization due to the influence of Western law introduced by the Dutch colonial government. Nevertheless, experts such as Van Vollenhoven succeeded in promoting the concept of *adat*recht, which asserts that customary law exists as a living norm within society. After independence, the formal recognition of customary law is enshrined in Article 18B paragraph (2) of the 1945 Constitution, which states that the State recognizes and respects customary law communities along with their traditional rights, as long as they continue to exist and are in harmony with societal progress (Hutabarat et al., 2024; Siombo & Wiludjeng, 2020; K. T. Wibowo, 2020).

However, the implementation of this recognition does not always go smoothly. In practice, customary law often conflicts with national law, particularly in the context of natural resource management and land conflict resolution. For instance, conflicts between indigenous communities and large companies often reveal the weaker position of customary law compared to formal law (Myaskur & Wahyudiono, 2024). This creates an urgent need to harmonize the two legal systems in order to achieve more inclusive justice (Kotalewala et al., 2020; Lois et al., 2024).

On the other hand, the flexibility and adaptive nature of customary law make it remain relevant in facing social changes. For example, the principles of sustainability contained in various customary rules such as *awig-awig* in Bali or *sasi* in Maluku show how customary law can contribute to environmental preservation (Praditha et al., 2024; Wanudyastuti et al., 2025). This approach not only supports sustainable development but also offers local solutions based on traditional wisdom to global challenges such as climate change (Vindy & Subroto, 2024).

The main purpose of this paper is to identify the strategic role of customary law in preserving the cultural identity of local communities and to evaluate the challenges of implementing customary law within the national legal system. In addition, it is hoped that an approach to harmonizing customary law with formal law can be found in order to create more inclusive justice. This article applies an integrative approach that combines juridical analysis with empirical case studies to understand the dynamics of the relationship between customary law and national law. The article emphasizes the relevance of customary law as a local solution to global issues such as environmental sustainability. It is

expected that a model of harmonization between customary and formal law based on the principles of restorative justice can be developed.

Thus, this article not only provides a theoretical contribution to the study of customary law, but also offers practical recommendations for policymakers in strengthening recognition and protection of the rights of indigenous peoples in Indonesia.

LITERATURE RIVIEW

This article aims to explore the role and relevance of customary law in modern life and the challenges it faces within Indonesia's national legal system. By using a normative juridical approach and empirical case studies, this article will analyze how customary law can function as both a legal and cultural instrument in maintaining social harmony and environmental sustainability (Saptomo, 2017).

METHODOLOGY

This study employs a qualitative literature review approach in analyzing the role and relevance of customary law within the Indonesian legal system. This method was chosen due to its flexibility in exploring various relevant literature without being bound by strict protocols as in a systematic literature review (SLR). This method allows researchers to critically and interpretively identify patterns, trends, and gaps in previous research, thereby producing a deeper understanding of the topic discussed (Snyder, 2019, 2024).

The review process began by collecting literature from various sources, including reputable journals, academic books, and relevant policy reports. The selection of literature was based on its relevance to the main theme, namely customary law, with a focus on historical aspects, implementation, challenges, and its contribution to social and environmental sustainability. The literature analyzed included both empirical and theoretical studies to provide a comprehensive perspective. The analysis was conducted thematically to identify key issues and relationships between concepts in the existing literature (P. C. Susanto et al., 2024).

This approach also involves a critical analysis of the arguments and findings in the reviewed literature. Researchers strive to uncover new perspectives by connecting concepts that emerge from various previous studies. This is done to ensure that the results of the study not only replicate previous research but also provide an original contribution to the discourse on customary law in Indonesia. Thus, this method not only maps the existing knowledge but also offers new insights that can serve as a basis for further research or policymaking (Pare & Kitsiou, 2017).

RESULT AND DISCUSSION

1. Definition of Customary Law

Customary law is an important pillar in the Indonesian legal system that reflects the cultural values and traditions of local communities. The term customary law was first introduced by Dutch colonial legal scholars such as Van Vollenhoven, referring to unwritten legal norms that live and develop within the lives of indigenous communities (Syarif & Darmayanti, 2023). From this perspective, customary law is not merely a set of rules, but an integral element of daily life, rooted in traditions passed down as heritage from the past. In Indonesia, customary law not only regulates social life, but also represents the collective identity of local communities that continues to exist amid globalization (Suryanto, 2020).

