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GOVERNANCE CHALLENGES AND OPPORTUNITIES: THE ROLE OF THE MUKIM INSTITUTION IN CUSTOMARY FOREST MANAGEMENT IN ACEH PROVINCE, INDONESIA

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ABSTRACT

The role of the Mukim institution, as a unique customary body under the Aceh special autonomy system, in managing customary forests has been a subject of debate. The limitations and challenges faced by Mukim in fulfilling its responsibilities, particularly in light of contemporary environmental and legal pressures, remain unclear. This study employs a doctrinal-empirical investigation, utilizing a literature review and interviews with respondents and informants. The empirical research was conducted in Mukim Lampanah, Seulimeum District, and Mukim Blang Mee, Lhoong District, both situated in Aceh Besar Regency. The findings indicate that the Mukim holds a position of authority in the governance of customary forests, playing a crucial role in the management and oversight of natural resources within their designated territories. They possess the authority to designate customary forests. However, their capacity to meet these responsibilities is hampered by a lack of personnel within the Mukim institution and limited engagement from local administrations, particularly in terms of policy support and collaborative forest management efforts. Additionally, their efforts often conflict with national forestry management policies. To enhance the effectiveness and sustainability of forest management, it is essential to establish stronger collaboration and coordination mechanisms between the Mukim and government forestry agencies. This would facilitate better alignment of policies and improve overall forest governance.

Keyword: Role of Mukim; Customary; Forest Control; Customary Forest; Aceh Besar Agency, Indonesia.

INTRODUCTION

Humans are the primary subjects of customary law, meaning they are the ones governed by and responsible for upholding these traditional legal systems[1].Customary law typically applies to communities that have their own established customs, rules, and governance structures, particularly those living in defined territories with natural resources and property rights[2]. As a result, human dependence on the environment to meet their needs is innate. There is a legal connection between communities regulated by customary law and land rights. Customary forests that are subject to local customs and wisdom, which can be seen in the form of historical artifacts and customary practices[3].

In the customary law system, land rights can be classified into two distinct categories: those that are governed collectively by a community of customary law practitioners and are legally referred to as "customary rights"; and those that are governed individually[4]. Abdurrahman[5] defines customary rights as the privileges accorded to communities governed by customary law with respect to all natural resources located within the territories of their respective customary law communities. As a result, customary rights extend to water and its various natural resources, as well as any additional resources of the land. In order to keep social balance within a community, provides the definition of customs as antiquated rules or regulations established by human beings that dictate conduct, expression, and behaviour.[6] Land rights are recognised as customary rights that meet specific criteria, as defined in Article 3 of the UUPA. Land rights are recognised as customary rights on the condition that their implementation

[1] Faez Syahroni et al., "Sustainable Management of Mukim Customary Forests In Aceh Jaya District: An Analysis Of The Role Of Imuem Mukim," Jurnal Ilmu Administrasi Publik 12, no. 2 (2024): 179–90, https://journal.ummat.ac.id/index.php/JIAP/article/view/26088.
[2] Chairul Fahmi and Muhammad Siddiq Armia, "Protecting Indigenous Collective Land Property in Indonesia under International Human Rights Norms," *Journal of Southeast Asian Human Rights* 6, no. 1 (June 30, 2022): 1–25, https://doi.org/10.19184/jseahr.v6i1.30242.
[3] (Asrul 2023)
[4] Ilyas Ismail, "Kedudukan Dan Pengakuan Hak Ulayat Dalam Sistem Hukum Agraria Nasional," *Kanun Jurnal Ilmu Hukum* 12, no. 1 (2010): 49–66, https://jurnal.usk.ac.id/kanun/article/view/6287.
[5] Alif Abdurrahman, "Konsistensi Penerapan UU No. 5 Tahun 1960 Terkait Dengan Hak Milik Atas Tanah Bagi WNI Non Pribumi Di Yogyakarta.," *Gema Keadilan* 6, no. 2 (August 19, 2019): 170–83, https://doi.org/10.14710/gk.2019.5627.
[6] Teuku Muttaqin Mansur et al., "A Study of Mukim Customary Forests Recognition in Pidie Regency, Aceh Province, Indonesia," Kanun Jurnal Ilmu Hukum 25, no. 2 (2023): 238–50, https://jurnal.usk.ac.id/kanun/article/view/31670.

remains ongoing and that its enforcement reflects the national interest without contravening legal requirements[7]

At the beginning of independence, the 1945 Constitution recognized the existence of *gampong*, *mukim*, and customary institutions. However, Law No. 5 of 1979, which established villages (*desa*) and urban villages (*kelurahan*) as the lowest administrative units, legally weakened the role of *mukim*. To preserve *mukim*, the Aceh Government issued Qanun Aceh No. 5 of 1996, reaffirming *mukim* as a unit of customary law community.

