

THE URGENCY OF STRENGTHENING THE RIGHTS AND PARTICIPATION OF INDIGENOUS PEOPLES IN REALIZING SUSTAINABLE MANAGEMENT OF CUSTOMARY FORESTS

Annisa Indah Nuari & Sapto Hermawan

Faculty of Law, Universitas Sebelas Maret

Ir. Sutami Street No. 36, Kentingan, Jebres, Surakarta, Jawa Tengah 57126

E-mail: saptohermawan_fh@staff.uns.ac.id; Phone Number: +62-81328879988

Received: 25/07/2021; Reviewed: 09/12/2021; Accepted: 10/12/2021.

DOI: <https://doi.org/10.24815/kanun.v23i3.21881>

ABSTRACT

This article aims to analyze the urgency of strengthening the rights and participation of indigenous peoples in customary forest management in Indonesia. Law No. 41/1999 on Forestry, which is still centralized in nature, has limited the rights and roles of indigenous peoples in managing their customary forests. The regulation regarding customary forest in the Forestry Law is inconsistent with protecting ecosystem carrying capacity and democratic decentralization. This article was prepared using a normative legal research methodology in which a statutory and conceptual approach is used. Then, secondary sources of legal material were analyzed and qualified to be narrowed down to answer existing juridical problems. The results show that the rights and roles of indigenous peoples in managing their customary forests are still minimal. Customary forest management centered on the central government and prioritized a sectoral approach can have implications for exploitation that ignores the interests of conservation and sustainability of customary forest natural resources.

Key Words: indigenous peoples; customary forest; sustainable development.

INTRODUCTION

Article 18B of the 1945 Constitution serves as a guide in recognizing and a form of legal protection for the existence of indigenous peoples in Indonesia. Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia then guaranteed indigenous peoples' existence by providing conditional recognition. The acknowledgment is that indigenous peoples and their traditional rights are recognized and protected as legal subjects. Article 4 Paragraph 1 of Law No. 41/1999 on Forestry (hereafter Forestry Law) explains that all types of natural resources in Indonesia, including forests, will be directly controlled by the state as a whole. Article 4, paragraph

3 of the Forestry Law also emphasized that the control carried out by the state will recognize the existence of indigenous peoples.

Furthermore, article 1, Paragraph 6 of Forestry Law, states that the status of the customary forest is included in the category of state forest, which geographically is in the territory of indigenous peoples. This article limits indigenous peoples' rights in managing and controlling customary forests. Supposedly, indigenous peoples have a right to possess customary land rights. Therefore, a request was made to the Constitutional Court for a judicial review of Article 1 Paragraph 6 of Forestry Law to settle the dispute on the customary forest management. Through the Constitutional Court's decision No.35/PUU-X/2012, the Court finally decided that customary forests were no longer included in state forests. All circles undoubtedly welcomed this decision. However, in reality, this decision is still unrespected by some parties.

Strategically, indigenous peoples have a significant role in the environmental protection and management of the forestry sector. The rights to indigenous peoples' land are known as partnership rights over land, namely *beschikkingrecht* or customary rights and individual land rights. Nugroho mentions that, in reality, customary forests are a part of customary rights (Nugroho, 2014), and indigenous peoples have been declared as rights holders. Affirmation of the status of indigenous peoples as the holder of rights is critical, especially when viewed from the perspective of the history of agrarian politics. Since the Dutch East Indies colonial period, the criminalization of traditional people's access to land, forests, and forest products is one of the basics for forming state forest areas.

An example of this is the gold mining activity carried out in Cikotok in 1936. Under Japanese management, the Cikotok mine was exploited for war purposes. After World War II, the Cikotok mine suffered heavy damage (Cahyono, Mariana, Maimunah, 2016). Forest and land fires are not a new phenomenon in Indonesia; the country has a long history of forest and land fires (Eilenberg,

2021). Forest fires in Indonesia continue to pose as an alarming governmental, environmental, and societal concern (Purnomo, Ramdani, Agustiyara, Tomaro, & Samidjo, 2019).

