

PASANG RI KAJANG: LEGAL INSTRUMENTS OF ENVIRONMENTAL JUSTICE FOR THE AMMATOA KAJANG COMMUNITY

MOHAMMAD ARIF

Univesitas Muslim Indonesia, Makassar, Indonesia
Email: moh.arif.fh@umi.ac.id

ZAINUDDIN

Univesitas Muslim Indonesia, Makassar, Indonesia
Email: zainuddin.zainuddin@umi.ac.id

SALLE

Univesitas Muslim Indonesia, Makassar, Indonesia
Email: salle.salle@umi.ac.id

SYIFA NUR AINI

Ankara University, Ankara, Turkey
Email: aini@ankara.edu.tr

Abstract: The *Ammatoa Kajang* community obeys *Pasang ri Kajang* as a legal instrument because it originates from *Tu Rie A'rakna* (God). This research explores the issue that forest destruction occurs because it no longer pays attention to local wisdom. The purpose of this paper is to look at *Pasang ri Kajang* as a way of life in the *Ammatoa Kajang* community for environmental justice and the legal philosophy of *Pasang ri Kajang* in protecting the forest function for the *Ammatoa Kajang* community. This research is normative research with a qualitative approach. The results of this study show that the *Ammatoa Kajang* community views the forest as an ecosystem that must be maintained because it is a source of life and livelihood that comes from *Tu Rie A'rakna* and is enshrined in *Pasang ri Kajang*, which is also a guide to the life of the *Ammatoa Kajang* community. There is a holistic understanding based on local wisdom; so, the *Ammatoa Kajang* community, through *Pasang Ri Kajang*, has realised environmental justice.

Keywords: *Pasang ri Kajang*, Legal Instruments, Environmental Justice.

Abstrak: Masyarakat *Ammatoa Kajang* menaati *Pasang ri Kajang* sebagai instrumen hukum karena bersumber dari *Tu Rie A'rakna* (Tuhan). Penelitian ini mengeksplorasi isu bahwa kerusakan hutan terjadi karena tidak lagi memperhatikan kearifan lokal. Tujuan dari penelitian ini adalah untuk melihat *Pasang ri Kajang* sebagai pandangan hidup masyarakat *Ammatoa Kajang* terhadap keadilan lingkungan dan filosofi hukum *Pasang ri Kajang* dalam menjaga fungsi hutan bagi masyarakat *Ammatoa Kajang*. Penelitian ini merupakan penelitian normatif dengan pendekatan kualitatif. Hasil penelitian ini menunjukkan bahwa masyarakat *Ammatoa Kajang* memandang hutan sebagai ekosistem yang harus dijaga karena merupakan sumber kehidupan dan penghidupan yang bersumber dari *Tu Rie A'rakna* dan diabadikan dalam *Pasang*

ri Kajang, yang juga menjadi pedoman hidup masyarakat *Ammatoa Kajang*. Adanya pemahaman yang holistik berdasarkan kearifan lokal, maka masyarakat *Ammatoa Kajang* melalui *Pasang ri Kajang* telah mewujudkan keadilan lingkungan.

Kata Kunci: *Pasang ri Kajang*, Instrumen Hukum, Keadilan Lingkungan.

Introduction

This article examines the *Kajang Ammatoa* community, which has environmental wisdom called *Pasang ri Kajang* as a legal instrument in realising environmental justice. Indigenous peoples generally have local wisdom in managing the environment, but the use of local wisdom is not optimally done because the role of indigenous peoples is marginalised by the hegemony of the state and the private sector.

Indonesia has diverse tribes and traditions that make Indonesia rich in various cultures. As an ancestral heritage, cultural traditions are still preserved by Indonesian society¹. The foundation of Indonesian communities has long been rooted in the archipelago's rich cultural variety. Cultural legacy had already become intricately entwined into the identities and daily lives of the people of Indonesia before the modern state was established.²

One of the cultural treasures of the Indonesian nation is customary law. In Indonesia, customary law is a reflection of the nation's personality, which embodies the nation's soul from century to century. Customs owned by the regions are different, although the basis and nature are one, namely Indonesianese. Therefore, the customs of the Indonesian nation are said to be *Bhinneka Tunggal Ika*, which means different, but still one.³

The existence of indigenous peoples has received constitutional juridical protection as stipulated in Article 18B Paragraph (2) and emphasized in Article 28I on Human Rights. 28I on human rights. Juridically, Article 18B Paragraph (2) of the 1945 Constitution clearly states "The State recognizes and respects the unity of customary law communities along with their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia as regulated in law."⁴ The indigenous peoples are protected, respected, and acknowledged; they are still living and observing the advancement of civilization and the ideals of the Unitary Republic of Indonesia.⁵