Accordance with this regulation, the Mukim Government was closely implemented in every aspect of Aceh[8] Mukim was formally established in accordance with these rules and regulations; its position is subject to that of the subdistrict leader, who is responsible with governing several village leaders as known *Keuchik Gampong*.[9]

In Law No. 44 of 1999 concerning on the Implementation of Rights in the Province of Aceh, the implementation of rights is specified. The provisions of education, the enforcement of religious and traditional practices, and the participation of academics in the formulation of regional policies are all outlined in this legislation. Based on the rules mentioned earlier, it is clear that it has strengthened the influence of customary institutions, including Mukim customary institutions. Syahbandir[10] reports that the incidence of Mukim substantially intensified subsequent to the adoption of Law Number 11 of 2006 concerning the Aceh Government.The term "Mukim," as defined in Article 1, number 9 of the UUPA, refers to a legally recognised community organisation led by the Imeum Mukim and operating directly within the subdistrict. The continued operation of the Qanun of Nanggroe Aceh Darussalam Province No. 4 of 2003 concerning the Mukim Government was carried out in respect to the Law on the Government of Aceh. Regarding

[7] Dewi Sulistianingsih and Raden Muhammad Arvy Ilyasa, "The Impact of Trips Agreement on the Development of Intellectual Property Laws in Indonesia," *Indonesia Private Law Review* 3, no. 2 (December 14, 2022): 77–88, https://doi.org/10.25041/iplr.v3i2.2579; Anthea-lee September Van Huffel, "State Regulation and Misconstructions of Customary Land Tenure in South Africa," *African Human Rights Law Journal* 24, no. 1 (August 15, 2024): 58–76, https://doi.org/10.17159/1996-2096/2024/v24n1a3.
[8] Ridwan Nurdin et al., "The Role of Customary Leaders as Ḥakam in Resolving Divorce: A Case Study in Kuta Alam Subdistrict, Banda Aceh City," *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (December 30, 2023): 430–43, https://doi.org/10.22373/ujhk.v6i2.12710.
[9] Alfian, *Segi-Segi Sosial Budaya Masyarakat Aceh* (Jakarta: Lembaga Penelitian, Pendidikan, dan Penerangan Ekononi dan Sosial, 1977).
[10] Mahdi syahbandir, "Sejarah Pemerintahan Imeum Mukim Di Aceh," Kanun Jurnal Ilmu Hukum 16, no. 1 (2014): 1–17, https://jurnal.usk.ac.id/kanun/article/view/6014.

the Mukim Government, it was subsequently affirmed in Qanun No. 8 of 2009 of Aceh Besar Regency. In the context of traditional establishments, Aceh Qanun No. 10 of 2008 and Aceh Qanun No. 3 of 2009 pertain to the processes of appointment and removal of imum mukim in Aceh. Qanun's involvement in Aceh strengthened Mukim's position. Mukim, as defined in Article 1, Number 4 of the Qanun of Nanggroe Aceh Darussalam Province No. 4 of 2003 concerning the Mukim Government, refers to the customary law government in Nanggroe Aceh Darussalam province. It is governed by an Imeum Mukim or another designated name and is comprised of a number of villages, each of which possesses its own personal wealth and is directly subordinate to the Mukim or another designated name. The Aceh Indigenous Community Network (JKMA ACEH) provided assistance to Mukim Blang Mee and Mukim Lampanah in Lhoong District and Seulimeum District, respectively, in their 2018 appeal for guidance to the Ministry of Environment and Forestry of the Republic of Indonesia regarding the acknowledgment of Mukim's traditional forest status[11]. Despite the Aceh Indigenous Peoples Network's (JKMA) response to Mukim's appeal with a proposition, the Government has yet to recognise Mukim's traditional forest tenure. The obtaining of communal rights to forest regions is the responsibility of the Mukim indigenous communities, which is the Aceh Indigenous Community Network[12].