Cases of usurpation of customary forest rights accompanied by forest destruction and conflicts continue today. For example, in the Kasepuhan Customary Forest, Gunung Liman Forest, Cibarani Village, Cirinten District, Lebak Regency, Banten Province, the customary forest was damaged by irresponsible people and left bare due to illegal gold mining activities. Another case is the case of PT. Toba Pulp Lestari (TPL), whose concession location intersects with the Pandumaan and Sipituhuta customary forests.

The condition of forest areas is currently experiencing alarming damage and cannot be rehabilitated and maintained correctly and has become a global problem. These problems can be seen in the many forest fires, illegal logging, and illegal mining cases. Therefore, it can be concluded that the current customary forest management fails to apply environmental sustainability principles (Cahyono, Mariana, Maimunah, et al., 2016). Nature and environment have become heavily emotional debates in Indonesian politics. For a developing country like Indonesia with great disparities of wealth, extensive poverty, and a large population to support, the way leaders, officials and entrepreneurs view Nature and environmental challenges can undermine appropriate policies for sustaining ecosystems and the quality of life amongst Indonesians (Zhang, & Savage, 2019).

Nevertheless, forest conservation carried out independently by the community or community groups is fascinating. Their effort is essential to guarantee environmental management that focuses on sustainability. Sustainable forest management must accommodate the dynamics of aspirations and participation of the community, customs, culture, and community values based on local and national legal norms so that their utilization is carried out as optimally as possible for the welfare of humankind. The participation of indigenous peoples includes securing access to natural resources and sustainably managing them. Currently, the role of indigenous peoples in customary forest management is still not maximized. The Pubabu customary forest dispute, which includes the

villages of Linamnutu, Mio, and Oe Ekam, is an example of the lack of consideration for community participation in decision-making on customary forest management (AMAN, 2020).

The conflict began with the Besipae indigenous community's reluctance to extend the lease-to-use land permit in the Pubabu forest area. This conflict started in 1982 when the Indonesian and Australian governments collaborated on cattle farming and fattening by borrowing the land of the Besipae indigenous people. In 2012 the Besipae indigenous people opposed extending the permit for the land because they believed that customary forest is needed to be returned to its original function as a conservation area known by the Besipae indigenous people as Nais Kio. Despite the rejection by the Besipae indigenous people, the Governor of NTT Viktor Laiskodat decided to extend the permit for the land (AMAN, 2020).

This article is an article developed from (Nugroho, 2014) which examines the constitutionality of the rights of indigenous peoples in managing customary forests; (Azwar et al., 2021) which examines the strategy of sustainable management of the customary forest management of Kenegerian Rumbio, Kampar Regency, Riau Province; and (Norsidi, 2019) which looks at the development strategy of indigenous forest management based on local wisdom in Lubuk Beringin Village. The distinctive feature of this article compared to those mentioned above is lies in the focus of the study. This article combines three components of the study: indigenous peoples' rights, the participation of indigenous peoples, and efforts to conserve natural resources and preserve the environment to realize sustainable customary forest management.

The participation of indigenous peoples in managing customary forests is limited to only the fulfillment of rights. Strengthening the rights of indigenous peoples must include encouragement of the indigenous peoples' participation. The involvement of indigenous peoples in managing customary forests is expected to increase sustainable customary forest management. This article will describe the rights of indigenous peoples in customary forest management and the concept of the participation of indigenous peoples in realizing sustainable customary forest management in

Indonesia. This writing aims to find out about the urgency of strengthening the rights of indigenous peoples in the direction of customary forests and conceptualizing the participation of indigenous peoples in realizing sustainable customary forest management.

RESEARCH METHODS

This article was compiled using a normative legal research methodology in which a statutory approach, a comparative approach, and a conceptual approach are used. This article uses secondary legal sources in books, articles, scientific publications, relevant national and international regulations, and several other legal materials that strongly correlate to writing this paper. The secondary legal materials are analyzed and qualified to answer the existing juridical problems. Data collection techniques are carried out using content analysis and comparative analysis methods, then linked to available data and eventually analyzed through deductive reasoning logic to answer the core of the problems studied.

