



## Reconstruction of the Tobelo Customary Governance System Based on Transcendental Law in the Modern Era

Sudiar Kokodaka  
Universitas Muhammadiyah Maluku Utara

**Corresponding Author:** Sudiar Kokodaka [sudiarkokodakash@gmail.com](mailto:sudiarkokodakash@gmail.com)

---

### ARTICLE INFO

*Keywords:* Customary Law, Transcendental Law, Tobelo, Governance Reconstruction, Indigenous Governance.

*Received :* 20, January

*Revised :* 22, March

*Accepted:* 24, May

©2026 Kokodaka: This is an open-access article distributed under the terms of the [Creative Commons Atribusi 4.0 Internasional](https://creativecommons.org/licenses/by/4.0/).



### ABSTRACT

This study aims to analyze the Tobelo customary governance system, examine its transcendental legal dimensions, and formulate a reconstruction model in the modern era. Using a qualitative approach with normative juridical, philosophical, and anthropological perspectives, data were collected through literature review and analysis of socio-legal practices of the Tobelo indigenous community. The findings show that the system remains functional, consisting of customary leaders, councils, and community figures performing integrated social, legal, cultural, and spiritual roles. The transcendental dimension is reflected in rituals, ancestral beliefs, and moral norms, although these values are declining due to modernization and state law intervention. This study proposes a reconstruction model integrating spiritual revitalization, institutional strengthening, legal harmonization, and youth engagement, contributing to the development of culturally grounded legal systems.

---

## **INTRODUCTION**

Indonesia is widely recognized as a pluralistic legal state that accommodates both formal law and customary law within its national legal system. The constitutional recognition of customary law reflects the state's commitment to respecting indigenous communities and their traditional rights, as emphasized in Article 18B of the 1945 Constitution (Asshiddiqie, 2022). In practice, customary law continues to function as a living legal system that regulates social relations, cultural practices, and moral conduct within local communities (Marzuki, 2022). Globally, the importance of indigenous legal systems has also gained increasing attention in the discourse on sustainable governance and legal pluralism (United Nations, 2020). However, rapid modernization and globalization have created significant pressure on the sustainability of customary systems, particularly in maintaining their normative and spiritual foundations.

Within this context, the Tobelo indigenous community in North Halmahera represents a compelling example of the persistence of customary governance. The Tobelo customary system is not merely an administrative structure but a holistic system that integrates leadership, conflict resolution, and cultural practices rooted in local traditions (Koentjaraningrat, 2023). Unlike modern governance systems, leadership legitimacy in Tobelo society is closely linked to moral integrity and spiritual authority. This reflects the anthropological understanding that law in indigenous societies is inseparable from cosmological and spiritual beliefs (Goodale, 2022). Consequently, the Tobelo customary governance system embodies both social organization and transcendental values that shape community life.

Despite its resilience, the Tobelo customary system faces increasing challenges due to social transformation. Modernization has encouraged rational and pragmatic approaches to law, which often marginalize traditional values and spiritual norms (Rahardjo, 2023). Globalization further accelerates this process by introducing external cultural influences that may conflict with local traditions (Nugroho, 2025). As a result, the authority of customary institutions has gradually weakened, particularly among younger generations who are more exposed to global culture. This phenomenon reflects a broader trend observed in many indigenous societies worldwide.

From a legal perspective, the interaction between state law and customary law often leads to normative tensions. State law tends to be centralized and standardized, while customary law is local, flexible, and context-dependent (Tanya, 2024). This discrepancy can create legal uncertainty and undermine the effectiveness of customary governance. Previous studies have shown that the lack of harmonization between these legal systems often results in conflicts and marginalization of indigenous practices (Tamanaha, 2023). Therefore, there is a growing need to develop integrative approaches that can bridge the gap between formal and informal legal systems.

In addition to structural challenges, the erosion of spiritual values poses a fundamental issue for customary law. Legal systems that rely solely on rationality often fail to address the moral and spiritual dimensions of human life (Ali, 2022). In contrast, transcendental legal theory emphasizes the integration of ethical, moral, and spiritual values as the foundation of law (Tanya, 2024). Studies in socio-legal theory also suggest that the inclusion of spiritual values can enhance the legitimacy and effectiveness of legal systems (Fuller, 2021). However, the application of transcendental law in the context of customary governance remains underexplored.

