

The existence of law for the protection of society Adat Karuhun Urang (AKUR) Sunda Wiwitan

Suhendar^{1*}, Yullianti Agustin², Tommy Saefurrohman³, Endang Sutrisno⁴, Moch. Sigit Gunawan⁵

^{1,2,3,4,5} Universitas Gunung Jati, Indonesia; bangdjali1@gmail.com (S.) yulliantiulit20@gmail.com (Y.A.)

Mitommy58@gmail.com (T.S.) endang.sutrisno@ugj.ac.id (E.S.) sigit.gunawan@ugj.ac.id (M.S.G.).

Abstract: Legal protection is fundamental in the concept of human rights. Because with legal protection, the fulfilment of other rights can only be realized optimally. Nevertheless, indigenous communities in Indonesia have yet to fully experience legal protection, as the state has not officially recognized their existence. This research addresses the legal framework for protecting the *Sunda Wiwitan* Indigenous *Karuhun Urang* (AKUR) community. The research employs a normative juridical approach, which relies on secondary data gathered through literature reviews. The goal is to examine whether there is legal recognition and protection for the AKUR community within existing regulatory frameworks. This research aims to find out legal protection of the recognition of the Sundanese *Wiwitan* Indigenous *Karuhun Urang* (AKUR) community and whether regulatory products concerning the existence of the *Sundanese Wiwitan* Indigenous *Karuhun Urang* (AKUR) community. From the above problems, it is concluded that the understanding of policymakers in formulating a model of protection and recognition of Indigenous Peoples is not yet comprehensive enough to answer the realities in the field and this is what makes policymakers unable to make a regulation related to the protection and recognition of indigenous peoples.

Keywords: *Indigenous peoples, Legal protection, Recognition.*

1. Introduction

Indigenous peoples today are confronted with a range of social challenges including poverty, uncertainty, conflict, stigma of backward entities, discriminatory treatment, and even often decriminalization for maintaining their traditional rights. This principle is embedded in Article 18B, paragraph (2) of the 1945 Constitution of Indonesia, which asserts that the state recognizes and respects the existence of customary law communities and their traditional rights, as long as they continue to exist and are in harmony with the state's values and principles, as stipulated by law (Burhanudin, 2021; Sari, 2020).

From a political science standpoint, recognition under Article 18B is an effort to prevent discrimination against specific individuals or groups, thereby ensuring equal access to civil rights for both the state and indigenous communities (Julranda et al., 2022).

Essentially, as supported by the *stufenbau* theory, which is incorporated into Article 7, paragraph (1) of Law Number 12/2011 on the Formation of Legislation, the provisions outlined in Article 18B form the foundation of all subsequent laws. These laws must fully reflect and integrate the core values established in this constitutional article. Although it has been regulated based on the constitution, namely in Article 18B of the 1945 Constitution of the Republic of Indonesia regarding the guarantee of customary rights, this is only limited to the level of value (*value*) not yet to its application. This condition occurs in the *Karuhun Urang Indigenous Community (AKUR) Sunda Wiwitan*, which has existed since 1885.

Indigenous communities are recognized in both national and international legal frameworks, yet debates and varying interpretations continue around the provisions concerning the respect, recognition,

and protection of their rights and responsibilities as Indonesian citizens. Indigenous peoples hold a broad range of rights that must be protected, including civil, economic, political, cultural rights, and social (Tumbel, 2020). Among the most essential rights for these communities are the traditional rights concerning the management of their customary lands and forests (Nugroho, 2022).

However, indigenous communities worldwide, including the Karuhun Urang (AKUR) Sunda Wiwitan community in Indonesia, face persistent challenges in securing legal recognition and protection. Despite constitutional guarantees, implementation often falls short due to unclear legal frameworks and inconsistent local government policies. The AKUR Sunda Wiwitan community, with roots dating back to 1885, exemplifies the struggle to balance traditional rights with modern legal systems, facing barriers such as inadequate recognition of customary land and governance systems. These challenges underscore the critical gap between constitutional principles and practical enforcement, necessitating a more inclusive legal framework to safeguard indigenous communities' rights and ensure their contribution to cultural preservation and sustainable development (Febrina & Amin, 2021; Syaputra & Nasution, 2020).

