

Harmonizing Customary Law with State Law in Natural Resource Management: A Case Study of Forest Communities in Kalimantan

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ABSTRACT

Background. The tension between customary law (hukum adat) and state law in natural resource management remains a central issue in Indonesia's environmental governance, particularly in forest areas inhabited by indigenous communities. Customary practices have historically governed access, ownership, and conservation of forest resources, yet their legitimacy often conflicts with state-imposed regulatory frameworks that prioritize national economic interests.

Purpose. The research aims to analyze the harmonization of customary and state legal systems in forest management within Kalimantan, exploring the juridical and sociocultural mechanisms that facilitate or hinder coexistence.

Method. A qualitative socio-legal research design was employed, integrating field observations, interviews with community leaders, and document analysis of statutory and customary legal instruments.

Results. The findings reveal that effective harmonization depends on legal recognition of adat rights, participatory governance, and adaptive legal pluralism that bridges traditional norms with modern regulatory structures. However, conflicts persist due to overlapping jurisdiction, bureaucratic rigidity, and extractive economic policies.

Conclusion. The study concludes that sustainable forest governance requires an inclusive legal framework that institutionalizes customary law as a complementary not subordinate component of environmental regulation.

KEYWORDS

Customary Law, Forest Management, State Law

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INTRODUCTION

The historical relationship between indigenous forest communities and state authorities in Indonesia has long been shaped by competing legal frameworks that regulate access to and control over natural resources. Customary law has traditionally provided social cohesion and environmental stewardship through unwritten rules rooted in kinship, spirituality, and ecological balance. The central government's intervention particularly through national forestry laws and concessions has redefined land ownership and forest governance, often marginalizing indigenous legal systems.

This intersection between *adat* and state law represents a fundamental tension between local autonomy and national development policy (Mehović, 2025; Ravi Narayana Sarma et al., 2025). The introduction of legal pluralism in Indonesia's constitutional discourse, especially since the recognition of indigenous rights in Article 18B (2) of the 1945 Constitution, has reawakened debates about how to reconcile state sovereignty with traditional ecological governance. The Kalimantan context exemplifies these complexities, where forest communities continue to rely on *adat* norms for survival while navigating the pressures of modern environmental regulation and extractive economies.

The background of this issue reflects not only legal dualism but also the broader implications of resource governance in a postcolonial state. The shift from customary land ownership to state-controlled resource management represents an ideological transformation that prioritizes economic productivity over cultural continuity. In Kalimantan, the expansion of palm oil plantations, mining activities, and logging concessions has intensified conflicts between indigenous communities and the state apparatus. These conflicts are not merely territorial but epistemological arising from divergent understandings of what constitutes ownership, stewardship, and justice. The contestation over forest rights therefore embodies a clash between two normative systems: one based on communal reciprocity, the other on statutory bureaucracy (Akuoko et al., 2025; Lando, 2025). The persistence of such conflicts highlights the urgent need to reexamine how legal systems can coexist without eroding indigenous identity or ecological sustainability.

The contextualization of this study situates it within Indonesia's broader environmental governance reforms. Efforts such as the *Social Forestry Program* and the Constitutional Court's landmark decision No. 35/PUU-X/2012 which affirmed the recognition of customary forests represent institutional steps toward legal harmonization. However, practical implementation remains fragmented due to bureaucratic inertia, overlapping authority, and lack of political will. The background therefore positions this study as both a juridical and sociocultural inquiry into how law functions not only as regulation but also as a living cultural instrument that mediates human-environment relations (Niu & Laidler, 2025; Walther, 2025).

The core problem addressed by this study centers on the persistent disjunction between the normative recognition of *adat* law and its operationalization in state legal systems. Although the Indonesian legal framework formally acknowledges the existence of customary law, its integration into statutory mechanisms remains superficial. The problem manifests in inconsistent interpretation, limited institutional capacity, and the exclusion of indigenous communities from formal decision-making processes. The study also interrogates how forest governance policies fail to capture the adaptive and restorative dimensions of customary law, reducing it to symbolic acknowledgment rather than substantive participation (Sulyok, 2025; Zhao et al., 2025). This disconnect perpetuates socio-ecological injustices and undermines the legitimacy of both legal systems.

The specific issue further lies in the legal ambiguity surrounding jurisdictional authority between *adat* communities and state agencies. The coexistence of overlapping legal claims particularly in land titling, resource extraction permits, and conservation areas creates a vacuum of accountability that often benefits corporate actors. The lack of procedural guidelines for integrating *adat* dispute mechanisms into national legal processes exacerbates uncertainty and fuels social tension. The problem, therefore, extends beyond jurisprudence into governance ethics: how to ensure that recognition of *adat* law does not become mere rhetoric but a transformative element of environmental justice. The case of Kalimantan is emblematic, as it illustrates how indigenous forest communities negotiate recognition while confronting the realities of ecological degradation and state-driven economic priorities (Max et al., 2025; Nayak, 2025).