DISCUSSIONS AND ANALYSIS OF RESULTS

1) The Urgency of Strengthening the Rights of Indigenous Peoples in Customary Forest Management

Indigenous peoples have been given a role to protect the forest that belongs to them, namely the customary forest. This role is confirmed in Government Regulation no. 45 of 2004 concerning Forest Protection, Article 8 paragraph (4). The rights of indigenous peoples in managing customary forests in Indonesia can be seen in Government Regulation of the Republic of Indonesia Number 23 of 2021 concerning Forestry Implementation. In point number 64, it is stated that social forestry is a sustainable forest management system implemented in state forest areas called private forests. Local communities or customary law communities carry out social forestry on the customary forest as the main actors to improve their welfare, environmental balance and socio-cultural dynamics.

Protection of forest areas by indigenous peoples is carried out based on traditional wisdom applicable within the indigenous peoples concerned with assistance from the government (Supriyadi, 2013). There are two types of land rights owned by indigenous peoples: individual rights and legal partnership rights. The community members have the right to take the products of wild plants and animals from the land of the indigenous peoples. In addition, they have the right to enter into certain legal relations with the land with all the things on it as objects (Salle, 2007).

Indigenous peoples always have a very close relationship with the land they occupy. Bushar Muhammad explains in his book entitled Principles of customary law that the relationship between the two (peoples and the land) stems from a magical religious view. Therefore it gives them the right to control the land and use the land they occupy. The execution of the rights to the land is by harvesting the land's product or hunting animals that live in the land area. Such rights are called customary rights or mastery rights. Van Vollenhoven termed the right to control this land with *beschikkingsrecht* (Muhammad, 1981).

These customary rights and other rights formulated in the Forestry Law and Constitutional Court's decision No.35/PUU-X/2012, it can be concluded that indigenous peoples have a significant right to control and manage their customary forest. However, it is unfortunate that the management and utilization of forests, especially customary forests, is now experiencing a shift in understanding. The relationship between indigenous peoples and customary forests is only interpreted with mere economic interests. This situation causes the centralized management of the customary forest (Sutaryono, 2008).

In reality, customary forests are part of customary rights. In customary rights, parts of the land are not forests, such as grazing fields, public graves, and lands owned individually to fulfill individual needs. However, individual rights are not absolute; their rights sometimes increase and decrease from time to time. If it gets decreases and disappears, it eventually becomes common

property. The relationship between individual rights and customary rights is flexible. Thus, the right to manage customary forests lies with the indigenous peoples.

Nevertheless, if the indigenous peoples cease to exist in the customary forest development, their management rights will fall to the government. Moreover, the limitation of customary rights is similar to individual rights limitation. In contrast, the state's authority reached the scope and power of customary rights (Nugroho, 2014). While recent changes have widened the legal space for indigenous (adat) rights within de jure 'state forests', the customary framing needs to fit community claims into the restricted, bureaucratised adat concept found in state laws and, in diverse rural contexts, may provide a limited vehicle for social mobilisation (Dhiaulhaq, & McCarthy, 2019).

The current management of customary forests is filled with conflicts caused by several things, such as 1. The problem of unclear boundaries between parties, 2. Customary violations by forest entrepreneurs, 3. The injustice of law enforcement officials in solving problems. 4. The life support for indigenous peoples and communities around the forest is destroyed due to the increasingly damaged and narrowed forest, 5. There has been no positive contribution from forest management to indigenous peoples and communities around the forest, 6. The company does not involve indigenous peoples and or communities around the forest in managing the existing forest. Customary violations by forestry and plantation companies also significantly added more problems, for example, (1) destroying traditional buildings used as places of worship, (2) clearing customary forests, (3) exploiting timber that is sacred or should not be cut down (Intip Hutan, 2003).