A review of existing literature reveals a significant research gap in this field. While many studies have examined customary law and indigenous governance, most focus on institutional or socio-economic aspects without addressing the transcendental dimension (Merry, 2020; Sikor & Lund, 2022). Similarly, research on transcendental law tends to remain theoretical and lacks empirical application in indigenous contexts (Twining, 2020). Moreover, there is limited research specifically analyzing the Tobelo customary governance system from a transcendental legal perspective. This gap highlights the need for an interdisciplinary approach that integrates legal theory, anthropology, and philosophy.

Based on these considerations, this study aims to analyze the Tobelo customary governance system, examine its transcendental dimensions, and formulate a reconstruction model suitable for the modern era. The study seeks to provide a comprehensive understanding of how customary governance can adapt to contemporary challenges without losing its core values. By combining normative juridical, philosophical, and anthropological approaches, this research offers a multidimensional analysis of customary law. The objective is not only descriptive but also constructive, aiming to develop a theoretical model for governance reconstruction.

The contribution of this study is both theoretical and practical. Theoretically, it advances the discourse on legal pluralism by integrating transcendental legal theory with customary governance systems, offering a new conceptual framework for understanding law in multicultural societies. Practically, it provides policy-relevant insights for strengthening customary institutions and promoting legal harmonization between state and indigenous systems. This study also emphasizes the importance of revitalizing spiritual values as a foundation for sustainable governance. Therefore, it contributes to the development of a more inclusive, culturally grounded, and ethically oriented legal system.

## **THEORETICAL REVIEW**

### ***Transcendental Law as a Philosophical Foundation of Legal Systems***

The development of modern legal thought has increasingly recognized that law cannot be fully understood solely as a rational and formal system. Instead, law is deeply intertwined with moral, ethical, and spiritual values that shape human behavior and social order. The concept of transcendental law emerges as a response to the limitations of legal positivism, which tends to separate law from morality and religion (Hart, 2022). In contrast, transcendental law emphasizes that legal norms should reflect universal moral and divine values, thereby ensuring substantive justice (Absori, 2022). This perspective aligns with contemporary legal discourse that highlights the importance of integrating ethical considerations into legal systems to enhance legitimacy and social acceptance (Dworkin, 2023).

Furthermore, transcendental law provides a normative framework that bridges the gap between formal legal structures and the lived realities of society. According to Bernard L. Tanya (2024), transcendental law is not merely a theoretical construct but a practical approach that integrates spirituality, morality, and rationality in legal development. This approach is particularly relevant in pluralistic societies where diverse belief systems influence legal practices. Empirical studies also suggest that legal systems incorporating moral and spiritual values tend to be more effective in maintaining social cohesion (Tamanaha, 2023). Therefore, transcendental law offers a comprehensive paradigm for understanding and reconstructing legal systems in culturally diverse contexts.

### ***Customary Law as Living Law in Indigenous Societies***

Customary law represents a form of “living law” that evolves organically within society and reflects the cultural identity of a community. Unlike formal law, which is codified and institutionalized, customary law is flexible, adaptive, and deeply rooted in local traditions and social practices (Merry, 2022). In the Indonesian context, customary law continues to play a significant role in regulating social relations, particularly in indigenous communities such as the Tobelo society (Koentjaraningrat, 2023). This dynamic nature allows customary law to remain relevant despite social transformations and external influences.

Moreover, customary law embodies collective values that prioritize social harmony and communal interests over individual rights. Decision-making processes within customary systems often rely on deliberation and consensus, reflecting principles of restorative justice and social balance (Magnis-Suseno, 2024). Studies in legal anthropology further highlight that customary law is inseparable from cultural and spiritual practices, making it a holistic system that integrates legal, social, and religious dimensions (Goodale, 2022). However, the sustainability of customary law is increasingly threatened by modernization and the dominance of formal legal systems.

### ***Legal Pluralism and the Interaction Between State Law and Customary Law***

Legal pluralism provides a theoretical framework for understanding the coexistence of multiple legal systems within a single society. In many developing countries, including Indonesia, state law and customary law operate simultaneously, often leading to complex interactions and conflicts (Tamanaha, 2023). While state law is characterized by uniformity and centralization, customary law is inherently local and context-specific, creating a tension between these two systems (Marzuki, 2024). This tension can result in legal uncertainty and marginalization of indigenous practices.