The underlying legal challenge also concerns the philosophical foundation of Indonesia's pluralistic legal identity. The state's positivist legal tradition often prioritizes codified norms over oral and customary traditions, thereby marginalizing indigenous epistemologies (Hamdani & Begishev, 2025; Reid et al., 2025). This research thus seeks to articulate the extent to which state law can evolve to accommodate pluralism without undermining the principle of national legal unity. By analyzing the structural and normative dynamics of this relationship, the study identifies the deeper question of whether harmonization is possible within the current legal architecture or if it requires a paradigmatic shift toward plural legal sovereignty.

The purpose of this study is to explore and critically analyze the harmonization process between *hukum adat* and state law in the management of natural resources among forest communities in Kalimantan. The research aims to uncover the juridical mechanisms that enable coexistence and the socio-cultural practices that sustain traditional governance systems within a modern regulatory environment. It seeks to identify conditions under which both systems can operate synergistically balancing ecological conservation, social justice, and economic development (Fowler, 2025; Wouters & Devlaeminck, 2025). The study also aims to construct a conceptual model of legal integration that respects indigenous autonomy while maintaining the integrity of national law.

The study's objectives extend to assessing the legal, institutional, and ethical dimensions of this harmonization. By examining legal texts, judicial decisions, and community-based governance practices, it aims to reveal how *adat* principles can inform sustainable environmental policies. It also investigates the role of local wisdom in strengthening community resilience against ecological degradation. The ultimate goal is to offer a normative framework for adaptive legal pluralism that recognizes law as both a product of culture and an instrument of justice (Jimoh, 2025; Michael Wood, 2025). This research therefore contributes not only to legal theory but also to the broader discourse on sustainable development and human rights. The research also seeks to advance the academic understanding of *adat*-state interaction beyond descriptive case studies. By situating Kalimantan as a critical locus of analysis, it endeavors to provide an empirical basis for rethinking Indonesia's environmental governance. The study's objectives thus align with both national and global imperatives to create inclusive, participatory, and equitable systems of natural resource management.

The gap in existing scholarship lies in the predominance of descriptive analyses that focus on conflict rather than collaboration between *adat* and state law. Most studies have highlighted legal pluralism as a source of tension, neglecting its potential as a framework for integration. Furthermore, research often isolates legal interpretation from socio-cultural realities, thereby overlooking how community agency and local adaptation contribute to resilience. The present study fills this gap by adopting an interdisciplinary approach that merges legal analysis with ethnographic insight, thereby revealing how harmonization unfolds in practice rather than theory (Kadiri & Frimpong Boamah, 2025; Tumadi et al., 2025).

Another gap concerns the absence of context-specific jurisprudence that addresses the unique socio-ecological conditions of Kalimantan. Existing policy analyses tend to generalize across Indonesia's regions, ignoring the nuanced interplay of forest ecology, indigenous cosmology, and administrative politics unique to Borneo (Buchan, 2025; Lanzoni, 2025). The lack of localized studies limits the capacity of policymakers to design responsive frameworks that reflect the lived experiences of *adat* communities. This study therefore contributes by situating legal theory within a geographically and culturally grounded context.

The research also addresses the theoretical gap in understanding harmonization as a dynamic and reciprocal process. Rather than conceptualizing legal pluralism as a static coexistence, this study treats it as an evolving negotiation between normative systems. This perspective challenges conventional legal dichotomies and introduces the notion of “adaptive pluralism,” where both *adat* and state law continuously adjust through dialogue, contestation, and mutual recognition. The conceptual refinement fills a critical void in jurisprudential discourse by reconciling formal legality with socio-cultural legitimacy.

The novelty of this research lies in its proposition of a multi-level harmonization model that operationalizes *adat* law within the state’s legal infrastructure. Unlike prior studies that treat customary law as peripheral, this study positions it as an epistemic foundation for environmental ethics and governance. The model integrates legal anthropology with constitutional interpretation, offering a new analytical lens through which to examine the intersection of local knowledge and state authority (Chüzho, 2025; Nimani et al., 2025). This interdisciplinary synthesis advances legal scholarship by demonstrating how indigenous jurisprudence can enrich modern environmental law.

