

# Customary Law as an Ecological Mechanism: A Literature Review of the Socio-Ecological System of the Kajang Tribe in South Sulawesi

Suwandi<sup>a,1</sup>, Riska Putri<sup>b,2</sup>, Septian Syahnam Ardhiansyah<sup>c,3</sup>, Pinkan Claudia Aribowo<sup>d,4</sup>, Nurfaizal Rosyid<sup>e,5</sup>

<sup>a,b,c,d,e</sup> Department of Pancasila and Citizenship Education, Faculty of Teacher Training and Education, Pamulang University

<sup>1</sup>[wandy.idoy@gmail.com](mailto:wandy.idoy@gmail.com); <sup>2</sup>[rizkaputri471@gmail.com](mailto:rizkaputri471@gmail.com); <sup>3</sup>[Syahnam04@gmail.com](mailto:Syahnam04@gmail.com); <sup>4</sup>[pinkanclaudia2@gmail.com](mailto:pinkanclaudia2@gmail.com);

<sup>5</sup>[nurfaisal.r@gmail.com](mailto:nurfaisal.r@gmail.com)

\* Corresponding Author: [wandy.idoy@gmail.com](mailto:wandy.idoy@gmail.com)

INFO ARTIKEL	ABSTRACT
<p><i>Article History:</i> Received: June 21, 2025 Revised: August 14, 2025 Approved: October 15, 2025 Available Online: November 1, 2025</p> <hr/> <p><i>Keywords:</i> Customary Law Ammatoa Kajang Tribe Environmental Conservation Local Wisdom</p>	<p>Customary law is a collective value system that originates from local wisdom and is passed down from generation to generation within indigenous communities. This study aims to examine the role of Ammatoa customary law in the Kajang tribe community in South Sulawesi as an ecological mechanism based on spirituality and social structure. Using a descriptive qualitative approach with a literature review method, this study examines relevant scientific literature on the structure of customary law, the values of Pasang ri Kajang, the principle of kamase-mase, and the Patuntung belief system. The results of the study show that Kajang customary law not only regulates social relations but also protects the environment through customary prohibitions, the division of sacred zones, a social sanction system based on siri', and collective governance led by Ammatoa. This system reflects living law and operates effectively without state intervention. Customary law has proven to be more adaptive and adhered to because it is based on moral and spiritual legitimacy, not formal legal coercion. Additionally, these findings indicate that synergy between customary law and state law is feasible to strengthen national conservation policies that are ecologically just. Therefore, customary law must be substantively recognized as a partner in sustainable environmental governance in Indonesia.</p>

©2025, Suwandi, Riska Putri, Septian Syahnam Ardhiansyah,  
Pinkan Claudia Aribowo, Nurfaizal Rosyid  
This is an open access article under CC BY-SA license



## 1. Introduction

Indonesia is one of the countries with the richest cultural heritage and indigenous communities in the world. From Sabang to Merauke, thousands of indigenous communities still exist with their unique value systems and social institutions, including in terms of environmental management. The existence of customary law in indigenous communities plays an important role as a regulator of social behavior and an instrument for nature conservation (Purnomo et al., 2024). One concrete example of this success can be seen in the indigenous community of the Kajang tribe in Bulukumba Regency, South Sulawesi. The Kajang community particularly the Kajang Dalam (Ilalang Embayya) group lives a life closely aligned with the principle of simplicity (kamase-mase), and all their actions are based on ancestral heritage enshrined in customary law. In this community, the forest is considered a spiritual

entity that must not be destroyed, as it is part of the sacred space of their lives. Therefore, customary law serves as the primary mechanism for environmental conservation, even before the state formally intervened (Nur, 2024).

At the center of the Kajang community's customary legal system is a traditional leader called Ammatoa, who is both a spiritual leader and a customary chief with the highest authority in all decision-making. Ammatoa is not only responsible for religious or belief-related matters, but also plays a central role in establishing customary rules, including the preservation of customary forests. In this system, prohibitions on cutting down trees in certain areas, restrictions on clearing land indiscriminately, and limited use of water sources are concrete examples of the implementation of ecology-based customary law (Yulika et al., 2025). According to research (Ichwan et al., 2021), the value system known as *Pasang ri Kajang* is an oral tradition that functions as a customary constitution and serves as the main reference in regulating the relationship between the community and nature. These values are instilled from childhood through informal education and customary rituals, thereby creating a very high level of ecological awareness within the Kajang community.

Unlike state regulations, which are normative and positivistic in nature, the customary law of the Kajang tribe is more spiritual and transcendental, based on the mandate of their ancestors that has been passed down from generation to generation. This is clearly seen in the implementation of the *Kamase-mase* principle, which is to live simply, honestly, and not excessively in utilizing natural resources. This concept is not only a philosophy of life, but also a collective moral foundation that governs the relationship between humans, nature, and supernatural forces. In this context, the prohibition against destroying forests is not only a social rule, but also a form of respect for the spirits of the ancestors who are believed to inhabit the area (Sumbara, 2023). It is therefore not surprising that the Kajang community does not have permission to clear forests, cut down trees indiscriminately, or build houses with materials obtained from the exploitation of nature without customary consent. Adherence to this principle has been the main foundation for the success of the Kajang community in preserving their customary forests for hundreds of years (Muur & Bedner, 2016).