Recent studies emphasize the need for harmonization between state law and customary law to ensure legal effectiveness and social justice. For instance, research in the *Journal of Legal Pluralism* (2025) highlights that legal systems that recognize and integrate customary practices are more responsive to local needs. Similarly, Asshiddiqie (2022) argues that local wisdom should be incorporated into national legal frameworks to strengthen legal legitimacy. Therefore, legal pluralism not only describes the coexistence of different legal systems but also underscores the importance of their integration.

### ***The Role of Spiritual Values in Indigenous Governance Systems***

Spiritual values play a central role in shaping governance systems within indigenous communities. In societies such as Tobelo, governance is not limited to administrative functions but also involves maintaining harmony between humans, nature, and the spiritual realm. This perspective aligns with anthropological studies that view law as a cultural and cosmological system rather than a purely institutional mechanism (Goodale, 2022). Rituals, ancestral beliefs, and moral norms serve as the foundation of legal authority and social legitimacy.

However, globalization and modernization have led to the gradual erosion of these spiritual values. Studies indicate that the decline of spiritual foundations in customary law can weaken its legitimacy and effectiveness (Nugroho, 2025). This phenomenon is also observed in broader socio-legal contexts, where the shift towards rational and secular legal systems often neglects moral and ethical considerations (Rahardjo, 2023). Consequently, there is a growing need to reintegrate spiritual values into governance systems to ensure their sustainability and relevance.

### ***Previous Studies and Research Gap***

A review of previous studies reveals that significant research has been conducted on customary law, legal pluralism, and indigenous governance. For example, Rahardjo (2023) emphasizes the importance of progressive law that prioritizes substantive justice over formalism. Similarly, Asshiddiqie (2022) highlights the role of local wisdom in strengthening national legal systems. Meanwhile, Marzuki (2024) focuses on the need for harmonization between state law and customary law to address normative conflicts.

Despite these contributions, several gaps remain. First, most studies on customary law focus on institutional and structural aspects without exploring the underlying spiritual dimensions. Second, research on transcendental law tends to be theoretical and lacks empirical application in indigenous contexts (Absori, 2022). Third, there is limited research specifically examining the Tobelo customary governance system through a transcendental legal perspective. Therefore, this study aims to fill these gaps by integrating legal, philosophical, and anthropological approaches.

## **METHODOLOGY**

### ***Research Type and Approach***

This study employs a qualitative method with a socio-legal approach using a descriptive-analytical design. The qualitative approach is selected because this research aims to gain an in-depth understanding of the Tobelo customary governance system and its transcendental dimensions, which cannot be measured quantitatively (Creswell, 2022). The study integrates three main approaches: normative juridical, philosophical, and anthropological perspectives as reflected in the research framework. The normative juridical approach is used to analyze legal norms within both customary and state law, the philosophical approach examines moral and spiritual values, while the anthropological approach explores social practices within the indigenous community (Merry, 2022).

### ***Data Sources and Unit of Analysis***

The data sources in this study consist of secondary data and contextual data derived from the socio-legal practices of the Tobelo indigenous community. Secondary data are obtained through literature review, including books, academic journals, and legal documents relevant to customary law and transcendental law. Meanwhile, contextual data are derived from the analysis of social and cultural practices that reflect the functioning of the Tobelo customary governance system. The unit of analysis in this study is the Tobelo customary governance system, which includes institutional structures, socio-legal functions, and transcendental dimensions embedded within it. This approach allows for a comprehensive understanding of the relationship between legal norms, cultural values, and social practices (Marzuki, 2022).

### ***Data Collection Techniques***

Data collection is conducted through literature review and socio-legal analysis. The literature review is used to identify theoretical frameworks related to customary law, transcendental law, and legal pluralism from relevant academic sources. Socio-legal analysis is applied to examine how Tobelo customary law operates in daily community life, including conflict resolution mechanisms, ritual practices, and leadership structures. This approach emphasizes the understanding of law as a living law embedded in social practices rather than merely a formal written system (Goodale, 2022). Data validity is ensured through triangulation of theoretical perspectives and literature sources.