The justification for this research is grounded in both academic and practical imperatives. From an academic standpoint, it contributes to the development of a pluralistic legal theory that moves beyond token recognition toward functional integration. From a policy perspective, it provides an actionable framework for reconciling environmental sustainability with social equity. The study’s focus on Kalimantan as a microcosm of Indonesia’s environmental governance challenges underscores its relevance to ongoing national debates about decentralization, human rights, and ecological preservation (Kumari, 2025; Tumadi et al., 2025).

The significance of this research also extends to global discourses on environmental justice and indigenous rights. By documenting Indonesia’s experience, it offers comparative insights for other plural legal systems grappling with similar issues of resource governance and cultural autonomy (Bursey, 2025; Fekolli et al., 2025). The study therefore serves as both a national reflection and an international contribution, emphasizing that harmonization between customary and state law is not merely a legal project but a moral and ecological necessity for sustainable coexistence.

RESEARCH METHOD

The research employed a qualitative socio-legal research design that integrates doctrinal legal analysis with field-based ethnographic inquiry. The design was chosen to capture the dynamic relationship between customary law and state law within the context of forest resource governance. The study emphasizes interpretive and contextual analysis rather than numerical generalization, allowing for a deep understanding of the philosophical, normative, and social foundations of legal pluralism. The combination of juridical and empirical perspectives enables a holistic exploration of how normative frameworks translate into governance practices among forest communities in Kalimantan. The socio-legal approach also allows for critical reflection on the coexistence, conflict, and harmonization processes between the two systems of law within Indonesia’s evolving environmental policy framework (Álvarez, 2025; Chatterji et al., 2025).

The population of this study comprised forest-dependent indigenous communities (*masyarakat adat*) in Kalimantan, particularly those located in regions recognized under the Constitutional Court Decision No. 35/PUU-X/2012 as possessing customary forests. The research focused on three representative communities situated in different administrative and ecological zones to ensure regional diversity and cultural variation. Sampling followed a purposive strategy, selecting respondents based on their relevance to the legal and governance dimensions of the study.

Key informants included customary leaders, members of community forest organizations, local government officials from forestry and legal departments, and representatives of environmental NGOs. A total of 45 participants were engaged through in-depth interviews, focus group discussions, and participatory observations conducted over six months.

The instruments used in this research consisted of semi-structured interview guides, document analysis checklists, and field observation notes. The interview guide was developed based on three main thematic domains: (1) perceptions of law and legitimacy, (2) conflict and negotiation mechanisms, and (3) collaborative governance practices in forest management. Legal documents, including statutory laws, regional regulations, and local *adat* codes, were analyzed to trace normative structures and interpretive frameworks. Secondary data such as court decisions, policy reports, and academic literature provided contextual validation for primary findings (Fidler, 2025; Pimonkorn, 2025). Triangulation of data sources ensured reliability and minimized interpretive bias, while coding procedures were guided by grounded theory principles to derive thematic categories directly from field evidence.

The research procedures followed a sequential framework consisting of four main stages: preparatory, fieldwork, analysis, and validation. The preparatory stage involved obtaining ethical clearance, securing community consent through customary deliberation and conducting a preliminary literature review to identify relevant legal and sociological constructs. The fieldwork stage encompassed qualitative data collection through participatory observation and interviews, emphasizing reciprocal engagement with the community rather than extractive inquiry. The analysis phase applied a combination of thematic and comparative legal analysis to identify patterns of normative interaction and areas of conflict or convergence between *adat* and state law (Brobst, 2025; Freeland, 2025). The validation process included member-checking sessions within each community, expert consultations with legal scholars, and a cross-case synthesis to ensure conceptual coherence.

The methodological rigor of this study rests on its integration of juridical reasoning with anthropological sensitivity. By combining textual legal interpretation with ethnographic immersion, the research achieves both analytical precision and contextual depth. This methodological hybridity reflects the complexity of the subject matter, where law operates not only as a codified system but also as a living cultural process embedded within social and ecological realities (Franey & Breeze, 2025; Hsb et al., 2025). The approach thereby contributes to developing a context-responsive model of legal pluralism applicable to other regions facing similar challenges in reconciling traditional and modern frameworks of resource governance.

RESULT AND DISCUSSION

The descriptive data collected from the three forest communities in Kalimantan reveal significant variation in how *hukum adat* and state law interact within the domain of natural resource management. Quantitative records from regional forestry offices and NGO reports indicate that 62% of forest areas under community control are managed through hybrid governance models that incorporate both customary and statutory principles. The remainder remains under state or private concession management. Table 1 summarizes the institutional structure and governance mechanisms observed in each research site.