In addition to *Kamase-mase*, the principle of *Pasang ri Kajang* is also a central element in the structure of Kajang customary law. *Pasang* is a collection of advice, prohibitions, and counsel from ancestors that has been passed down orally, and functions as a “customary constitution.” The existence of *Pasang* reinforces the position of customary law in regulating all aspects of life, including environmental conservation (Erawati et al., 2022). In a study conducted by (Nurmala et al., 2022), it is mentioned that *Pasang ri Kajang* places more emphasis on moral responsibility than written legal sanctions, because the Kajang community believes that every violation will receive immediate retribution from nature or the spirits of their ancestors. This is why the Kajang community has a very strong spiritual connection with nature and voluntarily complies with customary rules without pressure from external authorities. This system has proven effective in preserving the *Ilalang Embayya* customary forest despite deforestation threats in other areas.

The strength of Kajang customary law lies not only in the structure and norms of the customs themselves, but also in the process of passing on values that occurs consistently in everyday life. The Kajang community grows up in a cultural environment that shapes ecological awareness from an early age. Children are introduced to *Pasang* values through folk tales, oral teachings, and active participation in traditional rituals. In this context, education does not take place in formal classrooms but through social interaction and spiritual experiences (Jalal et al., 2024). This is reinforced by the findings of (Aspan & Irwansyah, 2023), which state that the transmission of traditional values in the Ammatoa community is carried out through informal channels that are effective in shaping collective character and

behavior that cares for the environment. This system is very different from conventional education, which relies on a structured curriculum, as the Kajang community places greater emphasis on the internalization of values through social modeling.

Compliance with customary law in Kajang society is not the result of an authoritarian system of coercion, but rather a product of deeply rooted cultural legitimacy. In Kajang society, violating customary law means not only going against the community, but also against the will of the ancestors and the universe. This is what distinguishes the customary legal system from modern state law, which places greater emphasis on formal punishment. Sanctions in Kajang customary law are more social and spiritual in nature, such as ostracism, customary curses, or collective shame, which are often more effective in maintaining order and environmental sustainability (Andalusia & Kansil, 2023). (Jayantiari et al., 2024) note that the Ilalang Embayya community has a sacred bond with their forest territory, and customary rules are absolute and non-negotiable. Values such as honesty, perseverance, and loyalty to the rules are passed down through generations and serve as the highest moral standards in community life.

In the context of national environmental law, indigenous communities such as the Kajang are often overlooked in the formulation of formal policies. However, their local wisdom has long been practicing conservation principles that are in line with the goals of sustainable development. The Ammatoa customary law has an internal monitoring system that does not require state apparatus because all community members monitor and remind each other. This social control operates without coercion, as it is based on emotional and spiritual ties to the land and ancestors (Aspan & Irwansyah, 2023). As mentioned in a study by (Megawati & Mahdiannur, 2021), the Kajang indigenous community has protected their customary forests for over a century without formal government regulations. However, when state intervention occurs without understanding the existing customary structures, it often leads to conflicts and the degradation of local values.

Another interesting fact is how Ammatoa customary law has been able to adapt to changing times without losing its traditional essence. Although the Kajang Dalam community rejects modern technologies such as electricity, asphalt, and motorcycles, they remain open to intercultural communication as long as it does not interfere with their value system. This shows that customary law is not rigid, but adaptive while maintaining its basic principles (Afdal et al., 2022). According to (Hutabarat et al., 2024) in their book titled *Indonesian Customary Law (History and Development)*, one of the strengths of customary law in Indonesia, including Kajang, lies in its ability to function as a living law system that adapts to social dynamics without losing its identity. This adaptability is one of the reasons why customary law remains relevant as an alternative model for community-based environmental conservation.

Ammatoa customary law not only regulates human relations with nature, but also includes strict rules regarding social structure, spatial planning, and even the architectural form of houses. Every decision regarding land use, tree felling, or house construction must be approved by the customary leader and assessed based on its conformity with the principles of Pasang. In the Ilalang Embayya community, the customary forest area is divided into several sacred and profane zones, each with different levels of prohibition. (Nurkhalis et al., 2018) in their research on ecotourism management in the Ammatoa forest stated that the core zone cannot be entered indiscriminately, even by the Kajang people themselves, as it is believed to be the dwelling place of ancestral spirits and the balancer of the cosmos. This management pattern resembles modern conservation systems such as core zones and buffer zones, but it has grown from local wisdom that is both traditional and spiritual in nature.