Using forests solely focused on profit interest has caused indigenous peoples to be increasingly marginalized and left behind. The fact that investors and large companies still dare to usurp customary forest areas belonging to indigenous peoples to be used unilaterally for their economic interests is proof that indigenous peoples' have limited access to the management and utilization of their customary forest products. The government must be more serious and focus on solving these problems since all indigenous peoples are citizens whose rights must be protected and be cared for.

This article will show several cases of violations of the rights of indigenous peoples in the management of customary forests in Indonesia. These cases are taken from the National Human Rights Commission of the Republic of Indonesia, quoted from a book (Eko Cahyono, Ana Mariana, Siti Maimunah, et al., 2016). The data shows that cases of violation and neglect of indigenous peoples' rights in customary forest management in Indonesia have occurred not only in one particular area but also widely spread across Indonesia. This article will show these cases in a table as follows:

Table 1. Examples of Conflicts Between Indigenous Peoples and Companies

No	Location (Island)	Brief Description of Conflict
1	Sumatra	The conflict between the Pandumaan and Sipituhuta Indigenous Peoples and TPL ltd was begun when PT. TPL started logging indiscriminately on frankincense trees in the customary forest.
2	Java	The conflict between the Kasepuhan Customary Law Community and PT. ARI (Antam Resourceindo). It started when the Cisituh community began to be restricted from managing gold mines in their customary forest, followed by the arrest of several Cisituh residents.
3	Kalimantan	It started when six companies blocked Muara Tae Village without the approval of the Muara Tae indigenous people. Many people lost their land because it was controlled by the company utilizing fraud to intimidation and violence.
4	Sulawesi	The conflict between PT Vale Indonesia Tbk and the To Karunsi'e Indigenous Peoples started after PT Vale Indonesia Tbk committed many violations that have caused the To Karunsi'e Indigenous People to lose their sources of livelihood.
5	Maluku	It started when PT Menara Group, which has 28 subsidiaries, started its business on Aru's customary land without the knowledge of the Aruese indigenous people. The concession area of the PT Menara Group Consortium controls approximately 90 villages in the Aru Islands Regency.
6	Papua	The logging company PT Kurnia Tama Sejahtera (KTS) operates

without an agreement with the community in Sararti Village. The company leadership explained that the company would not cut logs in the Mairasi Tribe's customary area. Still, in practice, the company violated logging and ignored the community's rights.

The cases mentioned above are examples of the many conflicts over customary forests. Indirectly, the rights of indigenous peoples to the management of their customary forests appear to be weakened. As the highest authority holder, the government should provide clarity and strengthen the rights of indigenous peoples to customary forests. As is the case in the Philippines, the large number of indigenous peoples has prompted the birth of the Comprehensive Agrarian Reform Program (CARP). The National Commission on Indigenous People (NCIP) is one department that handles CARP, and it has the authority to regulate granting rights to indigenous peoples' lands.

The Philippines and Indonesia have a similar understanding of the "state land" doctrine, where the state controls all the land. With this doctrine, the government can encourage more equitable ownership and control over agricultural resources in the Philippines through CARP. Smallholders are subject to land recipients from CARP, either through private property rights or communally. Each has a full land ownership or control limit of 5 ha per individual, and the land resulting from redistribution may not be sold to other parties for ten years. Indonesia should adopt this policy to provide clarity and strengthen the rights of indigenous peoples to the management of their customary forests (Sekretariat Nasional KPA, 2016).

2) Participation of Indigenous Peoples in Efforts to Realize Sustainable Management of Customary Forests

For Indonesia, forests are the most critical natural resource and at the same time function as a source of species and genetic diversity, as well as carbon storage and climate stabilizer in the world. For locals, the presence of forests ensures the availability of clean water supplies, maintains soil

fertility, and can be used for community livelihoods. Forests are also the foundation of a rich forestry culture for the communities in and around the forest (Simon, 2000). In its development, the concept of forest management for the people implies that forestry development must be directed at the development of local communities, including, in this case, indigenous peoples. The aim is to improve the standard of living of the rural population living around the forest by involving them in decision-making processes and various forest management activities according to the actual situation of the community (Awang, 2005).