Although often referred to as unwritten law, the existence of customary law is actually reflected in real practices followed by indigenous communities (Alfariel et al., 2025). These legal norms encompass various aspects of life, from natural resource management, dispute resolution, to the conduct of traditional rituals. Unlike national law, which is rigid and formal, customary law tends to be flexible because it can adapt to social dynamics (Simarmata, 2018). This makes it a unique form of law with characteristics that reflect local wisdom. The flexibility of customary law allows it to remain relevant in responding to social changes in various indigenous communities in Indonesia (Rahman & Kusumawati, 2021).

Customary law also has important elements that distinguish it from formal legal systems, namely its adherence to the moral, religious, and cultural values of the local community. For example, in the Balinese customary community, customary law is known as *awig-awig*, which regulates the community's relationship with nature, the gods, and fellow humans (Wanudyastuti et al., 2025; Widodo, 2023). This proves that customary law, in addition to having a legal function, also has a spiritual function, which makes it closer to the life of the community compared to state law. Customary law plays a significant role in maintaining ecosystem balance, especially in communities that rely on natural resources for their livelihood (Putri, 2022).

Understanding customary law is often misunderstood as something outdated and not in line with the demands of the times. This assumption contradicts the reality where customary law actually becomes a solution for various problems that cannot be resolved by formal law. In the context of land dispute resolution, for example, customary law is often considered more effective because it prioritizes a deliberation and consensus approach (Myaskur & Wahyudiono, 2024). This is reinforced by findings that customary law has strong legitimacy within indigenous communities compared to formal law, which is often perceived as foreign (Santoso, 2023).

Customary law is also closely related to the concept of restorative justice. This means that customary law prioritizes the restoration of social relationships damaged by conflict rather than imposing punitive sanctions (Siregar, 2018). This approach is relevant in the context of indigenous communities in Indonesia, which highly value social harmony. For example, in the Minangkabau indigenous community, dispute resolution is conducted through the *nagari*

forum, where the conflicting parties are reconciled with the involvement of customary leaders. This demonstrates that customary law has a relatively broad social aspect compared to merely a mechanism for legal regulation (Arifin & Wulandari, 2021).

As an element within the Indonesian legal system, customary law holds a unique position because its existence is recognized by the constitution. However, in practice, customary law often encounters obstacles, particularly in its relationship with national law. One common issue that arises is the overlap between customary law and state law, especially regarding the management of natural resources (Lesmana & Latif, 2023). An example of this is the conflict between indigenous communities and companies that have received government permits to exploit customary forests. In such cases, customary law is often sidelined, even though its existence is constitutionally protected (Hidayat, 2022; Ramadhan et al., 2024).

In many cases, customary law continues to prevail because it is supported by indigenous communities that have a strong commitment to their traditions. This demonstrates that the strength of customary law, besides relying on formal recognition by the state, also depends on the collective awareness of the indigenous community itself (Warjiyati, 2020). Indigenous communities with high solidarity tend to be more successful in maintaining their customary law compared to fragmented communities (B. Wijaya, 2023). Amid modernization and globalization, the existence of customary law is often viewed as contradictory. However, customary law can actually provide solutions to contemporary issues such as environmental sustainability and social conflict resolution. For example, principles of customary law that focus on harmony and sustainability can be adopted in community-based natural resource management (Ramadhan et al., 2024). This indicates that customary law is not merely a heritage of the past, but also a source of inspiration for more inclusive and sustainable development (Subakti, 2023). Customary law is an integral element in the lives of indigenous communities in Indonesia, reflecting local wisdom and cultural values. Although often considered outdated, customary law has the flexibility and relevance that allow it to endure amidst social changes. In the context of Indonesia's legal system, customary law not only serves as a local regulatory mechanism but also as a form of collective identity for indigenous communities that needs to be continuously preserved (Sulistiani, 2021).