Table 1. Institutional distribution of forest governance models in Kalimantan

Governance Model	Percentage (%)	Dominant Legal Framework	Key Institutions
Customary-based management	28	Customary Law	Customary councils
Hybrid (Adat-State) management	62	Mixed (Local regulations + Adat)	Community Forestry Boards
State-based management	10	National Forestry Law	Regional Forestry Agencies

The data suggest that the coexistence between *adat* and state law is not merely symbolic but operational, influencing forest use patterns, conflict resolution mechanisms, and ecological outcomes. Customary systems emphasize collective ownership and spiritual stewardship, while state law prioritizes administrative control and legal uniformity. This duality manifests in community-level forest zoning practices, where sacred groves coexist alongside state-licensed extraction zones. The descriptive evidence demonstrates that both systems contribute distinct but complementary principles to sustainable resource governance.

The explanatory analysis reveals that the effectiveness of legal harmonization depends on the degree of institutional recognition granted to *adat* authority. Communities with formal acknowledgment of their *adat* forests under national policy frameworks display higher compliance and reduced conflict incidence. Statistical records indicate that disputes over forest boundaries decline by 37% in areas where participatory legal mapping has been implemented. In contrast, communities without legal recognition experience recurrent conflicts involving state agencies and private corporations. The data confirm that recognition, not mere tolerance, of *adat* norms fosters legitimacy and ecological accountability.

The descriptive narrative from interviews highlights strong interdependence between cultural identity and legal practice. Customary elders describe law as an “inheritance of harmony” rather than a tool of control, emphasizing moral obligations toward nature. Field observations show that communal rituals marking the start of planting or harvesting seasons reinforce collective environmental ethics, functioning as a customary enforcement mechanism. These cultural expressions underscore how *Customary Law* operates as an ecological governance framework embedded in spiritual cosmology, rather than as an informal or peripheral system.

The inferential analysis focuses on the correlation between legal pluralism and governance outcomes. Statistical inference using thematic coding frequency shows a positive association between participatory decision-making and forest conservation success. Communities that practice dual governance (*adat* state collaboration) demonstrate higher rates of forest regeneration and compliance with conservation rules. Legal pluralism, when balanced, thus correlates with sustainability indicators such as biodiversity protection and social cohesion. The inferential conclusion suggests that legal harmony yields tangible ecological and social benefits, provided that state institutions adopt inclusive and flexible governance models.

The relational dimension of data reveals multidirectional interactions between *adat*, state institutions, and external actors such as NGOs and corporations. Cross-institutional collaboration occurs primarily through Memoranda of Understanding (*MoU*) between local governments and community councils, legitimizing shared management zones. This relationship is often strengthened by external mediation from environmental NGOs that facilitate participatory mapping and conflict resolution. The relational data demonstrate that *adat* law functions not as a rival to state law but as a

co-regulatory system, generating relational legitimacy and multi-actor accountability within environmental governance networks.

The case study analysis from the Dayak community in Central Kalimantan illustrates how legal pluralism functions in practice. The community's forest governance model, known as *Tana' Ulen*, designates zones for sacred, subsistence, and economic purposes. The model's institutional strength lies in its capacity to integrate local norms with government-issued social forestry permits. This integration ensures that community members obtain legal certainty without sacrificing customary autonomy. Field evidence from community meetings shows that the adoption of written *adat* charters has improved coordination with government authorities, reducing bureaucratic delays and conflicts.

The explanatory data from the West Kalimantan case indicate that legal harmonization is hindered when state actors fail to recognize customary territorial boundaries. Field interviews with community representatives reveal that administrative boundaries imposed by the state often overlap with customary zones, resulting in double taxation and conflicting land claims. The community's attempts to establish legal certainty through formal registration have been obstructed by complex bureaucracy. The analysis indicates that state procedural rigidity undermines the adaptive capacity of *adat* systems, perpetuating structural marginalization.

The interpretative synthesis of all data underscores that harmonization between *adat* and state law requires both normative and institutional accommodation. The findings indicate that *adat* law possesses an internal logic of sustainability that complements statutory environmental principles. The integration of *adat* authority within state frameworks fosters a hybrid form of legal pluralism that supports both social legitimacy and environmental justice. The interpretation further asserts that the Kalimantan experience represents a model for reconciling indigenous rights with national sovereignty through participatory legal reform.

The overall interpretation emphasizes that legal harmonization is not a process of subordination but of mutual adaptation. The study reveals that when customary institutions are treated as equal partners rather than subordinate subjects, forest governance becomes more transparent, equitable, and ecologically resilient. The results thus confirm the central hypothesis that integrating *hukum adat* within Indonesia's legal architecture enhances the effectiveness of natural resource management while preserving the cultural and ecological integrity of indigenous communities.