Since 1998, the year that marked the end of over three decades of Soeharto's socalled 'New Order' era, social movement activists have urged the government to recognise the rights of indigenous communities (officially termed *masyarakat hukum adat*, or 'customary law communities')³ to control their lands within the areas designated as 'state forests'. The legal basis for the implementation of the customary forest scheme has existed since the time of the previous government. The scheme was stipulated in Article 5 of the National Forest Law no 41/1999. In 2013, the Constitutional Court ruled in favour of the Alliance of the Indigenous Peoples of Indonesia's Archipelago (AMAN) and their demand for the state's recognition of the indigenous communities' land rights within the state forest zone (Afiff, & Rachman, 2019).

The involvement of local communities in forest management can be seen from forest management in Latin America. A case study shows that forest management in Brazil, Bolivia, Guatemala, Nicaragua, Honduras, and Costa Rica is concentrated with a decentralized style. On the one hand, it provides new opportunities for indigenous peoples or local communities around the forest, farmers, and local environmental care communities to protect the forest and prevent hostile actions from certain elements that could potentially cause damage to the forest area of the local community. On the other hand, decentralization has created a gap for the central government and parties who do not support forest conservation issues, sustainable forest management, and the recognition of indigenous peoples' rights. Unfortunately, the central government sees local

communities as competitors (Aguilar, 2003). There is also broad consensus among governments in countries like Australia that they are an effective policy lever and have thus been implemented by Local (Denny-Smith, Williams, & Loosemore, 2020).

Many rationales have been suggested for engaging stakeholders and the public in decision making. Here, we refer to all justifications, desired benefits, and purposes of public participation as goals (Bidwell, & Schweizer, n.d.). Public administrators' perceptions, beliefs, and behaviors are a critical influential factor in increasing engagement. The bureaucratic attitudes and behaviors that support engagement, as measured in the studies reviewed, include, responsiveness (Schafer, 2019). Implicit in the notion of the commons, and distinguishing them from open access resources is the idea that such sharing involves cooperation as well as competition if they are to be managed sustainably and equitably (Hirsch, 2020).

Indigenous peoples have a stronger motivation to access forest management than other parties because it involves the sustainability of their lives. They also have a grassroots understanding of maintaining and utilizing forest resources in their habitat and customary laws to punish any customary violation. They have customary institutions that regulate harmonious interactions between them and their forest ecosystems. Some indigenous peoples already have organizations and networks to build solidarity among indigenous and tribal communities and organize political and technical support from outside parties (Arief, 1994).

The participation of indigenous peoples in customary forest management is needed to maintain the balance of ecosystems and the quality of natural resources in the environment around customary forests. Local wisdom possessed by indigenous peoples can support efforts to preserve the environment sustainably. The local wisdom of the Sunda Baduy community can be used as evidence of this statement. The Sunda Baduy community is a name given to the Sundanese people secluded from the crowds in Kanekes Village, Leuwidamar District, Lebak Regency, Banten Province. In 1984, Perum Perhutani conducted a boundary demarcation for the Baduy area known

as the Baduy Forest. The Baduy community has a structure of customary law that is submissive and obedient to the highest leadership of the customary government and religious leaders. The system of customary law structures in the Baduy community village plays an essential role in protecting all citizens, both in the social field and in managing their natural environment (Permana, 2006).

Customs in the Baduy tribe have regulated the preservation of nature as a support for life. They can realize human intimacy with nature to coexist sustainably so that the environment itself can provide abundant fertility for their natural sources. These customary rules regulate the relationship between the Baduy community and their God, the Baduy community itself, the Baduy community and outsiders, and the Baduy community and its natural environment. In general, the Baduy customary rules are divided into regulations regarding agricultural land management and forest land conservation in managing the environment. Therefore, every activity is always followed by traditional ceremonies. A Religious-traditional ceremony cannot be separated from the life of the Baduy community because these religious ceremonies have a specific purpose: to implement and introduce customary rules, namely to protect their protected forest from various disturbances. The traditional ceremonies of the Baduy community consist of religious ceremonies, cultivation ceremonies, and ceremonies related to the life cycle (Permana, 2006).