The *Ammatoa Kajang* is one of the few communities under customary law in Indonesia that persistently adhere to and practice their customs to this day. They are located in *Tana Toa* Village, Kajang District, Bulukumba Regency, South Sulawesi. The Kajang people are referred to as this tribe by the term "To Kajang".⁶ *Amma* is the name of the tribal leader of *Ammatoa Kajang*, which continues to conduct its daily affairs in accordance with its ancestral ways. The Bulukumba District Regulation Number 9 of 2015 on the Inauguration, Recognition of Rights, and Protection of the Rights of the *Ammatoa Kajang* Indigenous Peoples established *Ammatoa*

- 1 Tutuk Ningsih, 'Tradisi Saparan Dalam Budaya Masyarakat Jawa Di Lumajang', *IBDA` : Jurnal Kajian Islam Dan Budaya*, 17.1 (2019), 79–93 <https://doi.org/10.24090/ibda.v17i1.1982>
- 2 Salle Salle and others, 'Teseng: Implementation of Justice Values in Profit-Sharing Agreements Based on the Local Wisdom of the Bugis Makassar Community' (2024) 15 *Jurnal Hukum Novelty* 215.
- 3 Zainuddin Zainuddin, Jusalam Sammak and Salle Salle, 'Patuntung: The Encounter of Local Culture and Islamic Sharia in the Ammatoa Kajang Community' (2023) 18 *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 177.
- 4 Jawahir Thontowi, 'Perlindungan Dan Pengakuan Masyarakat Adat Dan Tantangannya Dalam Hukum Indonesia', *Jurnal Hukum Ius Quia Iustum*, 20.1 (2013), 21–36 <https://doi.org/10.20885/iustum.vol20.iss1.art2>
- 5 Mohammad Jamin and others, 'Legal Protection of Indigenous Community in Protected Forest Areas Based Forest City', *Bestuur*, 10.2 (2022), 198–212 <https://doi.org/10.20961/bestuur.v10i2.66090>
- 6 Risfaisal and others, 'Sistem Penyelesaian Kasus Pada Masyarakat Adat Kajang Ammatoa Kabupaten Bulukumba', *Equilibrium: Jurnal Pendidikan*, 10.2 (2022), 261–6. <https://doi.org/10.26618/equilibrium.v10i2.7659>

Kajang as a group of Customary Law Communities. The existence of numerous customary law community units, including remote indigenous communities (Komunitas Adat Tertinggal/KAT) as indigenous minority tribes that historically reside in and near forest areas, contributes to the diversity of Indonesian legal culture.⁷

Pasang Ri-Kajang is part of the culture in customs *Ammatao Kajang* in Bulukumba, South Sulawesi. Customs that contain the ethics and norms related to environmental management. The rules of *Pasang* in this customary institution have become customs or norms in the *Ammatao Kajang* Community and become a commitment in a social unit.⁸ The themes of *Pasang ri Kajang* are the principles values laws and norms that intertwine man relationship with God and man relationship with the universe.⁹

Based on the results of these studies can be categorized, namely: First, *Pasang ri Kajang* as a local wisdom-based conservation policy (Megawati and Mahdiannur,¹⁰; Andi Ahmad Malikul Afdal,¹¹); Second, *Pasang ri Kajang* as a traditional knowledge system in conserving forests (Rahman et.al.¹²; Daniel et.al.,¹³; Hijjang et.al.,¹⁴; Sahib et.al.,¹⁵; Mahbub, et.al.,¹⁶; Murdiati,¹⁷);