This contradiction reflects the broader issue of how positive law, with its emphasis on certainty, can ensure the fulfillment of moral values, particularly justice as upheld by society. The challenge lies in defining and implementing justice that aligns with both societal expectations and the fundamental principles of man-made law (positive law). Ideally, these values should harmonize to create a fair and balanced legal system (Sutrisno, 2007).

Field data reveals that the central issue concerns the existence of laws for the legal protection of the Sunda Wiwitan Indigenous Karuhun Urang (AKUR) community. This raises questions about the adequacy of current legal frameworks in addressing the needs and rights of indigenous peoples and their role in the broader socio-legal landscape.

2. Methods

This research employs a normative juridical method combined with a participatory approach. The normative juridical method examines the alignment between legal norms that evolve within society's social interactions and the legal norms outlined in statutory regulations (Sulaiman, 2018). It focuses on analyzing legal documents, such as the 1945 Constitution, laws, and regional policies, to evaluate the legal framework governing the recognition and protection of indigenous communities, particularly the Karuhun Urang (AKUR) Sunda Wiwitan community.

The participatory approach involves the active engagement of the public and relevant stakeholders in the legislative and legal implementation process. This approach was utilized to gather insights from community representatives, legal experts, and local government officials to assess the practical challenges faced by the AKUR Sunda Wiwitan community. This inclusion aims to address the gaps in laws that often overlook public participation and to clarify the discrepancies between legislative intent and on-the-ground realities.

Secondary data was collected through comprehensive literature reviews of statutory regulations, academic publications, and government reports. These data sources were analyzed using a qualitative content analysis method, focusing on identifying discrepancies between constitutional guarantees and their implementation. This approach enabled the study to propose recommendations for enhancing the legal framework for the recognition and protection of indigenous peoples.

3. Results and Discussion

3.1. Legal Existence for Legal Protection of Indigenous Peoples of Karuhun Urang (AKUR) Sunda Wiwitan

Customary law communities are organized groups of people, act as a unit, reside in a certain area, have freedom and independence over themselves, and have customary property in the form of tangible and intangible objects, so that it can then be stated that based on geography, one indigenous community unit can be different from other indigenous groups (Nasional, 2015). The distinctiveness of each indigenous community is the highest price of an identity built by the indigenous community itself, and in various authentic forms. For example, Dayak with the *Kanayatn* tradition and its form of burial in the

form of *Selokng*, or *Sunda Wiwitan* with the principle of *Undak Usuk* / *order* in the family (Farakhiyah & Irfan, 2019).

The Constitution of the Republic of Indonesia, as the highest legal authority, guarantees equal rights and treatment for all citizens (CahyaSupena, 2023). Article 27, paragraph (1), states that every citizen is equal before the law and government and must respect both. Article 28D, paragraph (1), ensures each individual's right to legal recognition, protection, and fair legal proceedings, guaranteeing equal treatment under the law (Nurdia et al., 2021). Similarly, Article 28I, paragraph (2), protects the right to be free from discrimination and provides safeguards against such treatment. Conceptually, the rights of indigenous peoples (Masyarakat Hukum Adat, or MHA) are also safeguarded by the constitution, particularly through provisions like Article 18B, paragraph (2), and Article 28I, paragraph (3). However, despite these constitutional protections, both central and local governments face significant challenges in fulfilling their juridical obligations to recognize and respect indigenous peoples. Increasingly, state policies related to public services reveal discriminatory practices towards these communities, who are often treated as a minority group. (Andhika, 2019)

Law No. 39/1999 on Human Rights guarantees non-discriminatory treatment as a fundamental aspect of human rights (Bapino, 2022). Article 3, paragraph (2) states that everyone has the right to recognition, protection, legal guarantees, fair treatment, legal certainty, and equal treatment under the law (Sulistiyowati & Aspan, 2021). Article 3, paragraph (3) also affirms that everyone is entitled to the protection of their human rights and fundamental freedoms without discrimination. Article 2, paragraph (2) of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief further clarifies that discrimination and intolerance based on religion involve any form of distinction, exclusion, or favoritism that hinders or reduces the recognition, enjoyment, or exercise of human rights and fundamental freedoms on an equal basis.