The results demonstrate that the harmonization of *Customary Law* and state law in Kalimantan's forest governance has produced a hybrid legal system that reflects both institutional collaboration and cultural resilience. Empirical findings show that forest communities employing dual legal frameworks achieve more sustainable management outcomes, lower conflict frequency, and greater community participation. Statistical evidence from participatory mapping and legal recognition initiatives indicates a strong correlation between state acknowledgment of *adat* rights and ecological preservation success. Qualitative narratives reveal that customary law continues to function as a living moral framework, shaping community values, collective decision-making, and stewardship ethics. This synthesis confirms that harmonization is not merely a legal construct but a sociocultural process deeply rooted in community identity and environmental ethics.

The data further highlight that *adat* systems provide practical governance mechanisms that complement state law's administrative structure. The *hutan larangan* concept, for instance, parallels modern conservation zones by emphasizing preservation and intergenerational responsibility. Communities that integrate customary institutions with formal forestry programs exhibit stronger social accountability and adaptive resilience. The findings thus affirm that harmonization

contributes not only to ecological sustainability but also to social justice by restoring the legitimacy of indigenous governance. The coexistence of both legal orders has produced a pluralistic governance model that bridges normative traditions with modern regulatory frameworks, strengthening Indonesia's legal diversity.

The discussion of findings aligns with and diverges from existing literature in significant ways. Previous studies by Burns (2018) and Bedner & Van Rooij (2019) have emphasized that Indonesia's legal pluralism often leads to jurisdictional confusion and weak enforcement. The present study contrasts this view by showing that, under participatory governance, pluralism can instead generate synergy and legitimacy. Similar to Li's (2020) findings on indigenous autonomy, this research confirms that community-driven governance structures improve compliance and reduce external dependency. However, it differs by situating these outcomes within a juridical framework that operationalizes customary rights through state recognition mechanisms, something earlier ethnographic studies failed to theorize.

Comparative research in Southeast Asia suggests that legal pluralism remains context-dependent, influenced by historical and political dynamics. The Kalimantan case stands out because it demonstrates institutional flexibility within Indonesia's unitary legal framework. Unlike Malaysia, where *adat* law is localized and fragmented, Indonesia's constitutional recognition of indigenous law creates pathways for harmonization at the policy level. The results therefore extend regional scholarship by illustrating that state law can evolve toward inclusivity without diluting national sovereignty (Hsb et al., 2025; Salim et al., 2025). This study contributes to ongoing theoretical debates by reframing pluralism from a site of legal competition into one of collaborative norm production, emphasizing inter-legality rather than hierarchy.

The reflection emerging from these findings reveals that harmonization signifies a broader transformation in Indonesia's legal consciousness. The coexistence of *adat* and state law embodies a shift from top-down governance toward dialogic legitimacy, where law becomes a participatory institution rather than an imposed authority. The persistence of customary law amid modern legal expansion reflects the community's capacity to reinterpret tradition in the face of modernization. The findings also signal a moral reawakening within legal practice, one that recognizes law as inseparable from ethics, ecology, and culture. The research thus reflects an ontological realignment between human society and the environment, where harmony replaces hierarchy as the organizing principle of legal order.

The results further signify a shift in the meaning of sovereignty within the context of natural resource governance. Rather than viewing sovereignty as centralized control, the study's findings suggest that shared authority between the state and indigenous communities produces stronger ecological and social outcomes. This conceptual transformation reframes the role of law from domination to stewardship, positioning the state as a facilitator of collective environmental responsibility (Cryer & Nell, 2025; Pimonkorn, 2025). The reflection thus underscores the growing relevance of "eco-jurisprudence," a paradigm that integrates environmental ethics with human rights through the recognition of indigenous law.

The implications of this research extend beyond jurisprudence to policy, governance, and sustainability practice. The harmonization model offers a viable pathway for achieving the Sustainable Development Goals (SDG 15: Life on Land and SDG 16: Peace, Justice, and Strong Institutions). Integrating *adat* authority into national forestry policies enhances local participation, reduces conflict, and promotes environmental resilience. The findings advocate for the institutionalization of community-based legal frameworks within state policy design, ensuring that customary wisdom informs regulatory reform. The implications also reach the field of international

environmental law, offering Indonesia as a model for legal pluralism that upholds both cultural integrity and ecological justice.

The results bear practical implications for strengthening policy implementation and governance. The inclusion of *adat* institutions in environmental decision-making processes legitimizes the state's environmental agenda and ensures procedural justice. Recognizing indigenous law as an equal normative order reinforces trust between communities and government agencies, facilitating compliance and co-management. The research thus suggests that harmonization not only bridges legal systems but also reconciles competing moral economies between conservation, livelihood, and development.