- 7 Muhamad Erwin, 'Reconstruction the Paradigm of Law and Justice on the Regulation of Right to Living Space of the Orang Rimba Tribe in Bukit Duabelas, Jambi Province' (2018) 2 Sriwijaya Law Review 56.
- 8 Abdul Hafid, *Ammatao Dalam Kelembagaan Komunitas Adat Kajang* (De La Macca 2013).
- 9 Kurnia Ali Syarif, 'Literature Study of *Pasang Ri Kajang* as a Guideline for Resolving Customary Violations in the *Ammatao Kajang* Customary Law Community' (2022) 01 International Journal of Education, Vocational and Social Science 303. <https://doi.org/10.99075/ijevss.v1i01.167>
- 10 S Megawati and MA Mahdiannur, 'Implementation of Forest Conservation Policies Based on Local Wisdom of the *Ammatao Kajang* Indigenous Community', *IOP Conference Series: Earth and Environmental Science* (2021). <https://iopscience.iop.org/article/10.1088/1755-1315/940/1/012082>
- 11 Andi Ahmad Malikul Afdal, Suryadi Lambali and Syahribulan, 'Implementation of Regional Regulation Policy on The Sustainability of The *Ammatao Kajang* Customary Forest' (2022) 11 Legal Brief 979. <http://dx.doi.org/10.4108/eai.11-10-2021.2319639>
- 12 F Rahman and others, 'The Practice of Local Wisdom of *Kajang* People to Save Forests and Biodiversity: A Cultural-Based Analysis', *IOP Conference Series: Earth and Environmental Science* (2019). <https://iopscience.iop.org/article/10.1088/1755-1315/270/1/012038>
- 13 D Daniel and others, 'To What Extent Does Indigenous Local Knowledge Support the Social-Ecological System? A Case Study of the *Ammatao* Community, Indonesia' (2022) 11 Resources 1. <https://doi.org/10.3390/resources11120106>
- 14 P Hijjang, M Basir and A Ismail, 'Indigenous People's Environmental Conservation System: Case Study of *Kajang* Society, Indonesia', *IOP Conference Series: Earth and Environmental Science* (2019). <https://iopscience.iop.org/article/10.1088/1755-1315/343/1/012090>
- 15 H Sahib and others, 'Customary Forest Conservation through Informal Knowledge System of *Ammatawa* Community' (2019) 270 *IOP Conference Series: Earth and Environmental Science*. <https://iopscience.iop.org/article/10.1088/1755-1315/270/1/012042>
- 16 M Asar Said Mahbub and others, 'Indigenous and Non-Indigenous Knowledges Dialectics in Management of *Kajang* Customary Forest, District of Bulukumba, South Sulawesi' (2018) 42 International Journal of Sciences: Basic and Applied Research (IJSBAR) International Journal of Sciences: Basic and Applied Research 195. <https://www.gssrr.org/index.php/JournalOfBasicAndApplied/article/view/9455/4206>
- 17 Caritas Woro Murdiati, 'The Role of Customary Knowledge in Contemporary Forestry: Experiences from the *Kajang* Customary Community in Indonesia', *Global Journal of Business Social Sciences Review*, 5.3 (2017), 84–93 [https://doi.org/10.35609/gjbssr.2017.5.3\(11\)](https://doi.org/10.35609/gjbssr.2017.5.3(11))

Third, environmental sustainability through Pasang ri Kajang (Nurmala et.al.,¹⁸; Zulkifli Aspan and Irwansyah,¹⁹).

Various studies regarding the *Pasang ri Kajang* have been carried out previously. Search results on Google Scholar and Scopus using Harzing's Publish or Perish application (Windows GUI Edition) 8.6.4198.332. There are two keywords entered, namely: "*Pasang ri Kajang*", and "*Amma Toa*", so from 2015 to 2023, data were found on 200 studies related to *pasang ri kajang*. Furthermore, based on bibliometric analysis, visualize the results of the analysis. In VOS Viewer, the computer program used to visualize the bibliometric map, it was found that there were three clusters. Cluster one consists of 8 items, Cluster 2 consists of 7 items, and Cluster 3 consists of 7 items. Based on the results of the analysis of Network visualization, Overlay Visualization, and Density Visualization, it shows that the discussion of *Pasang ri Kajang* as legal instruments in relation to environmental justice there has been no research that discusses this, so the author tries to do this research.

This article seeks to complement these studies, which generally see *Pasang ri Kajang* as traditional knowledge in forest management. This research emphasizes other aspects by considering *Pasang ri Kajang* as a legal instrument of forest management to realize environmental justice. Therefore, the purpose of this research is to explore *Pasang ri Kajang* as *volksgeist* of *Ammatoa Kajang* Community for environmental justice and legal philosophy of Pasang ri Kajang in preserving forest function for *Ammatoa Kajang* community.

Methods

This research is normative research or doctrinal research. In legal research, normative legal research is a type of legal research methodology that bases its analysis on applicable laws and regulations that are relevant to the legal issues that are the focus of the research.²⁰ Normative legal research is research on secondary data in the legal field whose objects of study are statutory regulations and library materials. Reviewing the legal policy of *Pasang ri Kajang* is legal instrument of forest management in realizing environmental justice for the *Ammatoa Kajang* Community. This research data uses secondary data sourced from primary legal materials in the form of statutory regulations and secondary legal materials, namely legal materials that provide explanations of primary legal materials, such as research results, journals, and books discussing *Pasang ri Kajang*. The emphasis in normative legal research is on the integration of legal materials, research results, and research discussions as well as the basis for analysis based on theoretical approaches (legal theory).²¹ The results obtained from the document study were processed using qualitative processing methods. A qualitative method is a research procedure that produces analytical, descriptive data.