Article 12, paragraph 1 of Aceh Besar Regent Regulation Number 17 of 2022 on Procedures for Structuring Mukim Customary Areas and Mukim Assets in Aceh Besar Regency defines "Mukim assets" as "real and non-material assets," which is consistent with the previously mentioned viewpoint. As stipulated in clause (1), physical richness consists of natural resources, such as forests, that are presently or potentially under the dominion of Mukim (section 2). The third section defines the process by which Mukim's property is registered, inspected, organized, and delineated, with a specific focus on forests. Moreover, section 6 stipulates that an inventory of every Mukim asset under their authority must be conducted.

[11] (Arma 2024)
[12] (Arma 2024)

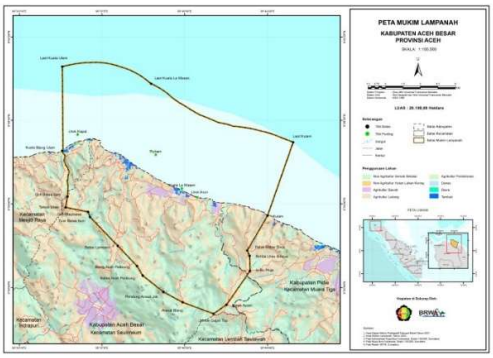

Figure 1. Lampanah Mukim District

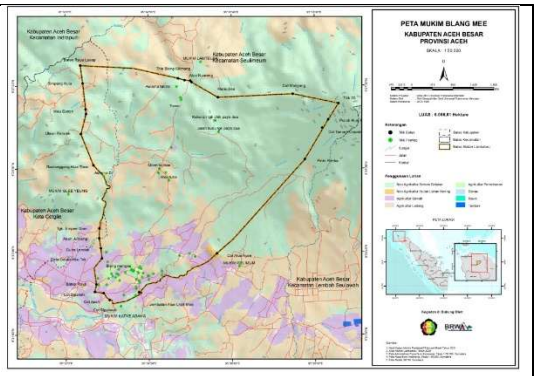

Figure 2. Blang Mee Mukim District

Source; BRWA 2025 (https://brwa.or.id/assets/image/rujukan/1652774635.pdf)

The Mukim's authority in customary forest control is governed by Qanun Aceh Besar Regency No. 8 of 2009 concerning Mukim Government, Aceh Besar Regent Regulation No. 17 of 2022 concerning Procedures for Structuring Mukim Customary Areas and Mukim Assets in Aceh Besar Regency, and Minister of Home Affairs Regulation No. 52 of 2014 concerning Guidelines for the Recognition and Protection of Indigenous Peoples. Mukim are endowed with the authority to petition for the designation of customary forests in accordance with customary law.

However, the Mukim does not consistently exercise its authority in accordance with established regulations. While the Ministry of Environment and Forestry of the Republic of Indonesia has the authority to grant the Mukim the right to designate customary forests, the process requires submitting a formal request to the relevant Regional Government, specifically the Regent or Governor. Further research is needed to explore the role of the Mukim in the traditional governance and conservation of forests in Aceh Besar Regency, particularly in relation to regulatory compliance and institutional challenges.

RESEARCH METHOD

The procedure involved a thorough analysis and assessment of the practical implications of legislation in the community, focusing specifically on the effectiveness of the legislation, compliance with regulations, and the impact of social concerns on the

rule of law[13]. The study involved a population of five respondents, focusing on Adat Institution of Blang Me and Lampanah districts as the objects of observation. The research included interviews and group discussions with leaders of Adat Institutions from Blang Me and Lampanah districts. The sampling method applied was purposive random sampling, ensuring that participants were selected based on specific criteria relevant to the study. The data sources consisted of literature evaluations, observations, and interviews with respondents and informants that were gathered during the field research. Primary data were collected through field research, while a qualitative methodology was utilised to analyse the existing literature. A qualitative approach, according to Soerjono Soekanto[14], provides descriptive data analysis from verbal or written information provided by respondents and informants, which is then investigated in details.