In Law Number 23 of 2014 concerning Regional Government, Article 58 states that "Regional Government Organizers, as referred to in Article 57, in carrying out Regional Government are guided by the principles of state governance consisting of legal certainty, orderly state administration, public interest, openness, proportionality, professionalism, accountability, efficiency, effectiveness, and justice". (Undang-Undang, 2014))

Presidential Regulation Number 18 of 2020 concerning the National Medium-Term Development Plan (RPJMN) for 2020-2024 also has an important agenda in building the cultural traditions of the people in Indonesia (Ulumuddin et al., 2024), especially in indigenous peoples, known as the mental revolution program which aims to build a culture that has priorities as an effort to increase progress and preserve culture by strengthening and strengthening the identity / identity of the Indonesian Nation and improving the welfare of the Indonesian people and can influence the direction of cultural development in the world. (Indonesia, 2020). In response, the Indonesian government implemented a policy aimed at revitalizing the culture of indigenous communities. This includes restoring cultural traditions, preserving indigenous wisdom, safeguarding cultural rights and expressions, and promoting more active and progressive recognition and protection of indigenous peoples. (Sartini, 2004)

The classification of indigenous peoples mentioned earlier acts as a legal basis, allowing authorities to protect and recognize the rights of specific indigenous groups. This is achieved through the issuance of a regent or mayor decree on the determination of Indigenous peoples, as outlined in the committee structure for recognizing and protecting Indigenous communities, in line with the Regulation of the Minister of Home Affairs of the Republic of Indonesia No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous Peoples. (Febrina et al., 2021)

However, these laws have not yet fully ensured the protection and recognition needed for the continuity and preservation of indigenous peoples in various regions. The absence of comprehensive legal instruments, such as government regulations and policies, has left indigenous peoples without adequate protection and recognition. Additionally, the lack of procedures and technical mechanisms for recognizing and respecting indigenous peoples has further hindered local governments from playing an effective role in safeguarding indigenous communities and their traditional rights.

From the definition above, it is evident that the Government has tried to accommodate indigenous peoples in Indonesia. However, in practice, numerous obstacles arise in the field, preventing the proper

implementation of these efforts (Muhlisin et al., 2017). Indigenous peoples in Indonesia are forced to accept all kinds of discriminatory treatment provided by the state. This has a prolonged impact on indigenous peoples. Often, the difficulties faced by Indigenous peoples impact various aspects, both in aspects of social life and aspects of state life.

The existence of indigenous peoples can be considered very strategic, and therefore, to improve their empowerment, it is necessary to conduct a national inventory. Although the Local Government Law has determined that the determination of living indigenous peoples is carried out by local governments. It does not seem appropriate to give this authority to regional governments without substantive guidelines that can be used as a comprehensive guide. If the survival of an indigenous community is completely left to regulations at the district and city levels without clear guidelines, there is certainly considerable risk. Without comprehensive substantive guidelines, discrimination against indigenous peoples could occur simply because of differences in interpretation by local governments. (Asshiddiqie, 2008)

Legally, the state has recognized the rights of indigenous peoples through Article 18B, paragraph (2) of the 1945 Constitution (UUD 1945) (Gemilang et al., 2023). This article affirms that the state explicitly acknowledges and respects the existence of indigenous peoples and their traditional rights as long as they remain relevant and in accordance with societal development and the principles of the Unitary State of the Republic of Indonesia, as defined by law.

This shows that the governance of customary law communities has been systematically and structurally managed, including the administrative registration of population data, affirming that the Sundanese Wiwitan customary law community continues to exist and sustain itself independently.

In addressing the second element, the traditional rights of the *Karuhun Sunda Wiwitan* indigenous people include equal access to employment, public administrative services, legal assistance, management of customary assets, and protection of customary lands. Finally, for the third element, it is evident that the traditional rights of the Sundanese Wiwitan indigenous people align with modern developments and the sovereignty of the Unitary State of Indonesia.

Legal recognition can be categorized into two types: *de jure* (official recognition) and *de facto* (unofficial recognition based on existing facts). For the *Sundanese Wiwitan* Indigenous *Karuhun Urang* (AKUR) community, *de jure* recognition must be implemented to preserve state sovereignty, affirming that the AKUR community remains an integral part of the state.

De jure recognition through regional autonomy tools, namely the Regent, also has functions to protect the rights of groups or customary law communities, namely as follows:

1. Protection of indigenous territories;
2. Protection as a legal subject;
3. The return of indigenous territories to be managed, utilized, and preserved in accordance with their customs;
4. Providing compensation for the loss of indigenous peoples' rights to manage their customary territories, granted with the approval of the central or local government under its authority;
5. Promoting the development and preservation of culture and local wisdom to maintain environmental functions.
6. Improved living standards of indigenous peoples;
7. Preservation of local community wisdom and traditional knowledge; and
8. Preservation of wealth and/or customary objects.