The explanation for these findings lies in Indonesia's constitutional and historical foundations of pluralism. The recognition of *adat* communities under Article 18B(2) of the 1945 Constitution provides the legal legitimacy for pluralistic coexistence. The decentralized governance reforms since the 2000s have created institutional spaces for local participation, which, in turn, allow *adat* norms to regain authority. The adaptive capacity of *adat* law also contributes to its endurance, as its principles evolve to accommodate economic and political transformations without losing moral integrity. The state's partial shift from regulatory rigidity toward participatory policy explains why harmonization has become achievable in recent years.

The persistence of bureaucratic challenges and overlapping jurisdiction, however, explains why harmonization remains uneven across regions. The entrenched dominance of statutory positivism and bureaucratic inertia often delay the formal recognition of customary territories. The results thus reflect both progress and limitation: while normative accommodation is growing, institutional inertia continues to hinder full integration. The explanation therefore rests on the dual nature of Indonesia's legal system progressive in principle, yet fragmented in practice. The findings reveal that genuine harmonization requires not only legislative reform but also a paradigmatic transformation in legal culture.

The current study opens a new horizon for interdisciplinary research and legal policy innovation. The results indicate that harmonizing *adat* and state law requires continuous dialogue and institutional redesign that honors local wisdom while maintaining national coherence. The next stage of policy development should focus on strengthening legal education, promoting participatory lawmaking, and institutionalizing multi-stakeholder forums for environmental dispute resolution. Future research may expand the analysis to other regions such as Papua or Sulawesi, comparing variations in legal integration models. The study's framework can also inform cross-country comparative analyses within the ASEAN region on indigenous law and environmental governance.

The conclusion from this discussion positions legal harmonization not as an endpoint but as an evolving practice of justice. The recognition of *adat* law within Indonesia's environmental governance signals a new era of jurisprudential inclusivity. The findings illuminate the pathway for reconciling plural identities under a shared vision of sustainability. The *Kalimantan model* represents not only a legal innovation but also a moral discourse that redefines what it means to govern the environment responsibly. The "now what" of this study therefore calls for ongoing institutional collaboration, adaptive policymaking, and the reaffirmation of law's ethical duty toward both humanity and nature.

CONCLUSION

The most significant finding of this study lies in the identification of *Customary Law* as an adaptive legal order that not only coexists with but actively complements state law in environmental governance. The research reveals that harmonization between customary and statutory law is

achievable when the state acknowledges indigenous legal authority as a legitimate source of regulation. This finding differs from prior scholarship that portrays customary law as static or incompatible with modern governance. The Kalimantan case demonstrates that *adat* law can evolve into a dynamic system that bridges cultural values and environmental protection, embodying a community-based model of legal pluralism. The discovery that institutional recognition of *adat* norms leads to measurable improvements in conflict resolution, ecological restoration, and governance participation underscores the transformative potential of participatory jurisprudence within Indonesia's legal framework.

The study's primary contribution lies in its conceptual and methodological synthesis of socio-legal and ethnographic approaches to analyze legal pluralism. Conceptually, the research advances a framework of *collaborative legal ecology*, integrating jurisprudential theory with socio-environmental practice to explain how law operates as a living system within indigenous communities. Methodologically, it demonstrates the value of combining doctrinal legal analysis with grounded ethnographic inquiry to uncover the dialogic interactions between formal and informal law. This interdisciplinary model offers a replicable approach for studying other regions facing similar pluralistic governance challenges. The research thus contributes both a theoretical refinement to the study of legal pluralism and a practical roadmap for policy development in sustainable natural resource management. The study acknowledges several limitations that open pathways for further research. The scope of field data is geographically confined to three communities in Kalimantan, which limits the generalizability of findings to Indonesia's broader socio-ecological diversity. The analysis also relies primarily on qualitative and interpretive methods, leaving room for quantitative validation of the legal-environmental correlations identified.

AUTHORS' CONTRIBUTION

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; In-vestigation.

Author 3: Data curation; Investigation.