Results And Discussions

The Ammatoa Kajang Community as the Study Locus

Etymologically, Ammatoa consists of two words, namely *Amma* (father) and *Toa* (old). Understanding *Ammatoa* is an old person not only in the literal sense but also in the sense that he has extensive knowledge and behaves well and wisely. The term *Ammatoa* began with the

- 18 Nurmala Nurmala, Muh Dassir, and Supratman Supratman, "'Pasang', Knowledge and Implementation of Local Wisdom in The Kajang Traditional Forest Area, South Sulawesi", *Pusaka: Journal of Tourism, Hospitality, Travel and Business Event*, 4.1 (2022), 40–47 <https://doi.org/10.33649/pusaka.v4i1.151>
- 19 Z Aspan and Irwansyah, 'Maintaining Environmental Sustainability Based on Traditional Knowledge: Lesson From Kajang Tribe', *Russian Law Journal*, XI.1 (2023), 69–74 <https://russianlawjournal.org/index.php/journal/article/view/349/291>
- 20 Kornelius Benuf and Muhammad Azhar, 'Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer' (2019) 3 Refleksi Hukum: Jurnal Ilmu Hukum 20. <https://doi.org/10.24246/jrh.2019.v3.i2.p145-160>
- 21 David Tan, 'Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum' (2021) 8 Nusantara: Jurnal Ilmu Pengetahuan Sosial 2463. <http://dx.doi.org/10.31604/jips.v8i8.2021.2463-2478>

arrival of 'Tomanurung' (according to local belief, *Tomanurung* was the forerunner of the people of South Sulawesi). The first *Ammatoa* was *Datuk Moyang*, and until now it has become *Ammatoa XXII* since the first *Ammatoa*. *Ammatoa Kajang* is for a lifetime, which means people are appointed as *Ammatoa* until they die.²² *Ammatoa* is a symbol of the order of the *Ammatoa Kajang* as the highest customary holder of the *Ammatoa Kajang* Community and resides in *Ilalang Embaya*, *Tana Toa* Village, *Kajang* District.

The naming of *Ammatoa* is not a personal name but a title according to its status, "Amma" is a Konjo language term that means father, while the term "toa" means old, so *Ammatoa* is interpreted as an old father or elder.²³ *Ammatoa* serves as a liaison between humans and *Turie 'A'ra'na* with humans. Amma also functions as a mediator whose job is to combine people's expectations and the idea of divinity "to be reunited" (the effort to harmonize it through *pa'nganroang*). Hopes can be held if humans always try to carry out and obey the divine idea (*Turie 'A'ra'na*). On the other hand, it will only be carried out and obeyed if the wish is granted through a religious ceremony led by *Ammatoa*.²⁴

The *Ammatoa Kajang* Community is based on Article 9 Paragraph (1) of Regional Regulation No. 9 of 2015 on the Inauguration, Recognition of Rights, and Protection of the Rights of the *Ammatoa Kajang* Indigenous Peoples, consisting of (1) *Ammatoa*; (2) *Anrongta Baku' Toaya* dan *Anrongta Baku' Loloa*; (3) *Ada' lima ri Tanakekea*, consisting of *Galla Pantama*, *Galla Lombo'*, *Galla Malleleng*, *Galla Kajang*, dan *Galla Puto*; (4) *Ada' lima ri Tanalohea*, consisting of *Galla Ganta'*, *Galla Sangkala*, *Galla Sapa'*, *Galla Bantalang* dan *Galla Anjuru'*; (5) *Karaeng Tallua*, consisting of *Labbiria*, *Sulehatang* dan *Ana' Karaeng Tambangan/ Moncongbuloa*; (6) *Tutoa Sangkala*; (7) *Tutoa Ganta*; (8) *Galla' Jojjolo (Ada' balibutta)*; (9) *Galla' Pattongko (Ada' balibutta)*; (10) *Kali Kajang*; (11) *Kadaha'*; (12) *Lompo Karaeng*; (13) *Lompo Ada'*; (14) *Sanro Kajang*; and (15) *Anrong Guru*.

In total, the traditional stakeholders consist of 26 people who have the duties and roles that have been regulated in the *Pasang* who are then responsible to *Ammatoa*. In addition, *Ammatoa* also appointed *Anrong* (traditional mother), who helped *Ammatoa* in traditional ceremonies.²⁵

Ammatoa Kajang Community lives in groups in a 50-km forest area which they call *Tana Toa*. They protect themselves from various outside influences or interventions, one of which is by maintaining and applying in their daily lives the messages and philosophies of their ancestors, which are contained in the teachings of "*Pasang ri Kajang*". For *Ammatoa Kajang* Community, *Pasang ri Kajang* is a way of life for *Ammatoa Kajang* Community, which consists of a collection of ancestral messages. The values contained in *Pasang* are considered sacred by *Ammatoa Kajang* Community. If they are not implemented in daily life, it will hurt the collective life of the *Ammatoa* people. The bad impact in question is the destruction of the ecological balance and the chaos of the social system. That is *Ammatoa Kajang* Community's belief in *Pasang ri Kajang*.²⁶

Geographically, *Ammatoa Kajang* Community is divided into an inner area (*Kekea land*) and an outer area (*Lohea land*). Indigenous peoples of the Inner Region are scattered in several