According to data obtained by the author from the Kuningan Regency Community and Village Empowerment Office (DPMD), the Kuningan Regency Government has actively created opportunities and provided support for the AKUR Sunda Wiwitan Customary Community in their efforts to gain recognition, protection, and the fulfillment of their rights as indigenous peoples. This has been achieved through the formation of the Kuningan AKUR Customary Law Community Determination Committee. The recognition of the Indigenous People of AKUR Sunda Wiwitan in Kuningan follows the provisions outlined in the Regulation of the Minister of Home Affairs No. 52 of 2014, which provides guidelines for recognizing and protecting Indigenous peoples. As per Article 5, paragraph (2) of this regulation, the

Karuhun Urang (AKUR) Sunda Wiwitan Indigenous community must fulfill several criteria to be officially recognized as a customary law community, including:

1. History of the *Masyarakat Hukum Adat* (Customary Law Community);
2. Indigenous territories;
3. Customary law;
4. Wealth and/or customary objects; and
5. Customary governance institutions/systems.

After undergoing the processes of determination, identification, validation, and verification, the Committee for the Determination of Customary Law Communities, as reported by the Regional Secretary of Kuningan Regency, concluded that the Sunda Wiwitan Customary Karuhun Urang (AKUR) community could not be recognized as a customary law community. This decision was made because the community needed to meet the criteria outlined in Article 5, paragraph (2) of the Minister of Home Affairs Regulation No. 52 of 2014, which provides the Guidelines for the Recognition and Protection of Indigenous Peoples.

According to data from the Kuningan Regency Community and Village Empowerment Office, the following elements prevented the fulfillment of the requirements specified in Article 5, paragraph (2) of the Minister of Home Affairs Regulation No. 52 of 2014:

1. History of the AKUR Sunda Wiwitan Community

The history of the Cigugur area is marked by various narratives, with different versions of the story regarding the origins and existence of the AKUR Sunda Wiwitan community. As a result, differing opinions persist about the community's historical background.

2. Customary Territory of the AKUR Sunda Wiwitan Community

There is no archaeological evidence that clearly illustrates the historical existence of the AKUR Sunda Wiwitan community's cultural ecosystem, or an ecological unity of customary territories and settlements, characterized by consistent structures and building materials.

3. Customary Law of the AKUR Sunda Wiwitan Community

The AKUR Sunda Wiwitan community has yet to clarify or describe the specific types, hierarchy, and positions of the norms or customary laws that govern the community's behavior and how these laws are applied in everyday life.

4. Property and/or Customary Objects of the AKUR Sunda Wiwitan Community

Regarding the assets owned by the AKUR Sunda Wiwitan community, particularly in terms of land, water, and natural resources, there is a lack of information or explanation about the community's use of cultivated land for communal purposes. The existence of these customary territories, along with the resources within defined boundaries, is crucial for sustaining the livelihoods of indigenous peoples across generations.

5. Institutionalization/Customary Governance System of the AKUR Sunda Wiwitan Community

The AKUR Sunda Wiwitan community has not provided details or descriptions of its institutional or governance system, including how economic, political, social, cultural, legal, and historical structures are organized or how these systems originated as part of an ancestral heritage passed down through generations.

The non-recognition of the *Sunda Wiwitan* Indigenous *Karuhun Urang* (AKUR) community, as stated in the Kuningan Regent Decree Number 189/3436/DPMD on the Existence of the *Sunda Wiwitan* AKUR Community addressed to P. Gumirat Barna Alam (*Pupuhu AKUR Sunda Wiwitan*), has a negative impact on the *Sunda Wiwitan* Indigenous *Karuhun Urang* (AKUR) community. One of them is that the rights to facilities and social security provided by the state are not maximized. The Indigenous People of Karuhun Urang (AKUR) Sunda Wiwitan have difficulties when registering their marriage at the Population and Civil Registration Office. This certainly violates the basic rights of indigenous believers as citizens. Article 28I paragraph (2) of the 1945 Constitution states that "every person is free from discriminatory treatment on any basis and entitled to protection against such discriminatory treatment".