Actually, in managing the customary forest, indigenous peoples have been involved. However, in practice, the participation of indigenous peoples is only seen as unimportant involvement. Non-governmental organizations have also been engaged as partners in assisting indigenous peoples' managing of customary forests. However, indigenous peoples tend to become objects of government policy by joining them in farmer groups, and this top-down pattern is still running today. The participation of indigenous peoples in managing customary forests does not run optimally because indigenous peoples were never involved in early management discussions. Many stakeholders have cooperated to tackle this problem; however, there is no good coordination

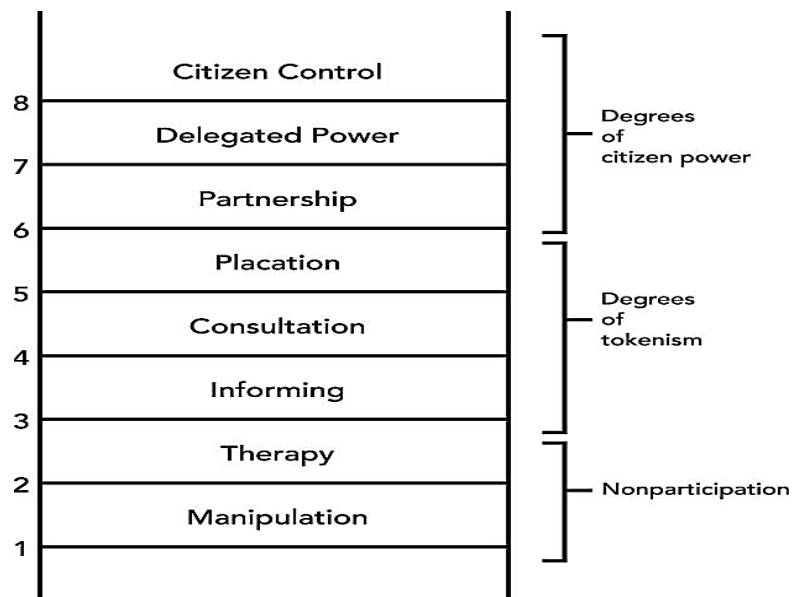
between who and what roles, participation, and action, and that what is cause conflict and eventually hamper customary forest management programs (Salampessy, 2017).

An example of the participation of the Pasir Eurih indigenous community in forest management can be seen from the Gunung Bongkok Customary Forest management. However, practically, some forms of deviation are still found in the development of customary forest management institutions. These deviations are as follows: first, the institutions that have been formed are intended to be a forum for distributing aid and making it easier to control program implementation, but they do not contribute to increasing primary social capital for the community. For example, the institution tends to dissolve after the executor leaves. Second, institutional development, which tends to be weak from the cultural aspect, always uses a structural route. For example, the organizational structure was built first but not followed by developing its cultural elements (vision, motivation, enthusiasm, management, and others). Third, Institutionalism is more through material culture than non-material or is a materialistic change (Rushestiana, 2019).

Indigenous peoples know how to maintain and utilize forest resources around them from generation to generation. The role of indigenous peoples in managing customary forest resources is vital in maintaining the continuity of forest functions (Rushestiana, 2019). The concept of the participation of indigenous peoples in customary forest management can provide benefits to the community, among others: increasing community access and control over forest resources, educating residents about their rights to forests, protecting community forest access, creating a supportive environment for business development and forest conservation, and increasing the distribution of forest benefits to the community (Albornoz, 2007).

Community involvement in the participatory process can be explained by the different levels of power distribution between the community and government agencies. Furthermore, Arnstein proposed a participation strategy with eight steps, as shown below (Arnstein S. R, 1996).