Furthermore, Ammatoa customary law cannot be separated from a traditional belief system called Patuntung. Patuntung is a belief that emphasizes harmony between humans, nature, and God, and regards nature as a living being with rights. In this belief, excessive exploitation of nature is considered a form of betrayal of the ancestors' mandate. (Hasan & Nur, 2019) state that in the Patuntung belief, every element of nature—such as rocks, soil, and trees—is seen as having a spirit that must be respected. Therefore, Kajang customary law often incorporates ritual or spiritual ceremonies in its implementation, such as ceremonies before cutting down trees or clearing land. The existence of Patuntung reinforces the position of customary law as a comprehensive value system that is not merely technical norms but also sacred and philosophical in nature.

The existence of the Kajang tribe's customary law shows that traditional legal systems can stand alongside, and even complement, state law in the context of environmental protection. Various studies have found that when the government tries to incorporate customary areas such as Ilalang Embayya into formal schemes such as national parks or protected forests, it often causes conflict. This happens because the state's approach often ignores social and spiritual structures that existed long before Indonesia's independence. (Hutabarat et al., 2024) explain that many indigenous communities, including the Kajang, face pressure due to overlapping claims between state law and customary law. However, they emphasize that if given the appropriate legal space, customary law can become a strategic partner of the state in environmental conservation, and even more effective because it is based on the moral legitimacy of the community.

Given the success of indigenous peoples in preserving the environment based on customary law, various parties have begun to push for legal recognition of customary territories through formal state instruments. In this context, the Kajang community is among the few communities that have obtained official recognition of their customary forests through a decree from the Minister of Environment and Forestry. However, this recognition still faces challenges in its implementation in the field, particularly regarding territorial boundaries and external intervention from parties with interests in natural resources (Abdullah et al., 2024). Research (Purnomo et al., 2024) highlights that formal recognition alone is not enough; there needs to be a participatory mechanism that accommodates customary values in their entirety within the national legal system. Without this, customary law will only be used as a cultural symbol without any substantial power in policy-making.

Ammatoa customary law also plays an important role in fostering collective ecological awareness based on a sense of moral responsibility, rather than mere legal compliance. Unlike modern environmental regulation approaches, which tend to be repressive, the Kajang customary system emphasizes the reciprocal relationship between humans and nature. In this context, violations of customary law not only result in social sanctions but are also seen as a form of cosmic imbalance. (Arisnawawi et al., 2024) argue that the integration of divine principles and customary values within communities like Kajang creates a social climate that naturally upholds sustainability. Principles such as “do not cut down without permission,” “return wood to the forest if unused,” or “avoid waste in rivers” are concrete reflections of the environmental ethical system embedded in the community's culture.

It cannot be denied that the pressures of globalization and the exploitation of natural resources have become serious challenges to the sustainability of customary law, including in the Kajang community. Although internally the Kajang community is very disciplined in upholding customary principles, external interventions such as plantation expansion, infrastructure development, and tourism often disrupt the ecological balance that has been preserved for generations. In a study by (Mubarok et al., 2023), it is explained that although indigenous communities enforce customary sanctions, violations committed by external actors



are not always within the reach of the customary legal system due to differences in jurisdiction and authority. Therefore, efforts to preserve customary law are not sufficient with legal recognition alone, but must also be accompanied by political and social protection of the integrity of the community's territory and value system.

Based on the social and ecological realities described above, it is important to examine in depth how the Ammatoa customary law in the Kajang community has been able to survive and even make a significant contribution to environmental conservation. The existence of this customary law is not only relevant in a cultural context, but also shows great potential as an alternative model for sustainable natural resource management. Therefore, this study aims to examine the form, principles, and effectiveness of the customary law system applied by the Kajang community in protecting their customary forests. The main focus is on the internal mechanisms of the community in enforcing customary rules, as well as how these laws synergize or conflict with state laws. The main questions to be answered in this study are: how do the structure and content of Ammatoa customary law contribute to ecological conservation? And to what extent can these values be integrated into the national legal system without eroding the cultural identity of indigenous communities?

## **2. Method**

This study uses a descriptive qualitative approach with a library research method. This approach was chosen because the study aims to understand and describe in depth the Ammatoa customary law practices in environmental conservation based on text data and documents. According to (Meleong, 2018), qualitative research is used to understand the meaning of social phenomena experienced by research subjects, not merely to measure symptoms quantitatively. In this context, the qualitative approach allows researchers to examine the cultural meanings and values of customary law that exist within the Kajang community. The data in this study were obtained from secondary sources, namely relevant written documents such as scientific journal articles, academic books, research reports, and customary law documents that are openly accessible. In accordance with the guidelines (Zed, 2008), the literature study method relies on gathering information through reviewing literature as a basis for developing a framework for thinking and analysis. Therefore, the literature used was selected purposively, namely only those that directly discuss the Kajang tribe community, Ammatoa customary law, and the relationship between local wisdom and environmental conservation. Data collection techniques were carried out by systematically searching for scientific documents through academic portals such as Google Scholar, Garuda, ResearchGate, and reputable national and international journals. All sources were searched based on criteria of time (the last 10 years), relevance, and academic credibility. Each piece of data obtained was classified according to theme, namely: customary law structure, kamase-mase and pasang principles, customary forest management, and the interaction between customary law and the state. The data analysis technique used is content analysis, which is an interpretive method of the symbolic meaning and values in customary law texts. (Miles et al., 2014) states that in qualitative research, the analysis process consists of three main stages: data reduction, data presentation, and drawing conclusions. This technique allows researchers to explore how the values of Ammatoa customary law function not only as norms but also as a living and sustainable ecological force within the Kajang customary community.