- 22 Kamaluddin Tajibu, 'Pasang Ri Kajang In Developing Youth Character of Enviromental Love In Tana Toa Kajang', *Jurnal Adabiyah*, 20.1 (2020), 131-52 <https://doi.org/10.24252/jad.v17i120i1a6>
- 23 Gustiana A Kambo, 'Kekuatan Politik Pemangku Adat Ammatowa Pada Masyarakat Adat Di Tanatoa Bulukumba' (2016) 7 *Jurnal Noken* 90. <https://doi.org/10.33506/jn.v7i1.1538>
- 24 Suryani Musi and Fitriana Fitriana, 'Pola Komunikasi Ammatowa Dalam Melestarikan Kearifan Lokal Melalui Nilai Kamase-Masea Di Kajang' (2019) 7 *Komodifikasi* 257. <https://journal.uin-alauddin.ac.id/index.php/Komodifikasi/article/view/11331>
- 25 Irmawati, Mulyati Pawennei and Abdul Qahar, 'Penyelesaian Tindak Pidana Ringan Melalui Kearifan Lokal (Hukum Adat) Dalam Sistem Hukum Indonesia' (2022) 3 *Journal of Lex Generalis (JLS)* 133. <http://www.pasca-umi.ac.id/index.php/jlg/article/view/764/797>
- 26 Risfaisal and others (n 6).

villages, including *Tanah Toa*, *Bonto Baji*, *Malleleng*, *Pattiroang*, *Batu Nilamung* Villages, and parts of the *Tambangan* Village area. The outer areas are scattered in almost all Kajang Districts and several villages in the Bulukumba District, including *Jo'jolo* Village, *Tibona* Village, *Bonto Minasa* Village, and *Batu Lohe* Village.

The *Ammatoa Kajang* Community area is located in *Tanah Towa* Village, located in the north of the Kajang District, Bulukumba Regency, South Sulawesi Province. Tanah Towa village is a place to live for a group of people who identify themselves as the Kajang indigenous community, which includes two divisions of customary territory, namely *Ilalang Embaya* and *Ipantarang Embaya*. The terms *Ilalang* and *Ipantarang* mean inside and outside. The word *emba* can be interpreted as a territory of power. In a regional context, *Ilalang Embaya* can be understood as an area that is under the control of *Ammatoa*. On the other hand, *Ipantarang Embaya* means an area outside *Ammatoa's* control.

Ammatoa Kajang views the *Ilalang Embaya* area (customary area) as a sacred area that resembles the Islamic view of "haram land", or the holy land of Mecca, where the Kaaba is the first house, while *Ipantarang Embaya* as a profane area or dirty area. Therefore, several special rituals were carried out by *Ammatoa Kajang* Community in *Ilalang Embaya*.²⁷

The *Ammatoa Kajang* Community area is a community settlement that is thick with traditional nuances and portrays people's lives that are still simple. This can be seen from the daily activities of the people and their livelihood systems, which still depend on natural conditions and the surrounding environment. An *Ammatoa Kajang* Community is a group of people who live in groups in a forest environment with a common ancestral origin. Where forests and their products are used as resources to meet daily needs.²⁸

Based on the Regional Regulation of Bulukumba Regency Number 9 of 2015 on the Inauguration, Recognition of Rights, and Protection of Rights of the *Ammatoa Kajang* Indigenous Peoples, the *Ammatoa Kajang* Community is a group of people who have traditionally lived in *Ilalang Embayya* (within the *Ammatoa Kajang* customary law area) and some have lived in *Ipantarang Embayya* (outside the *Ammatoa Kajang* customary law area).

Ammatoa Kajang community is considered the most authentic customary law community. Since colonial times, these Konjo-speaking people have attracted the attention of outsiders due to their hierarchical organization, their simple way of life according to customary norms based on their belief system, their rejection of many things they consider "modern," and their strict rules about protection of the sanctity of the forest.²⁹

Ammatoa Kajang Community is divided into two, namely *Ammatoa* in *Tana Kamase-masea* and *Ammatoa* in *Tana Kuasayya*. *Ammatoa Kajang* Community, who lives in *Tana Kamase-masea*, still maintains the cultural value system inherited by his ancestors and tends to be slow or less accepting of new things, and even some are rejected altogether. This is different from *Ammatoa Kajang* Community, who lives in *Tana kuasayya* and has started to open up to technological devices and use them, such as electricity, television, motor vehicles, cars, and cellphones, as an effort from the government to improve their lives. The community in *Tana Kuasayya*, whose mindset is slowly developing.