Although the Kuningan Regency Government has not issued any formal regulations (*de jure*) regarding the protection and recognition of the Karuhun Urang (AKUR) Sunda Wiwitan indigenous people, *de facto* recognition has been extended. One significant step taken by the Kuningan Regency Government to recognize the Karuhun Urang (AKUR) Sunda Wiwitan community is the designation of Paseban Tri Panca Tunggal as a protected National Cultural Heritage. This site was officially recognized as a Cultural Heritage by the Ministry of Education and Culture on December 14, 1976, under decree No. 3632/C.1/DSP/1976.

The Kuningan Regency Government, as stated by Rio Anto Permana Saputra (Head of the Culture Division of the Kuningan Regency Education and Culture Office), that the Kuningan Regency Government through the Kuningan Regency Education and Culture Office has provided grant funds. The grant fund in question is a cultural grant, which the grant fund is only intended for the development and preservation of culture including the maintenance of the *Paseban Tri Panca Tunggal* cultural heritage site. The grant was given to the *Paseban Tri Panca Tunggal Foundation*. *Paseban Tri Panca Tunggal* Foundation was established on March 12, 2000. The foundation aims to preserve and develop the culture and traditions that exist in the *Paseban Tri Panca Tunggal* area, including art activities and traditional ceremonies related to the *Sunda Wiwitan* community in Cigugur, Kuningan.

In addition to the above, evidence of the support of the Kuningan Regency Government is the fulfillment of the rights of the *Sundanese Indigenous Karuhun Urang (AKUR)* community through programs from the *Sundanese Wiwitan Indigenous Karuhun Urang (AKUR)* community itself. The programs of the Indigenous *Karuhun Urang (AKUR) Sunda Wiwitan* community are as follows:

1. Economic empowerment (seren taun program)

Saren Taun Program This is an economic empowerment program designed to improve the welfare of indigenous communities through sustainable economic activities. The program usually has a specific timeframe, such as 1, 2, or 5 years, and aims to provide training as well as the necessary resources to increase community production and income.

2. Education and cultural preservation

- a. National Cultural Heritage Paseban Tri Panca Tunggal

The Government of the Republic of Indonesia made a formal determination of *Paseban Tri Panca Tunggal* as a national cultural heritage. This place was inaugurated by the government on December 14, 1976 with Decree No. 3632/C.1/DSP/1976 as a protected cultural heritage. The process included an evaluation of its cultural values, history, and social importance. This designation was made to preserve the buildings and traditions associated with the site.

Literally interpreted, *Paseban Tri Panca Tunggal* represents a place to unite the three wills: Cipta (creativity), Rasa (feeling), and Karsa (intention), which are expressed through one's behavior. These are then conveyed through the five senses—hearing, seeing, speaking, behaving, acting, and moving—as a way to draw closer to the Supreme Being.

- b. Atikan Park

The program is aimed at children aged 5–12 years, focusing on ethical education and ancestral values. Activities include teaching art, traditional music and other local arts.

- c. Surasa

It is an intergenerational gathering held every semester to discuss the core teachings of the ancestors. This activity involves participants from various levels of education, from junior high school to university, to ensure that cultural values are passed on to the younger generation.

- d. Traditional arts

The Sunda Wiwitan community is also active in teaching traditional arts such as Sudanese songs, karawitan, and angklung. This is done as part of an effort to instill cultural identity to the younger generation.

3.2. Protection of Customary Land

The Sunda Wiwitan community faces challenges related to the recognition and protection of their customary land. They are active in advocacy to protect land considered ancestral heritage and work to

stop land execution plans that are considered unfair. This reflects their efforts to defend the rights of indigenous peoples and preserve their culture.

In an effort to fulfill their obligations as Indonesian citizens, the *Sunda Wiwitan* Indigenous *Karuhun Urang* (AKUR) community also plays an active role in:

1. Comply with Laws and Regulations

The Sunda Wiwitan community has complied with the applicable laws and regulations in Indonesia, including regional regulations set by the Kuningan Regency government. This covers all aspects of the law, including customary law that may apply within their community.

2. Participate in Development

Masyarakat Adat *Karuhun Urang* (AKUR *Sunda Wiwitan*) has participated in development programs proposed by the government. This includes contributing to the economic, social and cultural development of their areas.

3. Respecting Cultural Diversity

As part of a pluralistic society, the Adat *Karuhun Urang* (AKUR) *Sunda Wiwitan* community always respects the different cultures, religions and beliefs that exist around them. This is important to maintain harmony and social harmony in a diverse society.