## **3. Result and Discussion**

The customary law practiced by the Kajang community embodies a system of values that is alive and evolving within a unique socio-ecological framework. Customary law does not function as an administrative norm, but rather as a set of rules that are spiritually internalized

and collectively inherited. Nur (2024) explains that the customary leadership structure, with the Ammatoa at its center, is not merely symbolic but also functional in maintaining balance between humans and nature. All decisions related to land use, tree felling, or the allocation of other resources are always under the control of the customary structure. The main strength of this system lies in the community's belief that customary rules are a manifestation of the mandate of their ancestors and the will of nature, not merely technical policies.

The involvement of customary law in maintaining the ecological order of the Kajang community can be traced through a number of literature studies that have been systematically analyzed. Each source provides important contributions to understanding the social structure, customary values, and environmental management systems practiced by the Ilalang Embayya indigenous community. To summarize these initial findings, the following is a summary of key literature that will serve as a basis for further discussion.

**Table 1. Summary of Findings from a Literature Review on the Kajang Customary Legal System**

No	Author	Focus of Findings	Type of Source
1	Nur (2024)	Customary legal structures and Ammatoa authority in environmental conservation	Journal of Law and Local Wisdom
2	Ichwan et al., (2021)	Pasang values as customary law in regulating ecological relations	Journal of Education, Social Sciences, and Culture
3	Jalal et al. (2024)	Passing on values through traditional education and participation in collective rituals	Walisongo Sociology Journal
4	Hasan & Nur (2019)	The role of the Patuntung spiritual system in upholding ecological norms	Phinisi Integration Review
5	Hutabarat et al. (2024)	The interaction between customary law and state law in the context of the legalization of customary territories	National Customary Law Book

(Source: Author's Analysis, 2025)

The five sources in the table show that Kajang customary law not only reflects traditional norms, but also forms a functional and sustainable ecological regulatory system. The focus of the discussion will now shift to a thematic analysis of the dimensions of customary law, ranging from the structure of authority, the transmission of values through traditional education, to the spiritual relationship between humans and the environment as practiced in the Patuntung and Pasang ri Kajang systems.

Pasang ri Kajang serves as the main instrument in organizing community life, including maintaining the ecological balance of customary areas. Ichwan et al., (2021) state that Pasang is not only a set of prohibitions, but also ethical principles that reflect the relationship between humans and nature. Violations of Pasang, such as cutting down trees without permission or polluting water, are not only considered social offenses, but also spiritual violations that will bring imbalance to life. Pasang is understood as a moral guideline for life, and is implemented through collective awareness, not external coercion. In the Kajang customary legal structure, the existence of Pasang ensures that customary rules continue to function even without written form or formal supervision.

The value system contained in Pasang and Kamase-mase is passed down through informal traditional education in everyday life. Jalal et al. (2024) state that since childhood, Kajang children have been involved in traditional activities such as ma'pasang and mappalili, which indirectly instill a sense of responsibility towards nature and ancestors. This process does not occur through a written curriculum but through life experiences rich in values. Social modeling and participation in traditional rituals make the traditional education process

profound and shape a strong ecological character. This is what distinguishes the Kajang community from those dependent on formal legal regulations; environmental awareness is not formed through prohibitions but through the internalization of values.

In the Patuntung belief system, forests, rocks, water, and all elements of nature are considered to have spirits that cannot be harmed without customary permission. Hasan and Nur (2019) emphasize that customary prohibitions such as not cutting down large trees, not building houses without permission, or not littering, stem from the belief that nature is a living entity that must be respected. Therefore, customary law has not only a normative dimension, but also a transcendental one. Any action that violates customary rules is believed to have spiritual consequences, not just social ones. Thus, Kajang customary law performs an ecological function not only through community sanctions, but also through a mechanism of fear of cosmic imbalance arising from violations against nature.

One of the main strengths of Kajang customary law lies in its siri'-based social control system, which is a collective sense of shame that acts as a moral sanction. In Ilalang Embayya society, violations of customary rules are not immediately subject to administrative sanctions, but will result in social exclusion or exclusion from customary rituals. Andalusia and Kansil (2023) note that siri' is not merely an ethical mechanism but also functions as an effective control tool without the involvement of formal legal authorities. The fear of losing face in front of the community encourages individuals to comply with prohibitions such as burning forests, cutting down large trees without customary permission, or damaging rivers. This sanction model creates ecological stability based on inner awareness, not external coercion.