In general, the following become the main rules in the *Ammatoa Kajang* Community: obeying customary orders and staying away from forbidden things; being obedient, and obeying

27 Hijjang, Basir and Ismail (n 14).

28 Hasan and Hasruddin Nur, 'Patuntung Sebagai Kepercayaan Masyarakat Kajang Dalam (Ilalang Embayya) Di Kabupaten Bulukumba' (2019) 2 *Phinisi Integration Review* 185. <https://doi.org/10.26858/pir.v2i2.9981>

29 Willem Van der Muur and Adriaan Bedner, 'Traditional Rule As "Modern Governance": Recognising the Ammatoa Kajang Adat Law Community' (2016) 28 *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 149. <https://doi.org/10.22146/jmh.15871>

customary rules; and respecting and respecting customary rules.³⁰ The structure of the *Ammatoa Kajang* Community institution is known as *appa' pa'gentunna tanaya na pa'tungkulu'na langi'* (four hangers of the earth and supports of the sky), namely: (1) There must be firm (*gattang*); (2) *Karaeng* who must uphold honesty (*lambusu*); (3) Sanro (*shaman*) who must surrender (*apisona*); and (4) the teacher who must be patient (*sa'bara*).³¹

In their daily life, *Ammatoa Kajang* Community, perform some rituals such as: *pa'nganro* is the highest customary ritual event in general for the *Ammatoa Kajang* community, and it is a demand for salvation for the existence of the world (*lino*) and the hereafter (*ahera*), may it always be under God's protection (*Turie'A'ra'na*), as well as the process of the formation of *Ammatoa* and *Anrongta*, both *Baku' Atoa* and *Baku'Alo*. As for the place of implementation, it is only in *Pa'rasangan Ilau' (Tombolo)* and *Pa'rasangan Iraja (Karanjang Ilau)*³²; *andingingi* is a ritual that is carried out in the sacred forest at the beginning of every year that aims to ask for grace, soil fertility, ease of sustenance, avoidance of drought, and others.³³ In particular, this ritual is used as a time to gather, greet each other, as well as ask for prayer for something that exists on this earth. They pray that nature and its contents are protected and blessed by the Creator; *appasono'* is a ritual event that is carried out from time to time when plants, both in agriculture and community plantations, are disturbed by rat pests³⁴; *annyamburu* is a form of ritual activity of the *Ammatoa Kajang* Community which is carried out after serious violations have been committed by anyone in the *Amma Toa* area (*lalang rambang*) including murder, adultery, and abortion (*ammela'jari tau*).³⁵

Pasang ri Kajang as Volksgeist of Ammatoa Kajang Community for Enviromental Justice

Volksgeist means the character of a nation as a culture, and law for Savigny is part of this character (the essence of law is human life itself, seen from a certain perspective).³⁶ *Volkgeist* is essentially a concept of a spiritual or psychic personality that functions in various circumstances and expresses itself in various ways, such as through language, folklore, and an established legal system.³⁷ *Volkgeist* is a term that means psychology and spirituality that is inherent and operates in various entities that manifest in the form of language, folklore, customs and legal order.³⁸

Pasang ri Kajang is the *Ammatoa* community's way of life that consists of a collection of ancestral mandates. The values contained in the *Pasang* are considered sacred by the *Ammatoa* community, which if not implemented in daily life will have a negative impact on the collective

- 30 Fakhrul Fuad, Hambali Thalib and Zainuddin Zainuddin, 'Penerapan Asas Legalitas Materil Terhadap Hukum Pidana Adat: Studi Tana Toa Kajang' (2021) 2 Journal of Lex Theory (JLT) 1. <https://doi.org/10.33096/jlt.v2i1.396>
- 31 Muh Dassir, 'Pranata Sosial Sistem Pengelolaan Hutan Masyarakat Adat Kajang' (2008) 3 Hutan dan Masyarakat 135.
- 32 Kaharudin, Jelly Robot and Erick Lobja, 'Pelestarian Hutan Rakyat Kaitan Dengan Kearifan Lokal Di Desa Tanah Towa Kecamatan Kajang Kabupaten Bulukumba.' (2020) 1 GEOGRAPHIA: Jurnal Penelitian dan Pendidikan Geografi 17. <https://doi.org/10.53682/gippg.v1i1>
- 33 Risfaisal and others (n 6).
- 34 Eva Rahmayani, Muhammad Nadjib and Kahar Kahar, 'Pola Perilaku Komunikasi Masyarakat Di Kawasan Adat Ammatoa Kajang' (2017) 6 KAREBA: Jurnal Ilmu Komunikasi 361. <https://doi.org/10.31947/kjik.v6i2.5339>
- 35 Kaharudin, Robot and Lobja (n 32).
- 36 M Zulfa Aulia, 'Friedrich Carl von Savigny Tentang Hukum: Hukum Sebagai Manifestasi Jiwa Bangsa' (2020) 3 Undang: Jurnal Hukum 201. <https://doi.org/10.22437/ujh.3.1.201-236>
- 37 Sandipta Padhee and Snigdha Bishwal, 'The Theory Of " Volksgeist " By Savigny – An Intervention With Khap Panchayats In India' (2022) 12 Res Militaris 2172. <https://resmilitaris.net/menu-script/index.php/resmilitaris/article/view/3514/2757>
- 38 La Ode Dedihadi and Edy Nurcahyo, 'Pancasila Sebagai Volkgeist: Pedoman Penegak Hukum Dalam Mewujudkan Integritas Diri Dan Keadilan', *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, 9.1 (2020), 142–52 <https://doi.org/10.24843/IMHU.2020.v09.i01.p10>

life of the Ammatoa people. The bad impacts are the destruction of ecological balance and the disruption of the social system. Such is the *Ammatoa* community's belief in Pasang ri Kajang.