2. The Development of Customary Law in Indonesia

Customary law has very deep historical roots in Indonesia, reflecting the identity and local wisdom of the archipelago's communities. Before the arrival of colonizers, Indonesian society already had a legal system that applied to daily life, adapted from the traditions and cultures of each region. This legal system is dynamic, evolving according to the needs of the community, and places social harmony as a primary principle. At that time, customary law not only served as normative rules but also acted as a tool to reinforce the collective values of local communities (Suryono & Wulandari, 2021).

The arrival of Dutch colonialism brought significant changes to the legal system in Indonesia. The colonial government introduced Western law through the *Rechtstaat* to support their administrative and economic interests. Nevertheless, customary law was not entirely abolished. In fact, during this era, customary law began to receive academic attention through studies by Dutch legal scholars such as Cornelis van Vollenhoven and Snouck Hurgronje. Van Vollenhoven introduced the concept of *adat recht*, which refers to the law that exists within customary communities. Customary law is highly contextual, changing in accordance with place and time, yet it still maintains its own distinct characteristics (Rahman, 2020).

During the colonial period, customary law often became a local regulatory tool used to manage social relations within indigenous communities. However, this customary law was regulated within a framework known as the dual legal politics, where Western law became the main law for Europeans and the elite, while customary law applied to the natives. This discriminatory approach marginalized customary law in important matters such as land disputes, trade, and other economic affairs (Myaskur & Wahyudiono, 2024). Nevertheless, customary law remained a source of legal legitimacy within local communities that upheld their traditions (Santoso, 2022).

When Indonesia gained independence in 1945, customary law was recognized in the constitution through Article 18 of the 1945 Constitution, which affirmed that the State acknowledges customary law communities, including their traditional rights, as long as they are in harmony with the principles of the unitary state. This recognition was an important step in integrating customary law into the national legal system. However, the implementation of this recognition did not go smoothly because, in the early years of independence, Indonesia faced significant challenges in building a uniform legal system. Customary law was often seen as an obstacle to legal modernization due to its nature, which was considered unsystematic and unwritten (Hidayat & Kusuma, 2021).

During the New Order era, attention to customary law became increasingly marginalized. The government at that time was more focused on national development, which was centralized in nature, and neglected the diversity of local laws. This policy resulted in the marginalization of indigenous communities and the erosion of the existence of customary law in the management of natural resources and communal land (Simanjuntak, 2025). Many cases show how indigenous communities lost their land rights due to government policies that were relatively focused on the realization of development (Putri, 2023; Ramadhan et al., 2024).

Post-reformation, customary law has regained attention, especially in the context of democratization and decentralization. The reform brought opportunities for indigenous communities to reclaim the rights they lost during the New Order period. Law Number 6 of 2014 concerning Villages is a crucial milestone for the recognition of customary law at the local level. This law grants autonomy to customary villages to manage their governance based on customary law. In this context, customary law is not only seen as a cultural heritage but also

as a legal instrument with practical value in community management (Wijaya, 2022).

Recognition of customary law is also encouraged by the role of the Constitutional Court in resolving various cases involving the rights of indigenous communities. One important ruling is Constitutional Court Decision Number 35/PUU-X/2012, which states that customary forests are not part of state forests. This decision has become a strong legal foundation for indigenous communities in fighting for their communal land rights (Simanjuntak, 2025; Sumilat, 2024). Following this ruling, various indigenous communities have become more active in advocating for their rights, although challenges in implementation remain significant (Arifin & Prasetyo, 2021).

Customary law in the modern era has also evolved with various innovations that adapt traditional values into a broader context. For example, customary law that governs the management of natural resources is now integrated with sustainability principles. This can be seen in initiatives by indigenous communities in Kalimantan who use customary law to preserve their forests. The integration of customary law and sustainability principles can serve as a model for inclusive development based on local wisdom (Suwanto, 2023). The development of customary law in Indonesia also reflects a journey full of challenges. Conflicts between customary law and formal law often occur, especially in cases involving large corporations and the government. In many instances, formal law tends to dominate, while customary law is marginalized. This condition has led to various social conflicts that are still difficult to resolve today. In this regard, efforts are needed to harmonize customary law with national law to create more inclusive justice (Lestari, 2023). The journey of customary law in Indonesia shows complex dynamics. From the pre-colonial, colonial, to modern eras, customary law has always adapted to the context of the times without losing its essence as a reflection of local culture. The biggest challenge today is how customary law can continue to survive and develop within the modern national legal system, which often contradicts customary principles (Pide, 2017).