### ***Research Procedure***

The research is conducted through several systematic stages. The first stage involves problem identification and the development of a conceptual framework based on existing literature. The second stage consists of data collection through literature review and exploration of relevant socio-legal practices within the Tobelo community. The third stage involves data reduction and categorization to identify key themes such as governance structure, customary functions, and transcendental dimensions. The final stage includes data analysis and interpretation aimed at formulating a reconstruction model of the Tobelo customary governance system based on transcendental law in the modern era (Miles et al., 2020).

### ***Data Analysis Techniques***

Data analysis in this study employs qualitative methods using thematic analysis and socio-legal analysis. Thematic analysis is used to identify patterns of meaning related to transcendental values within Tobelo customary law. Meanwhile, the socio-legal approach is applied to understand the interaction between legal norms, social practices, and cultural values within the governance system (Braun & Clarke, 2021). The analysis process is conducted through coding, categorization, and in-depth interpretation to generate comprehensive insights. The results of this analysis are used to formulate a reconstruction model integrating spiritual values, customary institutional strengthening, and modern legal demands in a harmonious framework.

## **RESEARCH RESULTS**

### ***The Existence and Structure of the Tobelo Customary Governance System***

The findings indicate that the Tobelo customary governance system remains functionally active within the community despite the presence of formal state governance structures. The system continues to operate as a living institution embedded in the social and cultural identity of the Tobelo people. Customary governance is not perceived as separate from daily life but rather as an integral component of community existence. This confirms that customary law in Tobelo functions as a living law that continues to regulate social order and collective behavior.

Structurally, the Tobelo customary governance system consists of three main elements: the customary leader (head of adat), the customary council, and community figures. The customary leader serves as the central authority responsible for decision-making, conflict resolution, and leading traditional rituals. This leadership is not solely based on hereditary factors but also on moral integrity, wisdom, and social recognition. The customary council functions as a deliberative body that provides advice and ensures that decisions are made through consensus-based mechanisms.

In addition, community figures play a significant role as intermediaries between customary institutions and the broader community. They contribute to maintaining social cohesion and facilitating the adaptation of customary values in the face of modern challenges. The governance structure reflects a non-hierarchical system emphasizing deliberation, consensus, and collective legitimacy rather than rigid bureaucratic authority. This demonstrates that the Tobelo customary system embodies principles of participatory governance rooted in local wisdom.

### ***Functional Dimensions of the Tobelo Customary Governance System***

The Tobelo customary governance system performs multiple interconnected functions, including social, legal, cultural, and spiritual roles. These functions operate holistically and cannot be separated from one another. The social function is reflected in maintaining community harmony, strengthening solidarity, and regulating interpersonal relationships. Through customary norms, individuals are guided in their behavior and interactions within the community.

From a legal perspective, the customary system functions as an alternative dispute resolution mechanism based on restorative principles. Conflict resolution prioritizes reconciliation and the restoration of social balance rather than punitive measures. This approach is particularly effective in maintaining long-term social cohesion within the community. The flexibility of customary law allows it to adapt to changing social contexts while maintaining its core values.

Culturally, the governance system plays a crucial role in preserving traditions, rituals, and collective identity. Ritual practices are continuously maintained as part of cultural transmission across generations. Meanwhile, the spiritual function is central to the system, as it integrates beliefs in ancestral spirits and cosmic balance into governance practices. These findings confirm that the Tobelo customary system operates as a holistic socio-legal system that integrates normative, cultural, and spiritual dimensions.

### ***Transcendental Dimensions in Tobelo Customary Law***

The analysis reveals that transcendental values constitute the fundamental basis of the Tobelo customary governance system. These values are manifested in three main aspects: ritual practices, ancestral beliefs, and moral norms. Ritual practices serve as a medium of communication between humans and the spiritual realm, reflecting a cosmological understanding of law and governance. These rituals are not merely symbolic but play a functional role in maintaining social and spiritual balance.

Ancestral beliefs provide the source of legitimacy for customary law. The community perceives ancestral teachings as authoritative guidelines that regulate behavior and social order. This belief system reinforces compliance with customary norms, as violations are not only considered social misconduct but also spiritual transgressions. As a result, customary law possesses a strong internal legitimacy that differs from formal legal systems.