Kajang customary law strictly regulates the zoning of the Ilalang Embayya customary forest area, which is considered a spiritual living space. The forest area is divided into three zones: the core zone (off-limits), the buffer zone (limited management), and the utilization zone (for the daily needs of the community). Nurkhalis et al. (2018) note that the core zone is seen as the dwelling place of ancestral spirits, so human activity is strictly prohibited. This zoning is not based on formal maps, but rather on verbal consensus and passed down from generation to generation. This pattern is very similar to modern conservation principles, but is rooted in spirituality and community agreement, rather than technocratic instruments of the state.

Enforcement of rules in Kajang society is not carried out by specific individuals, but through a collective monitoring system by all members of the community. Every citizen is responsible for reminding and reprimanding others if violations occur, whether against Pasang or other customary prohibitions. Aspan & Irwansyah (2023) explain that this form of surveillance takes place without formal procedures, but has high legitimacy because it is based on a sense of moral responsibility. If someone is found to have trespassed into a restricted zone, the community will not report them to the police, but will instead carry out social correction through a customary forum or direct reprimand. This system demonstrates that Kajang customary law is restorative in nature and encourages reconciliation rather than punishment.

The use of natural resources in the Kajang community is not carried out individually, but through traditional deliberations led by Ammatoa. Every plan to clear land, cut down large trees, or take stones from rivers must be discussed together and decided collectively. Hutabarat et al., (2024) state that this system prevents unilateral exploitation and ensures that resources are used wisely, fairly, and sustainably. In practice, traditional deliberations combine ethical, spiritual, and ecological considerations—unlike state legal procedures, which are administrative and legal-formal in nature. Decisions made through traditional deliberations are final because they are considered to represent the voices of ancestors and nature.

Various findings from the literature review that have been analyzed thematically show that Kajang customary law has rich and multidimensional regulatory mechanisms. Every aspect of environmental conservation—whether in the form of prohibitions, zoning systems, supervision, or collective decision-making—is deeply rooted in the spiritual values and social structures practiced by the community. To summarize and classify these thematic elements systematically, Table 2 below maps the relationship between the main themes, the customary mechanisms applied, and the academic sources referenced.

**Table 2. Mapping Thematic Customary Law as an Ecological Mechanism**

No	Main Theme	Relevant Customary Mechanisms	Primary Source
1	Social and Moral Sanctions	Siri' (collective shame, exclusion)	Andalusia & Kansil (2023)
2	Sacred Zones in Customary Forests	Space division: core, support, utilization	Nurkhalis et al., (2018)
3	Community Collective Oversight	Social reprimands, moral control, customary corrections	Aspan & Irwansyah (2023)
4	Tiered Resource Management	Traditional council, Ammatoa authorization	Hutabarat et al., (2024)

(Source: Author's Analysis, 2025)

The classification in the table confirms that Kajang customary law is not only a living law, but also serves as a systemic framework that encompasses integrated ethics, spirituality, and social regulation. Through these mechanisms, customary law not only prevents ecological damage but also instills moral and collective responsibility in maintaining cosmic balance. The subsequent section will explore aspects of value transformation, the role of indigenous women, as well as the potential for synergy and conflict between customary law and state law within the framework of sustainable environmental conservation.

Kajang customary law contains a number of prohibitions that essentially reflect strong conservation principles. Prohibitions on cutting down large trees near water sources, prohibitions on clearing land with fire, and prohibitions on building houses from exploitative materials are some concrete examples. Megawati & Mahdiannur (2021) reveal that the Kajang community adheres to these prohibitions not out of fear of state law, but because of the belief that such actions could invite the wrath of nature and ancestors. Customary prohibitions are understood as a mechanism for preventing environmental damage that does not require enforcement agencies, as they are carried out with spiritual awareness. In this context, adherence to customary rules is more effective than modern environmental regulations, which are repressive in nature.

The core zone in the Ilalang Embayya customary forest has the highest spiritual status because it is believed to be the dwelling place of ancestral spirits. Even the residents of Kajang Dalam themselves are not allowed to enter the area without a very urgent reason and must perform a special ritual. In the community's view, the core zone is the pillar of the cosmos that maintains the balance between the human world and the universe. Jalal et al., (2024) state that the community does not need markers or fences to protect this zone, as customary prohibitions are strong enough to restrict access. This fact shows that the customary zoning system is not symbolic, but operational and socially and spiritually binding.