RESEARCH OUTCOME AND DISCUSSION

1. The Role of Mukim in the *Mukim* Forest Management

Mukim, as a prototypical form of Acehnese governance, is a combination of diverse gampong, or villages, which have existed in Aceh since the beginning of Islam. Forests recognized through customary proposals are acknowledged by local communities but lack formal legal status until verified by the government. In contrast, officially designated customary forests have legal recognition, ensuring stronger protection and legal certainty for indigenous communities in their management and use. Additionally, the customary forest is a *uteun* Mukim *(Mukim Forest)*, or an ever-standing Mukim property, located either within the designated settlement area or within a day's travel distance from the settlement site. Uteun Mukim (forest of Mukim), as defined by national legislation, pertains to the customary entitlement of the concerned community. The subsequent factors ascertain the Mukim's function in governing the customary forest. The status of Mukim In relation to Custom Forest The districts of Mukim Lampanah Seulimeum and Mukim Blang me Lhoong are situated within the Mukim in Aceh Besar Regency. Article 5 verse 1 of Qanun Aceh Besar Regency No. 8 of 2009 pertaining to the Mukim

[13] Salim HS and Erlies Septiana Nurbani, *Penerapan Teori Hukum Pada Penelitian Tesis Dan Disertasi* (Jakarta: Raja Grafindo, 2013).
[14] Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI-Press, 2010).

Government specifies: (a) Present authority derived from the right of introduction of the Mukim and customary regulations and practices; (b) Authority bestowed in accordance with legal principles; this constitutes the foundation of the Mukim's jurisdiction over customary forest management. (c) The authority to handle natural resources in settlements and to manage ecological processes has not been exercised; (d) The authority to carry out assistance duties has not been exercised by the Aceh government, the district/city government, and the district government; and (e) The authority to oversee ecological processes and the administration of natural resources (SDA) in settlements has not been exercised.

This regulation stipulates that Mukim are responsible for the management of natural resources within their communities and have the authority to oversee traditional forests in accordance with applicable laws and regulations. Ter Haar argues in Teuku Muttaqin Mansur[15] that customary law peoples have a unique connection to the land on which they reside; they possess the legal entitlement to land and are permitted to exercise that entitlement both internally and externally. With the exception of social norms that prescribe how each member may exercise that right and allot some land for the greater benefit of society, the community as a whole has the right to use the land. The connection between customary law communities and the land they inhabit is founded upon religious significance, suggesting that natural resources are bestowed by God upon these communities[16].

In Aceh, communities governed by customary law are referred to as Mukim, and they possess authority over customary forests situated within their territorial boundaries. Minister of Environment and Forestry Regulation (Permen LHK) Number 9 of 2021 on Social Forestry regulates community-based forest management schemes, including Customary Forests *(Utuen Adat),* Village Forests (Hutan Desa), Community Forests (*Hutan Kemasyarakatan*), People's Plantation Forests (*Hutan Tanaman Rakyat*), and Forestry Partnerships (*Kemitraan Kehutanan*). The authority of the Mukim government is defined by the customs of Mukim Blang Mee, which cover the oversight and control

[15] Teuku Muttaqin Mansur, *Hukum Adat Perkembangan Dan Pembaruannya* (Syiah Kuala University Pers, 2018).
[16] Marulak Togatorop, Moh. Hardiansyah, and Dawam Muzak, "Kepastian Hukum Hak Atas Tanah Masyarakat Hukum Adat Yang Masuk Dalam Kawasan Hutan," *ADIL: Jurnal Hukum* 12, no. 2 (January 12, 2022): 141–56, https://doi.org/10.33476/ajl.v12i2.2116.

of all things conducted in accordance with the agreement. This authority encompasses the implementation of Islamic law within the settlement area, the execution of development projects, the enforcement of customary justice, and cultural advancement. Mukim as formal Adat Institution may request assistance from the Aceh Besar Regency Government while carrying out its responsibilities[17]. As stated by Mansur[18] the government has not formally acknowledged the mukim customary forests. All relevant parties must therefore make renewed efforts to advocate for the recognition of mukim as a customary law community (referred to as Masyarakat Hukum Adat/MHA).