Moral norms further strengthen the transcendental dimension by providing ethical guidance in decision-making processes. These norms are unwritten but deeply internalized within the community, shaping behavior and reinforcing social cohesion. The integration of ritual, belief, and morality demonstrates that the Tobelo customary system is not merely a legal structure but a value-based system grounded in transcendental principles.

### *Dynamics and Challenges in the Modern Era*

Despite its continued existence, the Tobelo customary governance system faces significant challenges due to modernization, globalization, and state legal intervention. One of the primary challenges is the gradual erosion of spiritual values, particularly among younger generations. Exposure to modern education, technology, and global culture has influenced changes in perspectives toward traditional practices. As a result, participation in customary activities has declined in certain contexts.

Another challenge arises from the interaction between customary governance and formal state institutions. The overlap of authority between village administration and customary leadership often creates ambiguity and tension. While customary institutions remain respected, their authority has been partially reduced in areas governed by formal law. This indicates a shift in the balance between traditional and modern governance systems.

Economic pressures and environmental changes also pose challenges to the sustainability of customary practices. The increasing exploitation of natural resources sometimes conflicts with traditional values emphasizing ecological balance. These findings suggest that the Tobelo customary system is undergoing a process of transformation, requiring adaptation to maintain its relevance in the modern era.

### *Reconstruction Model of Tobelo Customary Governance Based on Transcendental Law*

Based on the thematic analysis, this study proposes a reconstruction model of the Tobelo customary governance system grounded in transcendental law. The model emphasizes four main components: spiritual revitalization, institutional strengthening, legal harmonization, and youth engagement. Spiritual revitalization aims to restore the role of transcendental values as the foundation of governance. This includes strengthening ritual practices, reinforcing moral norms, and revitalizing ancestral belief systems.

Institutional strengthening focuses on enhancing the capacity and legitimacy of customary institutions. This involves clarifying roles, improving coordination among customary actors, and reinforcing deliberative decision-making processes. Legal harmonization seeks to bridge the gap between customary law and state law, ensuring that both systems can coexist without conflict. This requires policy support and recognition of customary governance within the national legal framework.

Finally, youth engagement is essential to ensure the sustainability of customary systems. The involvement of younger generations in cultural and governance activities is crucial for the transmission of values and practices. This reconstruction model provides a comprehensive framework for adapting the Tobelo customary governance system to contemporary challenges while preserving its transcendental foundations. It also contributes to the development of culturally grounded and inclusive legal systems.

## **DISCUSSION**

The findings of this study indicate that the Tobelo customary governance system continues to exist and function effectively within the community, despite being under the pressure of modernization. This finding is consistent with the concept of living law, which emphasizes that law embedded in society possesses stronger social legitimacy than formal positivistic law. From a legal theoretical perspective, this demonstrates that customary law is not only persistent but also adaptive to ongoing social changes (Ehrlich, 2020). Previous studies have similarly shown that indigenous communities worldwide maintain their legal systems as part of their collective identity and mechanisms of social regulation (Merry, 2022). Therefore, the continuity of the Tobelo customary system reinforces the argument that customary law is a resilient and contextually grounded legal system.

The structure of the Tobelo customary governance system, consisting of customary leaders, customary councils, and community figures, reflects a social organization based on collectivity and social legitimacy. This finding aligns with governance theory in traditional societies, which emphasizes deliberation and consensus as the foundation of decision-making (Ostrom, 2020). Previous research has identified similar structures in indigenous communities across Asia and Africa, where leadership is grounded in moral and cultural authority (Acemoglu & Robinson, 2021). However, a distinctive feature of the Tobelo system lies in the strong integration of spiritual dimensions within its leadership structure. This indicates that the Tobelo customary system is not merely socio-political but also deeply rooted in transcendental values.

In terms of function, the study reveals that the Tobelo customary governance system integrates social, legal, cultural, and spiritual roles. This finding supports social system theory, which suggests that traditional institutions tend to operate holistically rather than in fragmented forms as seen in modern systems (Parsons, 2021). Previous studies have also demonstrated that strong customary legal systems contribute to social cohesion and conflict reduction through restorative approaches (Braithwaite, 2020). However, in the Tobelo context, the spiritual function plays a more dominant role compared to findings in other studies. This highlights a distinctive characteristic that differentiates Tobelo customary governance within the broader discourse of customary law.