The relationship between customary law and state law in the context of managing the Kajang customary forest is not always harmonious. Several studies reveal that state intervention often fails to take into account the established social structure within the community. Hutabarat et al., (2024) explain that top-down forestry policies, such as the establishment of national parks, actually cause conflict because they conflict with customary



boundaries. However, the formal recognition of the Kajang customary forest by the Ministry of Environment and Forestry is an example that synergy is still possible. In this case, customary law remains the main actor in the field, while state law acts as a formal legal protector.

Given the effectiveness of customary law in protecting the environment, many parties have begun to push for the integration of customary values into national conservation policies. Abdullah et al., (2024) emphasize that legal recognition alone is not enough if it is not accompanied by political protection mechanisms and community participation. The government needs to establish a customary consultation platform before implementing policies that affect customary territories. The experience of the Kajang community demonstrates that local systems can operate in parallel with—and even surpass—the effectiveness of state law in protecting important ecological areas. Therefore, sustainable development strategies must begin to adopt models that value customary law as a key pillar of environmental protection.

Ammatoa customary law is not static. It evolves in line with social dynamics without losing its core values. In this context, the revitalization of customary law is carried out through the strengthening of customary institutions, the documentation of *Pasang*, and community involvement in national legal forums. Hutabarat et al., (2024) state that the revitalization of customary law in Kajang includes the process of re-actualizing customary principles into contemporary issues such as agrarian conflicts and ecotourism. This is done not by changing the substance of the values, but through adjustments to the ways in which they are conveyed and implemented. This approach allows customary law to remain alive in society while also being recognized in the state legal system as a legitimate source of local law.

The young generation of Kajang plays an important role in preserving and reinterpreting the traditional values they have inherited. Despite being exposed to formal education and technology, they have not abandoned the principles of *kamase-mase* or *Pasang*. Purnomo et al., (2024) explain that many young people in Kajang now serve as a bridge between the traditional world and the outside world, particularly in traditional documentation activities and eco-tourism management that still respect sacred boundaries. This transformation of values demonstrates that traditional law is not incompatible with progress, as long as its essence is preserved. The younger generation is key to the sustainability of customary law by expanding its interpretation without compromising its core principles.

Although they do not occupy a formal position like Ammatoa, women in Kajang society play a strategic role in preserving customary law. They become conveyors of values through parenting, performing domestic rituals, and guarding customary prohibitions in the household. Aspan & Irwansyah (2023) show that women act as enablers of cultural transmission because they are responsible for teaching *Pasang* values within families and communities. Additionally, women's involvement in rituals such as *mappalili* and *ma'rio-rio* makes them key actors in the community's spiritual ecology. This role demonstrates that the preservation of customary law is inseparable from cross-gender participation that reinforces one another.

When compared to state law, customary law in Kajang demonstrates high effectiveness in terms of compliance, participation, and ecological impact. Abdullah et al., (2024) note that state law often fails to penetrate public consciousness because it is purely legal-formal and based on administrative sanctions. In contrast, customary law works through moral legitimacy and spiritual bonds. People comply with customary law not because they fear punishment, but because they fear violating the cosmic order, which they believe will bring destruction. In this case, customary law has proven to be more adaptive, more accepted, and more sustainable in the context of community-based environmental management.

Globalization, economic expansion, and the introduction of modern development systems pose serious challenges to the existence of Kajang customary law. External pressures such as

infrastructure projects, mass tourism, and land conversion often clash with Pasang values and customary structures. However, the Kajang customary legal system has demonstrated remarkable cultural resilience. Mubarok et al., (2023) note that despite the penetration of modern technology and economics, the Kajang community has maintained the principle of kamase-mase and limited modernization to specific areas. In this context, customary law is not anti-modernity but selective about the values it adopts, thereby preserving the sustainability of both identity and ecology.

The effectiveness of customary law in protecting the Ilalang Embayya customary forest has made Kajang an important model for community-based conservation development. Not only does customary law protect forest cover, it also successfully preserves spatial planning, water sources, and biodiversity, which are part of their cosmological system. Megawati and Mahdiannur (2021) show that the concept of customary zoning has substantial similarities with the principles of national parks, such as core zones and buffer zones. The difference lies in the source of legitimacy: while state conservation is based on positive legal instruments, customary conservation is based on spirituality and respect for nature. This shows that customary law can function as an alternative to culturally-based conservation policies.

Synergy between customary law and state law needs to be built within the framework of an equal partnership. Formal recognition of customary territories, such as that given to the Kajang community, must be followed by the empowerment of customary institutions, not merely symbolic certification. Purnomo et al., (2024) emphasize that an integrative approach will succeed if the government is willing to listen, accommodate, and provide actual space for customary law practices in the policy process. In this case, customary law is not seen as a competitor to state law, but rather as a complement that has proven effective in protecting the environment long before formal law existed. Such collaboration not only strengthens the protection of natural resources, but also strengthens the political position of indigenous peoples at the national level.