3. Constitutional Basis and Recognition of Customary Law

Customary law in Indonesia has a clear constitutional basis, making it one of the main pillars in the national legal system. Recognition of customary law is explicitly stated in Article 18B paragraph (2) of the 1945 Constitution, which states: "The state recognizes and respects the unity of customary law communities along with their traditional rights as long as they still exist and are in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia." This provision indicates that customary law, in addition to being regarded as a cultural heritage, is also a crucial element in the development of an inclusive legal system (Handoko, 2021).

Article 28I paragraph (3) of the 1945 Constitution strengthens this recognition by asserting that cultural identity and the rights of traditional communities are elements of human rights that must be protected. This provides a legal basis for indigenous communities to maintain their own legal systems. Therefore, customary law is not only normatively recognized but its existence is also guaranteed in the context of human rights (H. Susanto & Wijaya, 2022).

Recognition of customary law is reflected not only in the constitution but also in various regulations and legislation. One important regulation is Law Number 5 of 1960 concerning the Basic Agrarian Principles (UUPA), which recognizes the ulayat rights of indigenous communities. Article 3 of the UUPA affirms that the implementation of ulayat rights must be in accordance with national interests. This regulation shows that customary law holds an important place in natural resource management, although its implementation often faces challenges from parties with differing interests (Setiawan, 2023).

Law Number 6 of 2014 concerning Villages is also a crucial milestone in the recognition of customary law. This law acknowledges the existence of customary villages that have special autonomy in regulating governance and social life based on customary law. Customary villages have the authority to create village regulations based on traditional values (Apud et al., 2023). Therefore, customary law, in addition to being an element of the national legal system, also functions as a relevant legal instrument at the local level (Haryono & Permatasari, 2021). Although it has been recognized in various regulations, the recognition of customary law does not always proceed smoothly. The main challenge that must be overcome is the difference in interpretation between customary law and formal law (Iqbal et al., 2025). In many cases, formal law tends to dominate, especially in land ownership conflicts or natural resource management. A biased interpretation towards formal law often results in the disregard of the rights of indigenous communities (Pratama, 2022).

The recognition of customary law is also closely related to the decisions of the Constitutional Court (MK) that strengthen its position. For example, MK Decision Number 35/PUU-X/2012 emphasized that customary forests are not part of state forests, but belong to indigenous communities. This decision paved the way for indigenous peoples to defend their ulayat rights while also becoming an important precedent in the fight for customary law in Indonesia. After this decision, many indigenous communities began to feel more confident in asserting their rights, although challenges in implementation still remain (Rahmat & Lestari, 2021).

Furthermore, the recognition of customary law has also been increasingly strengthened in the international context. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by Indonesia, serves as both a moral and legal foundation for the government to provide protection for the rights of indigenous peoples (G. Widjaja & Wagiman, 2025). One of the main principles of UNDRIP is the recognition of indigenous peoples' right to determine their own destiny, including maintaining their legal systems. This declaration provides additional legitimacy for the recognition of customary law at the national level (A. Widjaja, 2023).

It should be noted that although the constitutional basis and related regulations have provided a strong foundation, the implementation of the legal recognition of customary law is often hindered by various factors. The main obstacle is the lack of harmonization between national law and customary law (G. Widjaja & Wagiman, 2025). This uncertainty often becomes a loophole for certain parties to exploit natural resources without considering the rights of indigenous communities. In this context, further efforts are needed to align the two legal systems so that they do not conflict with each other (Suharto, 2023).

The government also plays an important role in strengthening the recognition of customary law. Measures such as providing maps of customary territories, resolving agrarian conflicts, and strengthening the capacity of indigenous communities are some efforts that can be undertaken (Iqbal et al., 2025). Local government initiatives in supporting the existence of customary law, such as those carried out in Bali and Papua, have a positive impact on the protection of indigenous peoples' rights (Firmansyah, 2022). With a solid constitutional foundation and various supporting regulations, customary law has great potential to play a more significant role in the national legal system. However, the realization of this potential highly depends on political courage, synergy among various stakeholders, and a commitment to protecting the rights of indigenous peoples (G. Widjaja & Wagiman, 2025). In this context, the recognition of customary law, besides fulfilling legal provisions, also reflects respect for cultural diversity and values local which becomes the foundation of the life of Indonesian society (Bintarawati, 2025).