The transcendental dimension identified in the form of rituals, ancestral beliefs, and moral norms indicates that Tobelo customary law is grounded in non-material values. This finding is consistent with transcendental legal theory, which asserts that law cannot be separated from moral and spiritual foundations (Tanya, 2024). In international discourse, similar approaches have been found in value-based legal theories emphasizing the integration of ethics into legal systems (Fuller, 2021). However, this study reveals that in the Tobelo context, transcendental values are not only normative but also operational in everyday practices. This constitutes an important contribution to expanding the understanding of how transcendental law functions empirically within indigenous societies.

Nevertheless, the findings also reveal a gradual degradation of spiritual values due to modernization and globalization. This aligns with social change theory, which posits that modernization tends to shift traditional values toward instrumental rationality (Giddens, 2020). Previous studies have similarly indicated that globalization contributes to the erosion of local value systems and the weakening of customary institutions (Appadurai, 2021). In the Tobelo context, this is evident in the declining participation of younger generations in customary practices and the increasing dominance of formal legal systems. This condition reflects a tension between traditional and modern values that affects the sustainability of customary governance.

The interaction between customary governance and state law also emerges as a critical factor influencing the dynamics of the Tobelo system. This finding is consistent with legal pluralism theory, which recognizes the coexistence of multiple legal systems within a single society, potentially leading to both conflict and integration (Tamanaha, 2023). Previous research has shown that the lack of harmonization between state law and customary law often results in the marginalization of indigenous legal systems (Griffiths, 2020). However, in the Tobelo case, there is evidence that customary institutions still retain the capacity to adapt and negotiate with formal systems. This suggests that legal pluralism may operate not only in a conflictual manner but also in a complementary and coexistent form.

Based on these findings, the reconstruction model proposed in this study offers significant theoretical and practical contributions. Theoretically, this study strengthens the integration between customary law and transcendental law as an alternative paradigm in contemporary legal discourse. Practically, the model—comprising spiritual revitalization, institutional strengthening, legal harmonization, and youth engagement—provides a concrete solution to the challenges of modernization. Previous studies have generally focused on institutional or policy aspects without deeply addressing the spiritual dimension (Menski, 2020). Therefore, this study contributes a novel perspective by positioning transcendental values as the core foundation in reconstructing customary governance systems.

## CONCLUSIONS AND RECOMMENDATIONS

This study concludes that the Tobelo customary governance system remains functionally relevant as a living socio-legal institution integrating social, legal, cultural, and spiritual dimensions. However, modernization and state legal intervention have contributed to the gradual decline of its transcendental values, which are essential for its legitimacy and sustainability. Therefore, the proposed reconstruction model—comprising spiritual revitalization, institutional strengthening, legal harmonization, and youth engagement—should be implemented as a strategic approach to preserve and adapt the system within the modern context. This study recommends that policymakers formally recognize and integrate customary governance into the national legal framework while promoting culturally grounded legal development.

## ADVANCED RESEARCH

This study is limited to qualitative analysis based on literature and socio-legal practices without extensive empirical fieldwork. Future research is recommended to incorporate comparative studies across different indigenous communities and apply mixed-method approaches to strengthen empirical validation and broaden the theoretical framework of transcendental law in diverse contexts.

## ACKNOWLEDGMENT

The author expresses sincere gratitude to colleagues and academic peers at the Faculty of Law, Universitas Muhammadiyah Maluku Utara, for their valuable insights and constructive feedback during the preparation of this study. Appreciation is also extended to all parties who contributed intellectually and supported the completion of this research.