Mukim functions as the official government institution[19] Governed by Qanun Number 4 of 2003, the Mukim government has evolved into a recognized governmental entity in Aceh. Therefore, it must actively assert that it is no longer merely a traditional institution without legal authority. In the Aceh Besar Regency's Lampanah Seulimeum District and Blang Mee Lhoong District, mukim is essential to the supervision and management of natural resources in residential areas. Forest protection procedures are mandated by Adat (customary law), ensuring that traditional regulations govern the sustainable management and preservation of forests. These regulations include protecting water supplies and prohibiting tree cutting near rivers.

2. Barriers to Mukim's Role in Customary Forest Management

The lack of knowledge among communities concerning the authority they have over the administration of customary forests in the immediate area of their settlement. Given the importance of this responsibility, it is critical that communities reclaim their position as the primary guardians of the environment in forests. The inactive state of customary law is unable to endure for an extensive duration; due to its dynamic and adaptable characteristics, it demands active involvement of the community[20]. Insufficient institutional capacity at the local level, nevertheless, often leads to the failure of forest management strategies. Several impediments contribute to ineffective forest

[17] (Zainun 2024)
[18] Mansur et al., "A Study of Mukim Customary Forests Recognition in Pidie Regency, Aceh Province, Indonesia."
[19] Teuku Muttaqin Mansur et al., "The Division of Mukim and Gampong Traditional Areas in Customary Forest Management in Aceh Province, Indonesia," *Jurnal Geuthèë: Penelitian Multidisiplin* 7, no. 1 (April 29, 2024): 49–57, https://doi.org/10.52626/jg.v7i1.329.
[20] (Zainun 2024)

management, including inadequate financial and human resources, deficient community understanding of legislation, and a lack of funds and personnel[21].

According to Arma, ineffective forest management is driven by several key impediments. These include inadequate financial and human resources, which limit the ability to implement sustainable forestry practices effectively. Additionally, a lack of community awareness and understanding of relevant legislation weakens compliance with forest protection policies. Furthermore, the shortage of both funding and skilled personnel hinders conservation efforts, enforcement of customary regulations, and the overall governance of forested areas.

The study identifies the level of Mukim's human resources as a significant barrier in both forest management and governance. This assessment was based on field observations, interviews with Mukim leaders, and surveys conducted among key stakeholders, including community members and local officials. The findings highlight a shortage of trained personnel and limited technical expertise, which hinder the Mukim's ability to effectively oversee customary forests and administrative duties.

Moreover, indigenous knowledge deeply rooted in Indonesia's cultural and legal traditions has been instrumental in addressing social issues. The Mukim institution, as a part of this heritage, upholds customary values that facilitate conflict resolution and environmental conservation. However, the effectiveness of this traditional governance system remains limited due to inadequate skilled personnel and insufficient institutional support. Salam argues that every region shows particular cultural understanding, an invaluable asset that can be applied to solve ongoing issues[22].

3. Gaps in Regional Policy of Mukim's Customary Forest

Some parts of the customary forest (hutan adat) fall under the authority of the Mukim. As a traditional institution, Mukim has been an active participant in discussions and meditations over issues pertaining to customary land, with a particular emphasis on the protection of vital resources such as rivers and significant forests. Nevertheless, in despite the fact that Mukim took part in collaborative efforts to address these issues

[21] (Arma 2024)
[22] Safrin Salam, "Peran Perempuan Dalam Pengelolaan Dan Pemanfaatan Hutan Adat Di Provinsi Sulawesi Tenggara" (Universitas Hasanuddin, 2022), http://repository.unhas.ac.id:443/id/eprint/21350.

during meetings with the Aceh Besar Regional Government, he encountered challenges in implementing constraints on particular activities. These challenges were brought about by the presence of different goals and the absence of legal consequence[23]. Despite the fact that indigenous peoples recognise Mukim's authority over customary forests on an actual basis, government has not yet formally recognised him on a legal basis[24]. [25]outlines the process that must be followed in order to determine the existence of customary forests in accordance with Regulation P.17/Menlhk/Setjen/Kum.1/8/2020 issued by the Minister of Environment and Forestry in regard to Customary Forest and Forest Rights.