4. Relevance and Role of Customary Law in Modern Life

Customary law has relevance that continues to develop in facing the challenges of modern life in Indonesia. As a cultural heritage that has existed for centuries, customary law offers a framework of values and norms that can support social, economic, and environmental sustainability. In the context of rapid modernization, customary law is often considered capable of providing a more adaptive alternative to local needs, especially in managing relationships between individuals and communities (Suryawan, 2021).

One of the relevances of customary law in modern life is its ability to support sustainable development. Customary law often contains principles that emphasize the balance between exploiting natural resources and their preservation. For example, in managing customary forests, indigenous communities usually have strict rules about which areas can and cannot be exploited. This approach aligns with the principles of sustainable development, which emphasize the need to maintain a balance between the needs of the current generation and those of future generations (T. Wibowo & Lestari, 2023).

In the social sphere, customary law plays an important role in maintaining community harmony. Various customary law systems in Indonesia, such as those applied by the Dayak people in Kalimantan or the Minangkabau people in West Sumatra, have dispute resolution mechanisms that are oriented towards reconciliation (Lesmana, 2020; Nisa & Dahlianoor, 2022). This contrasts with formal legal systems, which tend to be more adversarial. In this regard,

customary law offers a more humane and inclusive approach to resolving social conflicts (Mahendra & Putri, 2022).

In the modern era, customary law is also relevant in the context of natural resource management and agrarian conflicts. Many conflicts occur between indigenous communities and large companies regarding communal rights, especially in the mining and plantation sectors (Ramadhan et al., 2024). In these cases, customary law often becomes a tool to advocate for the rights of indigenous peoples (Dahlan, 2019). Indigenous communities that adhere to customary law tend to be better able to protect their territories from external exploitation than communities that rely solely on formal law (Rachman, 2020). The relevance of customary law is also seen in the context of environmental law. Many customary values support environmental preservation, such as the *sasi* system in Maluku and the *awig-awig* in Bali (Wanudyastuti et al., 2025). These values naturally align with modern ecological principles. In fact, some local governments have incorporated elements of customary law into environmental protection policies, such as forest area management Based on indigenous communities in Papua and Kalimantan (Firmansyah & Rahmat, 2022). The main challenge in maximizing the role of customary law is harmonization with formal law. The national legal system, which is centralistic in nature, often does not provide adequate space for customary law. Many indigenous communities face difficulties when they have to prove the existence of customary law in formal courts (Dahlan, 2019). In this context, better synergy between formal law and customary law is needed to ensure that the rights of indigenous communities can be accommodated without sacrificing national interests (Santoso, 2021)..

On the other hand, customary law can also play a role in strengthening the cultural identity of communities. In an increasingly connected world, globalization often brings about cultural homogenization that threatens the existence of local traditions (Iqbal et al., 2025). Customary law, as an expression of cultural identity, can serve as a tool to preserve the uniqueness and richness of Indonesian culture. This is important not only for maintaining cultural diversity but also for strengthening social cohesion within pluralistic societies (Handayani & Satria, 2023).

The development of information technology and digitalization has opened great opportunities for customary law to remain relevant and develop amid the flow of modernization (Fajar et al., 2024). Through the use of technology, indigenous communities now have means to document, store, and disseminate their customary laws in digital format (Fathoni, 2021). This digital documentation makes customary law more easily accessible to various groups, including the younger generation who tend to be more familiar with technology. This step not only strengthens the awareness of young people regarding their cultural identity but also ensures the sustainability of customary law as an invaluable heritage (Sholikhah et al., 2025).