Literally, *Pasang* means "message". However, in the understanding of the *Ammatoa Kajang* community, pasang means more than just a message. *Pasang* is more of a sacred mandate. It is evident that pasang is something that must be obeyed and implemented, which if not implemented, will result in the emergence of undesirable things, such as the destruction of the balance of social and ecological systems, (Ba'bara), among others in the form of certain diseases (*Natabai Passau*) in the person concerned and the entire community.³⁹

Pasang ri Kajang is the teachings and rules about everything that must be carried out in this life in order to get safety from *Tu Rie A'rakna* where this *Pasang* is not written down and cannot be written down because in the beginning, it was the pasang that was the source of the written teachings, the source of the Pasang received by *Ammatoa* is the teachings and guidance directly from *Tu Rie A'rakna*, so it is a kind of revelation in Abrahamic religions that is passed down from God to a person who is sent to convey the revelation to all mankind.⁴⁰

In the Regional Regulation of Bulukumba Regency Number 9 of 2015 Article 1 paragraph (7), namely: *Pasang Ri Kajang*, hereinafter referred to as pasang, is a source of value that regulates all aspects of the life of *Ammatoa Kajang*, including social, cultural, governmental, belief, environmental and forest conservation issues.

Pasang ri Kajang is a norm that guides the community in utilizing the environment wisely. The inherent values, of course, will be very useful in increasing awareness of nature's function and proper utilization, especially in forests.⁴¹ The *Kajang* indigenous people believe in the truth of the *pasang*. They consider that in *pasang* there are values as a guide for the actions they do and as a source of order in their lives. The main values in *pasang* are honesty, patience, consistency, firmness, and tolerance⁴² *Pasang ri-Kajang* is a legacy of traditional ancestral values that remain unchanged today. This tradition still lives on and is firmly held by the Bulukumba community. This is because the community still maintains the *Amatoa Kajang* traditional rules for managing the forest environment.⁴³

39 Hijjang, Basir and Ismail (n 14).

40 Fuad, Thalib and Zainuddin (n 30).

41 Tajibu (n 22).

42 Erni Erawati, Inriati Lewa, and Anwar Thosibo, 'Reflection of the Pasang Ri Kajang in Settlements Traditional Communities Kajang Bulukumba Regency', in *Proceedings of the 9th Asbam International Conference (Archeology, History, & Culture In The Nature of Malay) (ASBAM 2021)*, 2022, DCLX, 31-37 <https://doi.org/10.2991/assehr.k.220408.005>

43 Erman Syarif and others, 'Tradition of "Pasang Ri-Kajang" in the Forests Managing in System Mores of "Ammatoa" at District Bulukumba South Sulawesi, Indonesia', *Mediterranean Journal of Social Sciences*, 7.6 (2016), 325-32 <http://dx.doi.org/10.5901/mjss.2016.v7n6p325>; Muhammad Natsir and others, 'The Relevance Of Islamic Principles In Environmental Management In Aceh' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 30 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/209>>; Muhammad Syauqi Bin-Armia, 'Pseudo-Environmental Values Versus Ethical Spirituality: A Study On Indonesian Green Sukuk' (2023) 8 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/225>>; Ali Abu Bakar, Mizaj Iskandar and Reza Maulana, 'Penerapan Sanksi Tindak Pidana Illegal Logging Di Kawasan Hutan Lindung Ditinjau Dari UU N0. 18 Tahun 2013 Tentang Pencegahan Dan Pemberantasan Perusakan Hutan' (2020) 3 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<http://petita.ar-raniry.ac.id/index.php/petita/article/view/37>>; Andre Novensa Liunokas and others, 'Balancing Tradition And Law: Indigenous Use And Legal Protection Of Pulau Pasir/Ashmore Reef' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/413>>; Nathalina Naibaho and Anindita Yulidaningrum Purba, 'Environmental Crimes In Indonesia And The Issue Of Proportionality In Fine Implementation' (2021) 6 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 27 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/114>>; Muhammad Ridwansyah, 'Tindak Pidana

In the *Ammatoa Kajang* Community, taking care of the forest is part of the "Passang" teaching, as the spirit of the people (*volksgeist*) because the forest is the staircase of the human spirit from and to earth and heaven, as a link between the supernatural and the real world. Kajang custom requires people to take care of the various creatures in the forest and its surroundings, and the gift of '*Turie A'ra'na* (God) in the forest, making the surrounding nature preserved.