4. Environmental Preservation

Given the many customary values that prioritize nature conservation, the Sunda Wiwitan community has the responsibility and obligation to maintain and care for the surrounding environment, including forests and natural resources that are considered sacred.

5. Education and Personal Development

The Indigenous People of *Karuhun Urang* (AKUR) *Sunda Wiwitan* continue to develop themselves through education, both formal and informal, to improve their quality of life and knowledge. This includes educating the younger generation about cultural values and local wisdom.

The findings of this study highlight critical gaps in the recognition and protection of indigenous peoples, specifically the *Karuhun Urang* (AKUR) *Sunda Wiwitan* community, within Indonesia's legal framework. Practically, this research emphasizes the need for policymakers to develop more comprehensive guidelines and mechanisms to ensure the full implementation of Article 18B, paragraph (2) of the 1945 Constitution. These measures should include:

1. Improved Policy Frameworks: Local governments must establish clear and actionable policies to recognize and protect the rights of indigenous communities, such as the AKUR Sunda Wiwitan community. This includes issuing detailed regulations that address their unique cultural, legal, and territorial characteristics.
2. Community Engagement: Active participation of indigenous communities in the policymaking process is essential. This participatory approach can ensure that laws and regulations reflect the lived experiences and needs of indigenous peoples.
3. Capacity Building: Providing education and resources to local government officials to enhance their understanding of indigenous communities' traditional rights and the legal instruments available for their protection.
4. Cultural Preservation Programs: Supporting initiatives that safeguard indigenous cultural heritage, such as the Seren Taun program, through grants and formal recognition of cultural sites like Paseban Tri Panca Tunggal.

These implications offer actionable pathways to bridge the gap between constitutional principles and practical enforcement, ensuring that indigenous communities' rights are upheld and their contributions to cultural and environmental sustainability are recognized.

In summary, while the constitutional framework in Indonesia explicitly recognizes and respects the rights of indigenous communities, practical enforcement remains inconsistent. The case of the *Karuhun Urang* (AKUR) *Sunda Wiwitan* community underscores the urgency of addressing these gaps through inclusive, well-defined policies and mechanisms. By aligning legal recognition with actual practices, Indonesia can move closer to fulfilling its constitutional commitments and ensuring equitable treatment for all indigenous peoples. This study serves as a foundation for further research and policy development, aimed at fostering a more inclusive and just legal system for indigenous communities.

4. Conclusions

Legally (de jure), the Kuningan Regency Government has not enacted any formal regulations to recognize and protect the Sunda Wiwitan Indigenous Karuhun Urang (AKUR) community, as the community did not meet the criteria for recognition during the identification, verification, and validation processes, as stipulated in the Minister of Home Affairs Regulation No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous Peoples and based on the findings of the Committee for the Establishment of Customary Law Communities, the Regent of Kuningan concluded that the Adat Karuhun Urang (AKUR) Sunda Wiwitan Cigugur community could not be recognized as a customary law community. This was confirmed in the Kuningan Regent's determination letter Number 189/3436/DPMD. However, de facto, the Regional Government, particularly Kuningan Regency, has acknowledged the presence of the Sunda Wiwitan Indigenous Karuhun Urang (AKUR) community. This de facto recognition is evidenced by the continuation and support of activities such as the Seren Taun festival and other programs of the Sundanese Wiwitan Karuhun Urang (AKUR) community, facilitated by the Kuningan Regency Government.

Copyright:

© 2024 by the authors. This article is an open access article distributed under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>).