According to the present situation, the Mukim government, which is referred as The Qanun Aceh Besar Number 8 of 2009, has not been properly implemented. This is due to the fact that the Regent's Order that defines the limits of the Mukim Lampanah area in Seulimeum District and the Mukim Blang Mee area in Lhoong District, Aceh Besar Regency, has not been issued in the subsequent years. Additionally, it is of the utmost importance that the Regent's Decree provide a detailed delineation of the extent of the customary woodlands that are situated inside these districts. It is essential to keep in mind that customary rights encompass a wide variety of natural features, such as forests, water, land, and wetland areas, as well as the ecosystems that are located in relation to these natural features.

The idea of customary rights involves the authority that communities that are regulated by customary law have on forests that are traditional to their people. As a result of this, organizations that adhere to customary law are fighting toward the formal recognition of their customary rights within their respective areas, which includes customary forests. According to Abdurrahman[26], the problem arises from the fact that there is a necessity for precisely defined limits, which necessitates official determination. This is despite the fact that customary forests are primarily owned by communities that follow to customary law.

[23] (Nasa'i 2023)
[24] (Nasa'i 2023)
[25] (Arma 2024)
[26] (Abdurrahman 2024)

4. Weaknesses of Mukim Forest Management

The Mukim is responsible for reporting to the nearest local forest management unit. This local unit, in turn, reports to the overarching Forestry Management Unit, which operates under the Department of Environment and Forestry of Aceh Province. This reporting structure is intended to ensure coordinated oversight and sustainable management of customary forests.. Subsequently, the Department of Environment and Forestry of Aceh Province submits reports to the Ministry of Environment and Forestry of the Republic of Indonesia. Upon receiving requests, a site-level inventory team is established, with Mukim submitting a request for the establishment of customary forests, often accompanied by the Aceh Indigenous Community Network (JKMA). Additionally, Mukim is required to submit a request to the Department of Environment and Forestry of Aceh Province[27].

JKMA plays a vital role in strengthening requests by consulting with relevant agencies. Forest management is primarily overseen at the provincial level, with FMUs operating at the district level. Aceh Province comprises seven KPHs, including KPH Tahura Sare, which is managed by the province and covers two districts: Aceh Besar and Pidie. Other KPHs include KPH Banda Aceh, Bener Meriah, Langsa, Aceh Barat, Gayo, and KPH Subulussalam. Members of the public can submit requests to the nearest FMU for consideration[28].

5. Strengthening Mukim Institutions

The Constitutional Court's Decision No. 35/PUU-X/2012 significantly altered the definition of customary forests by amending Article 1, number 6 of Law No. 41 of 1999 on Forestry. Previously defined as "State forests within the territory of customary law communities," the term "State" was removed, redefining them as "forests situated within the territory of customary law communities." This ruling marked a crucial milestone in the struggle for indigenous rights, affirming their ownership, recognition of customary territories, and control over natural resources within those areas. According to Asrul[29],

[27] (Asrul 2023)
[28] (Asrul 2023)
[29] (Asrul 2023)

customary laws are followed by indigenous peoples, including the prohibition of collecting in customary forests. Three functions of forests are delineated in Law No. 41 of 1999 regarding Forestry: protection, production, and conservation. Five categories of forests are distinguished within the framework of social forestry: village forests, community forests, customary forests, partnerships, and environmental services forests.

In accordance with Mukim customary regulations[30], the two-year period has passed for Mukim Lampanah in Seulimeum District and Mukim Blang Mee in Lhoong District, Aceh Besar Regency. Consequently, further initiatives can be undertaken by satisfying the necessary requirements. A director in the preservation of customs and culture, the Imeum Mukim functions as a leader in the administration of Mukim's prosperity. The management of customary forests is significantly influenced by Mukim, a figure held in the highest regard and esteem by the community.

6. Preserving Customary Forests

In order to mitigate the negative impact of human activities on forests, a range of strategies can be employed: distribute information and education regarding forestry regulations; encourage greater community productivity; and enforce punishments for violations of the law.[31]

In contrast to limited in time permits regulated by the government, customary forests remain devoid of temporal restrictions so long as customary law communities and customary law statutes exist. These forested areas are critical to the existence of the community and must be protected against expansion. Therefore, certainty is essential to prevent external parties from seizing forests under community protection. An assembly called "Duek pakat keMukiman blang me" Mukim Discussion has been convened in Mukim Blang Mee with the purpose of documenting customary regulations and reasserting the community's dedication to the sustenance of the forest[32].