Some indigenous communities have begun using blockchain technology to record and provide protection for customary rights, especially concerning land and natural resource ownership (Roem, 2025). The technology offers high transparency and data security, which can prevent disputes or manipulation of

customary legal documents (Multazam & Widiarto, 2023). Blockchain allows indigenous communal rights to be recorded in a system that cannot be altered without permission, making it strong evidence in agrarian conflicts or disputes related to natural resources (Lestari & Nugraha, 2023). This digital innovation also opens new opportunities for the recognition of customary law at both national and international levels (G. Widjaja & Wagiman, 2025). With a systematically documented database, customary law can be more easily integrated into the national legal system or used as a reference in policies based on local wisdom (Roem, 2025). Customary law can make a significant contribution to building more inclusive public policies. Some local governments have adopted customary law as a basis for designing policies oriented toward local needs (Sony et al., 2025). An example is the recognition of customary villages in Bali, which allows local communities to manage their territories based on traditional values while remaining relevant to modern needs (Praditha et al., 2024; Y. Pratama, 2023).

In the context of international law, customary law is also receiving greater attention. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) has encouraged member states, including Indonesia, to pay more attention to and protect customary law systems (Hutajulu, 2025). The implementation of this declaration in Indonesia provides an opportunity to strengthen the position of customary law within the national legal system while also making it an integral part of Indonesia's cultural diplomacy in international forums (Wijaya, 2023).

Customary law has significant relevance in modern life. Its role, besides preserving traditions, also includes social, economic, environmental, and cultural dimensions (Iqbal et al., 2025; Permata, 2025; Tassia, 2025). To maximize this potential, a commitment from various parties, such as the government, indigenous communities, and academics, is needed to support the integration of customary law into the national legal system. Thus, customary law will not only be a legacy of the past but also a valuable asset for Indonesia's future (Jayantiari, I. G. A. M. R. et al., 2020).

CONCLUSIONS AND RECOMMENDATIONS

Customary law is a cultural heritage that plays a significant role in Indonesia's legal system. As a main pillar reflecting local values, customary law not only functions as a mechanism for social regulation but also serves as the collective identity of indigenous communities. This article has explained how customary law remains relevant amid modernization through its flexibility to adapt to social dynamics, while also contributing to environmental sustainability and the resolution of social conflicts.

However, customary law is not free from various challenges, including the harmonization of customary law with formal law. In many cases, formal law tends to dominate, especially in agrarian conflicts and natural resource management. This often leads to the marginalization of indigenous communities and the neglect of customary rights that are constitutionally guaranteed. Furthermore, the lack of documentation and formal recognition of customary law

in certain regions becomes an additional obstacle in strengthening its position within the national legal system.

Another identified weakness is the lack of consistent regulatory support to protect the rights of indigenous communities. Although there are various laws recognizing the existence of customary law, their implementation is often hindered by differences in interpretation and political interests. Additionally, the limited understanding among the general public, including the younger generation, about the importance of customary law also poses a threat to its sustainability.

In addressing these weaknesses, efforts are needed to harmonize customary law with formal law through an inclusive approach. The government needs to strengthen regulations governing the recognition and protection of indigenous community rights, including providing greater space for customary law in handling agrarian conflicts and managing natural resources. Additionally, coordination between the central and regional governments is required to support the autonomy of customary villages as a basis for strengthening customary law.

Another recommendation is to enhance the documentation of customary law through digital technology. This documentation will not only facilitate formal recognition but also serve as an educational tool for the younger generation to understand the importance of their cultural heritage. Technologies such as blockchain can be used to record the communal rights of indigenous peoples transparently and securely, thereby preventing manipulation or disputes in the future.

In addition, the government can use the principles of customary law as inspiration in designing public policies based on local wisdom. For example, integrating the values of sustainability from customary law into national environmental policies can be an innovative solution to address the challenges of climate change. This approach will not only strengthen the position of customary law but also provide tangible benefits for sustainable development.

Moving forward, it is necessary to have a commitment from all parties – government, indigenous communities, academics, and international organizations – to ensure that customary law, besides being an element of the past, is also an important asset for Indonesia's future. Through such strategic actions, customary law can continue to evolve as a system that is relevant and adaptive amid the challenges of globalization and modernization.

FURTHER STUDY

This research still has limitations so further research is needed on the topic of Customary Law as a Pillar of Identity and Sustainability: A Review of Its Dynamics, Challenges, and Relevance to perfect this research and increase insight for readers and writers.

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