Figure 1. Arnstein Ladder of Participation



The illegal confiscation of customary forests from indigenous peoples and the existence of arbitrary management from investors or companies shows that the level of participation of indigenous peoples is still undermined and unclear. According to Arnstein Ladder, the indigenous peoples' level of involvement can be described on the third, fourth, and fifth steps, categorized as degrees of tokenism where people can express their opinions and be heard. They cannot guarantee that decision-makers will consider their view at that level. Participation at this level has very little chance of bringing about change in society. It has put the position of "legs and hands" in a social structure because the poor always lose votes and will later be "pacified" by the power holders. Therefore, the government should clarify the position of indigenous peoples' participation (Arnstein, 1996).

Tokenism is when policies are made as superficial efforts (shallow on the surface) or symbolic actions in achieving a goal. The level of tokenism is a level where the community participation looks high, but in fact, all policies remain entirely in the hands of the authorities or government. It is shown that when there is a conflict between the indigenous peoples and the company that manages their customary forest, the company always has the upper hand. Community

participation seems to be only used as an element of formality. Therefore, it is necessary to increase the community's involvement to a higher level, namely the level of degrees of citizen power, so that indigenous peoples as holders of customary forest land rights can be recognized for their customary rights.

CONCLUSIONS

Through the Constitutional Court Decision No.35/PUU-X/2012, the government has provided a new definition of customary forest. It is a form of the Indonesian government's recognition of the customary rights of indigenous peoples to customary forests. However, conflicts that occur in customary forest management still happen. It shows that the rights of indigenous peoples in managing customary forests in Indonesia are still relatively weak. By looking at the policies made by the Philippine government towards the recognition of the rights of indigenous peoples to their customary lands, Indonesia is expected to adopt this principle as an effort to strengthen the rights of indigenous peoples in customary forest management.

The level of participation of indigenous peoples in managing customary forests in Indonesia is still classified at a not optimal level. It can be illustrated in the many cases of forced and overreaching customary forest tenure. The participation of indigenous peoples needs to be increased to maintain, supervise, and directly evaluate all activities carried out in these customary forests. The maximum participation of indigenous peoples will impact preserving customary forest natural resources used sustainably.

REFERENCES

Books

Aguilar, A. et all. (2003). *Municipal Forest Management in Latin America, Bogor, Indonesia: CIFOR, IDRC.*

- Albornoz, et all. (2007). *Menuju Kesejahteraan dalam Masyarakat Hutan: Buku Panduan untuk Pemerintah Daerah*. Cifor.
- AMAN. (2020). Resiliensi Masyarakat Adat di Tengah Pandemi Covid - 19 : Agresi Pembangunan dan Krisis Hak Asasi Manusia (HAM). In *Catatan Akhir Tahun 2020 Aliansi Masyarakat Adat Nusantara*. Aliansi Masyarakat Adat Nusantara.
- Arief. (1994). *Hutan: Hakikat dan Pengaruhnya terhadap Lingkungan*. Yayasan Obor Indonesia.
- Awang, S. A. (2005). *Petani, Ekonomi, dan Konservasi Aspek Penelitian dan Gagasan*. Debut Press.
- Cahyono, E. Mariana, A. Maimunah, S. M., Erwas, Yesua Y.D.K Pellokila, Winna Khairina, S., Siagian, Nani Saptariyani, Nurhaya J.Panga, E., & Cahyadi, N. R. (2016). *Konflik Agraria Masyarakat Hukum Adat atas Wilayahnya di Kawasan Hutan (Pertama)*. Indonesia, Komisi Nasional Hak Asasi Manusia Republik.
- Intip Hutan. (2003). *Konflik Antara Masyarakat Sekitar Hutan, Masyarakat Adat, dan Perusahaan Pengusahaan Hutan (Studi Kasus di Propinsi Kalimantan Tengah)*.
- Muhammad, B. (1981). *Pokok-Pokok Hukum Adat*. PT Pradnya Paramita.
- Simon, H. (2000). *Pengantar Ilmu Kehutanan*. Yayasan Pembina Kehutanan UGM.
- Sutaryono. (2008). *Pemberdayaan Setengah Hati (sub ordinasi masyarakat dalam pengelolaan hutan)*. Laperapustaka utama dan STPN.