The Imuem Mukim, with the support of the administrator Mukim or "pawang uteun," assumes a critical position in the management of forests. They prescribe land ownership and clearing procedures, direct forest management initiatives, coordinate

[30] (Irfandi 2024)
[31] Supriadi, *Hukum Kehutanan Dan Hukum Perkenunan Di Indonesia* (Jakarta: Sinar Grafika, 2010).
[32] (Irfandi 2024)

activities, enforce legislation, and delineate forest boundaries. The pawang uteun is responsible for the preservation of forest resources, the authorization of land clearance for plantations, the protection of tree habitats, the prevention of unauthorized logging, the regulation of hunting, the supervision of trade, and the overall sustainability of the forest[33]. Communities governed by customary law actively enforce traditional regulations and impose penalties on those who violate them. The consistent protection of natural resources within the Mukim's jurisdiction reflects the community's strong commitment to sustainable forest management and the preservation of local ecosystems.

CONCLUSION

While regulatory frameworks, such as the Qanun of Aceh Besar Regency, govern Mukim administration, the limited involvement of local governments often hinders Mukims' ability to fully realize their potential in managing customary forests. Although these legal frameworks outline the roles and responsibilities of Mukims in forest management, their effective execution can be obstructed by insufficient oversight and implementation from local authorities. It is essential for local administrations to prioritize the development and empowerment of Mukim customary institutions by providing adequate resources, training, and support to enhance their capacity to manage customary forests in a formally recognized manner.

This study highlights the interaction between two overlapping governance systems. Customary institutions, particularly the Mukim, possess traditional authority over customary forests; however, their effectiveness is frequently limited by a lack of human resources, technical expertise, and institutional support. Conversely, state agencies, such as the Forestry Management Unit under the Department of Environment and Forestry of Aceh Province, hold formal authority but may lack deep local engagement and customary legitimacy. Rather than perceiving customary and state governance as opposing forces, a well-integrated system can harness the strengths of both. The Mukim's role is not overlooked but is challenged in fully exercising its authority. Strengthening the Mukim's position through improved coordination with local government agencies could help

[33] (Nasa'i 2023)

bridge the divide between customary and formal governance structures. Establishing more robust collaboration and coordination mechanisms between the Mukim and government forestry agencies can facilitate better policy alignment, ensuring more effective and sustainable forest management. This approach would enable traditional and formal institutions to work together in preserving natural resources while respecting both legal and cultural frameworks.

BIBLIOGRAPHY

Abdurrahman, Alif. "Konsistensi Penerapan UU No. 5 Tahun 1960 Terkait Dengan Hak Milik Atas Tanah Bagi WNI Non Pribumi Di Yogyakarta." *Gema Keadilan* 6, no. 2 (August 19, 2019): 170–83. https://doi.org/10.14710/gk.2019.5627.

Alfian. *Segi-Segi Sosial Budaya Masyarakat Aceh*. Jakarta: Lembaga Penelitian, Pendidikan, dan Penerangan Ekononi dan Sosial, 1977.

Fahmi, Chairul, and Muhammad Siddiq Armia. "Protecting Indigenous Collective Land Property in Indonesia under International Human Rights Norms." *Journal of Southeast Asian Human Rights* 6, no. 1 (June 30, 2022): 1–25. https://doi.org/10.19184/jseahr.v6i1.30242.

Huffel, Anthea-lee September Van. "State Regulation and Misconstructions of Customary Land Tenure in South Africa." *African Human Rights Law Journal* 24, no. 1 (August 15, 2024): 58–76. https://doi.org/10.17159/1996-2096/2024/v24n1a3.

Ismail, Ilyas. "Kedudukan Dan Pengakuan Hak Ulayat Dalam Sistem Hukum Agraria Nasional." *Kanun Jurnal Ilmu Hukum* 12, no. 1 (2010): 49–66. https://jurnal.usk.ac.id/kanun/article/view/6287.