References

- [1] Andhika, M. B. S. (2019). Perlindungan Hukum Terhadap Hak Konstitusional Warga Negara Penganut Kepercayaan. *Syariat: Jurnal Studi Al-Qur'an Dan Hukum*, 5(02), 283–292.
- [2] Asshiddiqie, J. (2008). Towards a democratic rule of law. *General Secretariat and Registrar's Office, Constitutional Court*.
- [3] Bapino, S. R. (2022). Perlindungan Hak Asasi Mantan Narapidana Terhadap Stigma Negatif Masyarakat Ditinjau Dari UU No. 39 Tahun 1999 Tentang Hak Asasi Manusia. *Lex Administratum*, 10(5).
- [4] Burhanudin, A. A. (2021). Eksistensi Hukum Adat di Era Modernisasi. *Salimiya: Jurnal Studi Ilmu Keagamaan Islam*, 2(4), 96–113.
- [5] CahyaSupena, C. C. S. (2023). Tinjauan Tentang Konsep Negara Hukum Indonesia Pada Masa Sebelum Dan Sesudah Amandemen Undang-Undang Dasar Negara Republik Indonesia Tahun 1945. *Moderat: Jurnal Ilmiah Ilmu Pemerintahan*, 9(2), 372–388.
- [6] Farakhiyah, R., & Irfan, M. (2019). Eksistensi Masyarakat Adat Tergerus Oleh Kebutuhan Zaman. *Jurnal Kolaborasi Resolusi Konflik*, 1(1).
- [7] Febrina, R., & Amin, R. M. (2021). Collaborative Governance in Recognizing Customary Law Communities And Customary Communal Land Rights in Kampar Regency. *Journal of Governance and Public Policy*, 8(2), 124–139.
- [8] Indonesia, P. R. (2020). Peraturan Presiden Republik Indonesia nomor 18 tahun 2020 tentang rencana pembangunan jangka menengah nasional 2020-2024. *Jakarta.[Online] Available from: Https://Peraturan. Bpk. Go. Id/Home/Download/122195/Perpres Nomor, 18*.
- [9] Julranda, R., Siagian, M. G., & Zalukhu, M. A. P. (2022). Penerapan Hukum Progresif Sebagai Paradigma Pembangunan Hukum Nasional Dalam Rancangan Undang-Undang Masyarakat Hukum Adat. *Crepido*, 4(2), 171–183.
- [10] Muhlisin, M., Ulumi, H. F. B., & Humaeni, A. (2017). Kebijakan Pemerintah Daerah Dalam Perlindungan Masyarakat Adat Di Provinsi Banten: Studi Kasus Masyarakat Adat Baduy Dan Citorek. *Jurnal Kebijakan Pembangunan Daerah*, 1(1), 27–44.
- [11] Nasional, B. P. H. (2015). *Draft Laporan Pengkajian Hukum tentang Mekanisme Pengakuan Masyarakat Hukum Adat*. Jakarta: BPHN.
- [12] Nugroho, B. E. (2022). Perlindungan hak masyarakat adat dalam pemindahan ibukota negara. *JISIP UNJA (Jurnal Ilmu Sosial Ilmu Politik Universitas Jambi)*, 83–97.
- [13] Sari, N. L. A. (2020). Pengakuan Dan Perlindungan Hukum Terhadap Masyarakat Hukum Adat (Dalam Perspektif Negara Hukum). *Ganec Suara*, 14(1), 439–445.
- [14] Sartini, S. (2004). Menggali kearifan lokal Nusantara: Sebuah kajian filsafati. *Jurnal Filsafat*, 14(2), 111–120.
- [15] Sulaiman, S. (2018). Paradigma dalam Penelitian Hukum. *Kanun Jurnal Ilmu Hukum*, 20(2), 255–272.
- [16] Sulistyowati, T., & Aspan, Z. (2021). Assessing the Indonesian General Election 2019: Election and Human Rights Relations. *Proceedings of the 1st International Conference on Science and Technology in Administration and Management Information, ICSTLAMI 2019, 17-18 July 2019, Jakarta, Indonesia*.
- [17] Sutrisno, E. (2007). *Bunga rampai hukum & globalisasi*. Genta Press.
- [18] Syaputra, M. Y. A., & Nasution, M. (2020). Legal Protection of the Constitutional Rights of the Indigenous Faith Believers in Indonesia. *Pertanika Journal of Social Sciences & Humanities*, 28(2).
- [19] Tumbel, Z. (2020). Perlindungan Hukum Terhadap Hak-Hak Budaya Masyarakat Adat Dalam Perspektif Hukum Hak Asasi Manusia. *Lex Et Societatis*, 8(1).

- [20] Ulumuddin, I. K., Martin, A., Cholid, N., & Saefudin, A. (2024). Implementation of Religious Moderation at Wahid Hasyim University. *Islamic Review: Jurnal Riset Dan Kajian Keislaman*, 13(1), 109–124.
- [21] Undang-Undang, R. I. (2014). *Undang-Undang Nomor 23 Tahun 2014 tentang Pemerintahan Daerah*. Jakarta.