Journals

- Afiff, S. A., & Rachman, N. F. (2019). Institutional Activism: Seeking Customary Forest Rights Recognition from Within the Indonesian State. *The Asia Pacific Journal of Anthropology*.
- Arnstein S. R. (1996). A Ladder of Citizen Participation. *AIP Journal*.
- Azwar, B., Roza, D., Thamrin, H., & Elfiandri, E. (2021). Strategi keberlanjutan pengelolaan hutan larangan adat Kenegerian Rumbio Kabupaten Kampar Propinsi Riau. *Dinamika Lingkungan*

Indonesia, 8(1), 57. <https://doi.org/10.31258/dli.8.1.p.57-64>

Bidwell, D., & Schweizer, P. (n.d.). (2020). Public Values and Goals for Public Participation. *Environmental Policy and Governance Journal*.

Denny-Smith, G., Williams, M., & Loosemore, M. (2020). Assessing The Impact Of Social Procurement Policies For Indigenous People. *Construction Management and Economics Journal*.

Dhiaulhaq, A., & McCarthy, J. F. (2019). Indigenous Rights and Agrarian Justice Framings in Forest Land Conflicts in Indonesia. *The Asia Pacific Journal of Anthropology*.

Eilenberg, M. (2021). The Last Enclosure: Smoke, Fire And Crisis On The Indonesian Forest Frontier. *The Journal of Peasant Studies*.

Hirsch, P. (2020). Scaling The Environmental Commons: Broadening Our Frame Of Reference For Transboundary Governance In Southeast Asia. *Asia Pacific Viewpoint*, 61(2).

Norsidi. (2019). Strategi pengembangan pengelolaan hutan adat berbasis kearifan lokal di desa lubuk beringin. *Sosial Horizon: Jurnal Pendidikan Sosial*, 6(1), 38–52.

Nugroho, W. (2014). Konstitusionalitas Hak Masyarakat Hukum Adat Dalam Mengelola Hutan Adat: Fakta Empiris Legalisasi Perizinan. *Jurnal Konstitusi*, 11(1), 109–129.

Purnomo, E. P., Ramdani, R., Agustiyara, Tomaro, Q. P. V., & Samidjo, G. S. (2019). Land Ownership Transformation Before And After Forest Fires In Indonesian Palm Oil Plantation Areas. *Journal of Land Use Science*.

Rushestiana, P. et all. (2019). Kelembagaan Masyarakat Dalam Pengelolaan Hutan Adat (Studi Kasus di Kasepuhan Pasir Eurih, Desa Sindanglaya, Kecamatan Sobang, Kabupaten Lebak, Provinsi Banten. *Jurnal Belantara [JBL]*, 2(1), 62–69.

Salampessy. (2017). Potensi Kelembagaan Lokal dalam Pengelolaan Daerah Aliran Sungai (Studi Kasus di Desa Cemplang, sub Das Ciaten Hulu Timur DAS Cisadane). *Jurnal Hutan Tropis*, 5(2), 113–119.

Schafer, J. G. (2019). A Systematic Review Of The Public Administration Literature To Identify How To Increase Public Engagement And Participation With Local Governance. *Journal of Public Affairs*.

Zhang, J. J., & Savage, V. R. (2019). Southeast Asia's Transboundary Haze Pollution: Unravelling The Inconvenient Truth. *Asia Pacific Viewpoint*.

Publications

Permana, C. E. (2006). *Tata Ruang Masyarakat Baduy*. Wedatama Widya Sastra.

Intip Hutan. (2003). *Konflik Antara Masyarakat Sekitar Hutan, Masyarakat Adat, dan Perusahaan Pengusahaan Hutan (Studi Kasus di Propinsi Kalimantan Tengah)*.

Internet Resources

Sekretariat Nasional KPA. (2016). "Pembelajaran Reforma Agraria dari Filipina (Bagian-1)", http://kpa.or.id/media/baca/kegiatan/354/Pembelajaran_Reforma_Agraria_dari_Filipina_Bagian-1, accessed 23 Juli 2021.