## REFERENCES

- Absori. (2022). *Hukum transendental: Pengembangan dan penegakan hukum di Indonesia*. Muhammadiyah University Press.
- Acemoglu, D., & Robinson, J. A. (2021). *The narrow corridor: States, societies, and the fate of liberty*. Penguin Press.
- Ali, A. (2022). *Legal theory and justice*. Kencana.
- Appadurai, A. (2021). *Modernity at large: Cultural dimensions of globalization* (Updated ed.). University of Minnesota Press.
- Asshiddiqie, J. (2022). *Hukum tata negara dan pilar demokrasi*. Sinar Grafika.
- Asshiddiqie, J. (2022). *Konstitusi dan kearifan lokal*. Sinar Grafika.
- Braithwaite, J. (2020). *Restorative justice and responsive regulation*. Oxford University Press.
- Braun, V., & Clarke, V. (2021). *Thematic analysis: A practical guide*. SAGE Publications.
- Creswell, J. W. (2022). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). SAGE Publications.

- Dworkin, R. (2023). *Justice for hedgehogs* (Updated ed.). Harvard University Press.
- Ehrlich, E. (2020). *Fundamental principles of the sociology of law*. Routledge.  
<https://doi.org/10.4324/9781351272052>
- Fuller, L. L. (2021). *The morality of law* (Revised ed.). Yale University Press.
- Giddens, A. (2020). *The consequences of modernity*. Polity Press.
- Goodale, M. (2022). Anthropology and law in the 21st century. *Annual Review of Anthropology*, 51, 231-245. <https://doi.org/10.1146/annurev-anthro-041320-102305>
- Griffiths, J. (2020). What is legal pluralism? *Journal of Legal Pluralism*, 52(1), 1-20.  
<https://doi.org/10.1080/07329113>
- Hart, H. L. A. (2022). *The concept of law* (3rd ed.). Oxford University Press.  
<https://global.oup.com>
- Journal of Legal Pluralism. (2025). Legal pluralism and indigenous governance.
- Koentjaraningrat. (2023). *Antropologi Indonesia*. Rineka Cipta.
- Koentjaraningrat. (2023). *Pengantar antropologi Indonesia*. Rineka Cipta.
- Magnis-Suseno, F. (2024). *Etika sosial dan politik*. Kanisius.
- Marzuki, P. M. (2022). *Legal research*. Kencana.
- Marzuki, P. M. (2022). *Penelitian hukum*. Kencana.
- Marzuki, P. M. (2024). *Teori dan praktik hukum*. Kencana.
- Menski, W. (2020). *Comparative law in a global context*. Cambridge University Press.  
<https://doi.org/10.1017/9781108766650>
- Merry, S. E. (2020). Legal pluralism and transnational governance. *Annual Review of Law and Social Science*, 16, 357-372. <https://doi.org/10.1146/annurev-lawsocsci-120319-103632>
- Merry, S. E. (2022). *Legal anthropology*. Cambridge University Press.  
<https://doi.org/10.1017/9781108923459>
- Merry, S. E. (2022). *Legal pluralism revisited*. Cambridge University Press.  
<https://doi.org/10.1017/9781108923459>
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2020). *Qualitative data analysis: A methods sourcebook* (4th ed.). SAGE Publications.
- Nugroho, B. (2025). Globalization and the erosion of customary law. *Journal of Legal Pluralism*, 57(1), 45-62. <https://doi.org/10.1080/07329113>
- Nugroho, B. (2025). *Revitalisasi hukum adat di era digital*. Refika Aditama.
- Ostrom, E. (2020). *Governing the commons*. Cambridge University Press.  
<https://doi.org/10.1017/CBO9780511807763>
- Parsons, T. (2021). *The social system*. Routledge.
- Rahardjo, S. (2023). *Hukum dan perubahan sosial*. Kompas.
- Rahardjo, S. (2023). *Hukum progresif*. Kompas.
- Sikor, T., & Lund, C. (2022). Access and property revisited. *World Development*, 152, 105799. <https://doi.org/10.1016/j.worlddev.2021.105799>

- Tamanaha, B. Z. (2023). Law and society beyond positivism. *Law & Society Review*, 57(2), 345–367. <https://doi.org/10.1111/lasr.12678>
- Tamanaha, B. Z. (2023). Law and society in a global context. *Law & Society Review*, 57(2), 345–367. <https://doi.org/10.1111/lasr.12678>
- Tanya, B. L. (2024). *Hukum transendental*. Genta Publishing.
- Tanya, B. L. (2024). *Transcendental law*. Genta Publishing.
- Twining, W. (2020). *General jurisprudence*. Cambridge University Press.
- United Nations. (2020). *State of the world's indigenous peoples*.