Mansur, Teuku Muttaqin. *Hukum Adat Perkembangan Dan Pembaruannya*. Syiah Kuala University Pers, 2018.

Mansur, Teuku Muttaqin, Muhammad Adli, Sulaiman Sulaiman, Muazzin Muazzin, and Azhari Yahya. "The Division of Mukim and Gampong Traditional Areas in Customary Forest Management in Aceh Province, Indonesia." *Jurnal Geuthèë: Penelitian Multidisiplin* 7, no. 1 (April 29, 2024): 49–57. https://doi.org/10.52626/jg.v7i1.329.

Mansur, Teuku Muttaqin, Sulaiman, Muazzin, Muhammad Adli Abdullah, M Jafar, Aufa Miranti, and Anggun Mareta. "A Study of Mukim Customary Forests Recognition in Pidie Regency, Aceh Province, Indonesia." *Kanun Jurnal Ilmu Hukum* 25, no. 2 (2023): 238–50. https://jurnal.usk.ac.id/kanun/article/view/31670.

Nurdin, Ridwan, Muslem Abdullah, Zakiyul Fahmi, and Andi Darna. "The Role of Customary Leaders as Ḥakam in Resolving Divorce: A Case Study in Kuta Alam Subdistrict, Banda Aceh City." *El-Usrah: Jurnal Hukum Keluarga* 6, no. 2 (December 30, 2023): 430–43. https://doi.org/10.22373/ujhk.v6i2.12710.

Salam, Safrin. "Peran Perempuan Dalam Pengelolaan Dan Pemanfaatan Hutan Adat Di Provinsi Sulawesi Tenggara." Universitas Hasanuddin, 2022. http://repository.unhas.ac.id:443/id/eprint/21350.

Salim HS, and Erlies Septiana Nurbani. *Penerapan Teori Hukum Pada Penelitian Tesis Dan Disertasi*. Jakarta: Raja Grafindo, 2013.

Soekanto, Soerjono. *Pengantar Penelitian Hukum*. Jakarta: UI-Press, 2010.

Sulistianingsih, Dewi, and Raden Muhammad Arvy Ilyasa. "The Impact of Trips Agreement on the Development of Intellectual Property Laws in Indonesia." *Indonesia Private Law Review* 3, no. 2 (December 14, 2022): 77–88. https://doi.org/10.25041/iplr.v3i2.2579.

Supriadi. *Hukum Kehutanan Dan Hukum Perkenunan Di Indonesia*. Jakarta: Sinar Grafika, 2010.

syahbandir, Mahdi. "Sejarah Pemerintahan Imeum Mukim Di Aceh." *Kanun Jurnal Ilmu Hukum* 16, no. 1 (2014): 1–17. https://jurnal.usk.ac.id/kanun/article/view/6014.

Syahroni, Faez, Riswan Z, Abdul Manan, and Mohd Azis. "Sustainable Management of Mukim Customary Forests In Aceh Jaya District: An Analysis Of The Role Of Imuem Mukim." *Jurnal Ilmu Administrasi Publik* 12, no. 2 (2024): 179–90. https://journal.ummat.ac.id/index.php/JIAP/article/view/26088.

Togatorop, Marulak, Moh. Hardiansyah, and Dawam Muzak. "Kepastian Hukum Hak Atas Tanah Masyarakat Hukum Adat Yang Masuk Dalam Kawasan Hutan." *ADIL: Jurnal Hukum* 12, no. 2 (January 12, 2022): 141–56. https://doi.org/10.33476/ajl.v12i2.2116.

Interview

Abdurrahman. 2024. *Lecturer in Agraria Law, Syiah Kuala University* (February 27).

Arma, Zulfikar. 2024. *Managing Secretary of JKMA* (March 4).

Asrul. 2023. *Head of Community Development and Social Forestry Rehabilitation at Aceh Environment and Forestry Service (DLHK)* (November 1).

Irfandi. 2024. *Imeum Mukim Blang Me* (February 27).

Nasa'i, T. 2023. *Imeum Mukim Lampanah* (March 8).

Zainun, Asnawi. 2024. *Chairman of Aceh Besar Customary Council* (February 28).

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