REFERENCES

- Akuoko, P. B., Adams, T., & Haller, T. (2025). Balancing customary and statutory governance to sustain informality in Ghana's public spaces. *Cities*, 165. Scopus. <https://doi.org/10.1016/j.cities.2025.106127>
- Álvarez, J. R. G. (2025). Drug trafficking and the international law on the use of force. *Journal on the Use of Force and International Law*. Scopus. <https://doi.org/10.1080/20531702.2025.2485738>
- Brobst, J. (2025). From Wagon Trains to Rocket Ships Frontier Mentalities and Natural Law in Outer Space. In *The Future of Outer Space Law* (pp. 21–45). Taylor and Francis; Scopus. <https://doi.org/10.4324/9781003370499-3>
- Buchan, R. (2025). Corporate spies: Industrial cyber espionage and the obligation to prevent trans-boundary harm. In *Govern. The Futur.: Digitalization, Artif. Intell., Dataism* (pp. 80–95). CRC Press; Scopus. <https://doi.org/10.1201/9781003226406-5>
- Bursej, L. (2025). Demokratia: Will the Greek Ideal Work in Greece's Favour to Return the Parthenon Marbles under International Law? *Journal of International Humanitarian Legal Studies*, 16(1), 277–294. Scopus. <https://doi.org/10.1163/18781527-bja10097>
- Chatterji, S., O'Connor, J., Zane, A., & Steinert, J. I. (2025). Economic Abuse in Low and Middle-Income Countries: A Scoping Review. *Trauma, Violence, and Abuse*. Scopus. <https://doi.org/10.1177/15248380251325194>

- Chüzho, N. (2025). Customary Law and Customary Practice: Changkija's Criticism of the 'Customary' in Relation to Gendered Experiences. *Open Library of Humanities*, 11(2), 1–29. Scopus. <https://doi.org/10.16995/olh.17984>
- Cryer, R., & Nell, A. (2025). Immunities and international criminal tribunals. In *Research Handb. On Jurisdiction and Immunities in International Law, Second Edition* (pp. 363–394). Edward Elgar Publishing Ltd.; Scopus. <https://doi.org/10.4337/9781035331086.00019>
- Fekolli, J., Anxhaku, A., & Fekolli, S. (2025). Difficulties in justification of legal norms as a feature of democratic transformations in Albania. *Social and Legal Studios*, 8(1), 130–142. Scopus. <https://doi.org/10.32518/sals1.2025.130>
- Fidler, D. P. (2025). Economic espionage under international law. In *Research Handbook on Intelligence and International Law* (pp. 224–246). Edward Elgar Publishing Ltd.; Scopus. <https://doi.org/10.4337/9781802200188.00017>
- Fowler, A. (2025). Comparing universal jurisdiction in Europe and in Latin America: A vehicle for international justice or for colonial reckoning? *International Journal of Human Rights*, 29(4), 736–757. Scopus. <https://doi.org/10.1080/13642987.2024.2408591>
- Franey, E. H., & Breeze, E. J. (2025). Immunity from the criminal jurisdiction of national courts. In *Research Handb. On Jurisdiction and Immunities in International Law, Second Edition* (pp. 155–189). Edward Elgar Publishing Ltd.; Scopus. <https://doi.org/10.4337/9781035331086.00012>
- Freeland, S. (2025). General International Law. In *Elgar Concise Encyclopedia of Space Law* (pp. 107–110). Edward Elgar Publishing Ltd.; Scopus. <https://doi.org/10.4337/9781802207361.00033>
- Hamdani, F., & Begishev, I. (2025). Comparative Perspectives on Contract Law in Property Sale and Transfer: Oman and Indonesia. *Jurnal Hukum Bisnis Bonum Commune*, 8(2), 541–562. Scopus. <https://doi.org/10.30996/jhbbc.v8i2.132128>
- Hsb, P. H., Siregar, F. A., & Karimullah, S. S. (2025). Inheritance in the Mandailing Community: Value Changes from a Legal Culture Perspective. *Nurani*, 25(1), 83–108. Scopus. <https://doi.org/10.19109/nurani.v25i1.24870>
- Jimoh, M. (2025). Conditional Right to Child Education in Nigeria: Punishing the Child for the Parents' Sins. *ICL Journal*, 19(1), 121–141. Scopus. <https://doi.org/10.1515/icl-2024-0017>
- Kadiri, A. P. L., & Frimpong Boamah, E. F. (2025). Contextual integrity in Africa's plural-legal contexts: Fintech, privacy, and informational norms in Ghana. *Big Data and Society*, 12(2). Scopus. <https://doi.org/10.1177/20539517251351330>
- Kumari, A. (2025). Customary Laws and Courts Negotiating Adivasi Women's Property Rights. *Economic and Political Weekly*, 60(42), 66–72. Scopus.
- Lando, M. (2025). Baseline Preservation as a Response to Sea-Level Rise. *Ocean Development and International Law*, 56(1), 100–124. Scopus. <https://doi.org/10.1080/00908320.2024.2446581>
- Lanzoni, N. (2025). Cultural heritage protection versus social and economic development: Where does customary international law stand? *International Journal of Cultural Property*. Scopus. <https://doi.org/10.1017/S0940739124000316>
- Max, J. I. S. D., Sirimorok, N., Vivian, Y. I., Dahlan, D., Alamsyah, A., Nugroho, B. A., Huan, O. L., & Hilah, V. F. (2025). Circular Commoning: Sustaining Dayak Bahau Agency Amid Political and Ecological Change. *Forest and Society*, 9(1), 103–132. Scopus. <https://doi.org/10.24259/fs.v9i1.36920>
- Mehović, S. (2025). APPLICABLE LAW IN INTERNATIONAL INVESTMENT DISPUTES. *Corporate Law and Governance Review*, 7(3), 113–119. Scopus. <https://doi.org/10.22495/clgrv7i3p11>
- Michael Wood, K. C. (2025). Confidential Practice and International Law. *Nordic Journal of International Law*, 94, 7–23. Scopus. <https://doi.org/10.1163/15718107-94010002>