An analysis of Kajang customary law as a socio-ecological system shows that environmental conservation does not always have to rely on formal law or technocratic approaches. Indigenous communities are capable of establishing efficient, value-based regulatory systems that are collectively enforced through mechanisms rooted in ancestral beliefs. All dimensions from authority structures, prohibited zones, social oversight, to the role of women are integrated into the Pasang and Patuntung value system that is alive in the community. Customary law not only survives but evolves and inspires more humane, equitable, and sustainable conservation policies. The next section will summarize the findings and provide recommendations for strengthening the position of customary law in national environmental governance.

#### **4. Conclusion**

A study of Ammatoa customary law in the Kajang community shows that customary law functions not only as a regulator of social norms, but also as an ecological mechanism that has proven effective in preserving the environment. Values such as Pasang ri Kajang, kamase-mase, and Patuntung beliefs form a living law system, collectively enforced through the social and spiritual structures of the community. Customary prohibitions, forest zoning, social sanctions based on siri', and customary deliberations are concrete manifestations of conservation mechanisms that are implemented without direct involvement from state law. These findings confirm that customary law has the internal capacity to regulate the relationship between humans and nature in a sustainable manner. The success of the Kajang community in preserving the Ilalang Embayya customary forest for dozens of generations without state legal intervention shows that a community-based approach can be an alternative

in natural resource management. Customary law integrated with local cultural and spiritual values has proven to create high compliance and collective ecological awareness. In the context of sustainable development, customary laws such as those in Kajang can be strategic partners in formulating national conservation policies. Therefore, recognition of customary laws should not only be administrative in nature, but should also include strengthening customary institutions and recognizing the value systems that support them.

The central and regional governments need to open up more space for indigenous peoples to participate in the environmental policy-making process. Legal recognition of indigenous territories must be accompanied by institutional support, budgetary support, and legal protection for living indigenous practices. In addition, it is important for the state to avoid top-down approaches that often ignore local social structures. By making indigenous law an equal partner in environmental conservation, the state not only strengthens the conservation system but also realizes ecological and cultural justice for indigenous peoples. Researchers in the fields of law, anthropology, and the environment are encouraged to conduct more in-depth and interdisciplinary studies on customary law practices in various other communities in Indonesia. Ethnographic and participatory field research will be very helpful in describing the internal dynamics of indigenous communities that are not captured by normative approaches alone. In addition, studies on the role of the younger generation, the transformation of indigenous values in the digital age, and the role of women in indigenous structures can be important entry points in understanding the sustainability of customary law in the future.

## 5. References

- Abdullah, A., Fisher, M. R., & Sahide, M. A. K. (2024). Environmental Governance Challenges of Indigenous Forest Recognition: Climate Solution Ideal and Its Uneven Outcomes in Indonesia. *Forest and Society*, 8(2), 402–421. <https://doi.org/10.24259/fs.v8i2.34423>
- Afdal, A., Lambali, S., & Syahribulan, S. (2022). Innovation in the Implementation of Ammatoa Customary Regional Regulations on the Kajang Indigenous Community in Bulukumba Regency. *Proceedings of the 6th Batusangkar International Conference, BIC 2021, 11 - 12 October, 2021, Batusangkar-West Sumatra, Indonesia*. Proceedings of the 6th Batusangkar International Conference, BIC 2021, 11 - 12 October, 2021, Batusangkar-West Sumatra, Indonesia, Batusangkar, Indonesia. <https://doi.org/10.4108/eai.11-10-2021.2319639>
- Andalusia, Z. Z., & Kansil, C. S. (2023). The Existence of Silariang Customary Delik In The Customary Law of Kajang Kab. Bulukumba Against Indonesian Law. *Journal Research of Social, Science, Economics, and Management*, 2(07). <https://doi.org/10.36418/jrssem.v2i07.352>
- Arisnawawi, Paelongan, C., Tangibali, K. H., Payung, F. G., & Alfat, M. I. (2024). Pembentukan Karakter Bangsa melalui Integrasi Prinsip Ketuhanan dan Nilai- Nilai Adat dalam Pancasila. *Journal of Marginal Social Research*, 1(1), 34–42.
- Aspan, Z., & Irwansyah, I. (2023). Maintaining environmental sustainability based on traditional knowledge: Lesson from Kajang tribe. *Russian Law Journal*, 11(1), 69–74. <https://doi.org/10.52783/rlj.v11i1.349>
- Erawati, E., Lewa, I., & Thosibo, A. (2022). *Reflection of the Pasang Ri Kajang in Settlements Traditional Communities Kajang Bulukumba Regency: 9th Asbam International Conference (Archeology, History, & Culture In The Nature of Malay) (ASBAM 2021), Makassar, Indonesia*. <https://doi.org/10.2991/assehr.k.220408.005>