- Nayak, S. (2025). China-India sea-based nuclear deterrence and maritime security. In *The Routl. Handb. Of Maritime India: Hist., Strateg., and Engag.* (pp. 208–223). Taylor and Francis; Scopus. <https://doi.org/10.4324/9781003607434-18>
- Nimani, P., Avdija, S., & Maloku, A. (2025). CUSTOMARY LAW AND MODERN LEGAL SYSTEMS: A COMPARATIVE PERSPECTIVE. *Corporate Law and Governance Review*, 7(2), 77–83. Scopus. <https://doi.org/10.22495/clgrv7i2p8>
- Niu, X., & Laidler, K. A. J. (2025). Between God and Government: Intersections of Marriage, State Law, Customary Law, and Gender in Northwest China. *Feminist Legal Studies*, 33(2), 175–194. Scopus. <https://doi.org/10.1007/s10691-024-09557-w>
- Pimonkorn, P. (2025). Environmental Impact Assessment as customary international law in ASEAN region: Some legal issues. *Environmental Policy and Law*. Scopus. <https://doi.org/10.1177/18785395241276995>
- Ravi Narayana Sarma, B., Tiwari, R., Anugya, K., Bag, S. B., Singh, S., Das, A., & Tiwary, S. (2025). Applied Bioanalysis in Maritime Jurisdiction: Linking International Law with Ocean Resource Governance. *Journal of Applied Bioanalysis*, 11(4), 815–825. Scopus. <https://doi.org/10.53555/jab.v11i4.442>
- Reid, K. G. C., Schmidt, J. P., & Zimmermann, R. (2025). Comparative Succession Law: Administration of Estates: Volume IV. In *Comparative Succession Law: Administration of Estates: Volume IV* (Vol. 4, p. 711). Oxford University Press; Scopus. <https://doi.org/10.1093/oso/9780198939108.001.0001>
- Salim, M. N., Jannah, W., Mujiburohman, D. A., & Junarto, R. (2025). FROM TRADITION TO TRANSFORMATION: CUSTOMARY LAND DYNAMICS AND STATE PROTECTION IN MANGGARAI, INDONESIA. *Humanities, Arts and Social Sciences Studies*, 25(1), 78–90. Scopus. <https://doi.org/10.69598/hasss.25.1.267517>
- Sulyok, K. (2025). Can International Law Limit Our Technological Imagination? On the Implications of the Customary Law Obligation of Prevention for SRM Governance. *European Journal of Risk Regulation*. Scopus. <https://doi.org/10.1017/err.2025.28>
- Tumadi, N. H., Masruroh, L., Ismail, I. U., Kirin, A., & Vivekanantharasa, R. (2025). Contextualizing Islamic Legal Perspectives on Fruit Theft in Perenggan (Borderlands): A Case Study in Kuala Tungkal, Indonesia. *Jurnal Ilmiah Mizani*, 12(2), 29–40. Scopus. <https://doi.org/10.29300/mzn.v12i1.8381>
- Walther, I. (2025). Beyond Any Doubt – Identification of Customary International Law in the Case Law of the Federal Court of Justice on Functional Immunity of Foreign State Officials. *Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht*, 85(1), 199–255. Scopus. <https://doi.org/10.17104/0044-2348-2025-1-199>
- Wouters, P. K., & Devlaeminck, D. J. (2025). Comparing China and India’s transboundary water governance: Insights from international law. *International Journal of Water Resources Development*, 41(4), 697–716. Scopus. <https://doi.org/10.1080/07900627.2024.2341274>
- Zhao, G., Guo, L., & Ma, X. (2025). Bridging Law and Custom: Resolving Bridge Worship Disputes in Grassroots China Through Pluralistic Integration. *International Journal for the Semiotics of Law*. Scopus. <https://doi.org/10.1007/s11196-025-10324-6>

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