- Hasan, H., & Nur, H. (2019). Patuntung Sebagai Kepercayaan Masyarakat Kajang Dalam (Ilalang Embayya) Di Kabupaten Bulukumba. *Phinisi Integration Review*, 2(2), 185. <https://doi.org/10.26858/pir.v2i2.9981>
- Hutabarat, S. A., Judijanto, L., Rahim, E. I., Nuraeni, Y., Takdir, Zamrud, W. O., Citranu, Herman, & Yase, I. K. K. (2024). *Hukum Adat Indonesia (Sejarah dan Perkembangannya)*. PT. Sonpedia Publishing Indonesia.
- Ichwan, M., Reskiani, U., Indah, A. L., Fitri Makmur, A. N. A., & Djafar, E. M. (2021). Pasang ri Kajang: Tradisi Lisan Masyarakat Adat Ammatoa Suku Kajang dalam Pembentukan Karakter Konservasi. *Ideas: Jurnal Pendidikan, Sosial, Dan Budaya*, 7(4), 133. <https://doi.org/10.32884/ideas.v7i4.495>
- Jalal, J., Akhiruddin, A., Salemuddin, Muh. R., Iskandar, A. M., Sriwahyuni, S., & Kasim, H. (2024). Social Construction for Maintaining Local Wisdom: Study of Kajang Community, South Sulawesi, Indonesia. *JSW (Jurnal Sosiologi Walisongo)*, 8(1), 95–110. <https://doi.org/10.21580/jsw.2024.8.1.18839>
- Jayantiari, I. G. A. M. R., Arjawa, I. G. P. B. S., Rebeiro, L., & Paquita, J. A. (2024). Forming Legal Culture in Customary Forest Management: Local Wisdom Approach of Customary Law Communities. *Udayana Journal of Law and Culture*, 8(1), 67. <https://doi.org/10.24843/UJLC.2024.v08.i01.p04>
- Megawati, S., & Mahdiannur, M. A. (2021). Implementation of Forest Conservation Policies based on Local Wisdom of the Ammatoa Kajang Indigenous Community. *IOP Conference Series: Earth and Environmental Science*, 940(1), 012082. <https://doi.org/10.1088/1755-1315/940/1/012082>
- Meleong, L. J. (2018). *Metologi penelitian kualitatif* (Edisi revisi; Cet.38, Juli 2018). PT Remaja Rosdakarya.
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2014). *Qualitative data analysis: A methods sourcebook* (Third edition). SAGE Publications, Inc.
- Mubarok, A., Absori, Harun, & Sheela Jayabalan. (2023). The Relationship Of State Law And Customary Law: Reinforcement And Protection Of Customary Law In Constitutional Court Judgment. *Jurnal Jurisprudence*, 188–204. <https://doi.org/10.23917/jurisprudence.v13i2.2914>
- Muur, W. V. D., & Bedner, A. (2016). Traditional rule as “modern governance”: Recognising the Ammatoa Kajang adat law community. *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada*, 28(1), 149. <https://doi.org/10.22146/jmh.15871>
- Nur, R. (2024). Revitalisasi Hukum: Integrasi Kearifan Adat Ammatoa Suku Kajang dalam Pelestarian Lingkungan Hidup. *Pikukuh: Jurnal Hukum dan Kearifan Lokal*, 1(2), 99–111. <http://dx.doi.org/10.62870/pkh.v1i1.29192>
- Nurkhalis, N., Arief, H., & Sunarminto, T. (2018). Analisis Stakeholders Dalam Pengembangan Ekowisata di Hutan Adat Ammatoa Kajang Sulawesi Selatan. *Jurnal Pariwisata*, 5(2), 107–119. <https://doi.org/10.31311/par.v5i2.3811>
- Nurmala, Muh. Dassir, & Supratman. (2022). “Pasang”, Knowledge and Implementation of Local Wisdom in The Kajang Traditional Forest Area, South Sulawesi. *Pusaka : Journal of Tourism, Hospitality, Travel and Business Event*, 40–47. <https://doi.org/10.33649/pusaka.v4i1.151>



- Purnomo, V. D., Supeno, B. J., & Lisdiyono, E. (2024). The Role of Customary Law in the Development of National Law in the Modern Era. *Formosa Journal of Sustainable Research*, 3(10), 2143–2154. <https://doi.org/10.55927/fjsr.v3i10.11945>
- Sumbara, A. P. F. (2023). Legal Analysis of Communal Rights of Ammatoa Kajang Customary Law Community On Customary Forest In Bulukumba District. *Edunity Kajian Ilmu Sosial Dan Pendidikan*, 2(7), 822–833. <https://doi.org/10.57096/edunity.v2i7.114>
- Yulika, F., Dewi, S. F., Kasman, S., Fernando, H., Riski, W. N., Salleh, K. M., & . E. (2025). Customary Leadership and Ecological Preservation: Insights from the Kajang Indigenous Community, Indonesia. *Journal of Ecohumanism*, 4(1). <https://doi.org/10.62754/joe.v4i1.5660>
- Zed, M. (2008). *Metode Penelitian Kepustakaan*. Yayasan Pustaka Obor Indonesia.