Table 1 below presents the division of forests and their uses from the perspective of *Ammatoa Kajang* as follows:

Table 1: Forest Types and Utilization

No.	Forest Types	Uses of the Forest
1	<i>Borong Karamaka (Sacred Forest)</i>	Forest areas are prohibited for all types of activities except ceremonial activities or events. <i>Borong karama'</i> is used during traditional ceremonies. Only Ammatoa and other traditional leaders are allowed to enter <i>Borong karama'</i> .
2	<i>Borong Batasayya (Border Forest)</i>	Communities are allowed to extract timber from these forests with the Ammatoa's permission and fulfill several conditions. The final decision to acquire timber from this forest rests with the Ammatoa. Wood from this forest may only be used for the construction of public buildings.
3	<i>Borong Luara' (Community Forest)</i>	Community forests are forests that are fully managed by the community, but customary rules still apply in these forests. Arbitrary use of these community forests is not allowed.

Source: Mithen Lullulangi et.al. (2021) ^{44'}

Forest functions for the *Ammatoa Kajang* Community are: (1) Ritual function, which is part of the belief system, which views the forest (*borong karamaka*) as a place of ceremony. Various ceremonies carried out in the forest are the inauguration of *Ammatoa*, *Attunu Passau* (curse ceremony for custom violators), vow release ceremony, and *apparuntuk paknganro* ceremony (asking *Tu Rie A'rakna* for a desire both individually and collectively), and (2) ecological function, namely as a regulator of water management. *Apparik e bosu* and *apparik e tumbusuk* mean that they cause rainfall and springs.⁴⁵

The manifestation of the three functions of the forest is then distributed by the *Ammatoa Kajang* community to other individuals as a place to build relationships with God and ancestors, ecology and sources of life. This view is realized in a mutual interaction process through symbolic interactionism.

Kerusakan Lingkungan Dalam Undang-Undang Nomor 32 Tahun 2009 Dan Tinjauan Fiqh Al-Bi'ah' (2016) 1 Petita 15; Ermanto Fahamsyah, Brigitta Amalia Rama Wulandari and Yusuf Adiwibowo, 'Sustainable Development Goals To Strengthen Indonesian Palm Oil Development Through Indonesian Sustainable Palm Oil (ISPO)' (2021) 6 Petita: Jurnal Kajian Ilmu Hukum dan Syariah 82 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/112>>.

44 Mithen Lullulangi and others, 'The Local Wisdom of the Community Kajang', *International Journal of Innovation, Creativity and Change*, 15.2 (2021), 109–19 https://www.ijicc.net/images/Vol_15/Iss_2/141263_Lullulangi_2021_E1_R.pdf

45 Erman Syarif, 'Representasi Aturan Adat Dalam Pengelolaan Hutan Masyarakat Adat Ammatoa Sulawesi Selatan' (2018) 1 Jurnal Environmental Science 40. <https://doi.org/10.35580/jes.v1i1.7426>.

Legal Philosophy of Pasang ri Kajang In Preserving Forest Function For Ammattoa Kajang Community

The Pasang contains a series of old devices that become the local people's philosophy of life there. One of the pasang mentions that the world is a creation of *Turie'A'ra'na* (the Creator/God) and its contents that need to be maintained in balance, mostly the forest as a life source. Therefore, the community strives to preserve nature by instilling high moral values to create a harmonious life between nature and man.⁴⁶ The pasang as the highest guideline functions to regulate, give direction and shape as well as the true meaning of this life, namely determining which ones are allowed and which ones are not allowed, and forming an image of why there is a need to do what is allowed and avoid or stay away from what is not allowed. The philosophy of tide is not only reflected in the spoken word, but also attached to the symbol of black clothing with uniform models, house arrangements, village patterns, and nature conservation.⁴⁷

Pasang ri Kajang consists of environmental ethics that regulate human relationships and actions with nature, especially forests. The forest is a source of life and a gift to the local *Ammattoja Kajang* community. So if this forest is damaged or not managed the balance of the entire ecosystem of the local *Ammattoja Kajang* community will be disrupted.⁴⁸ The material of *Pasang ri Kajang* can be categorized into three aspects that are: God, Human, and Natural environmental aspects. Fundamental values in *Pajang ri Kajang* are four things regarded to the earth and heaven, namely: *lambusu*, *gattang*, *sa'bara*, and *apisona* (honest, firm, patient, and expression of submission and complete trust to God).⁴⁹

The *Ammattoja* community's customary forest management system is closely related to the *Ammattoja* community's perception of the forest and the simple living principles practiced by each member of the community. The forest is the philosophy of the *Ammattoja Kajang* community, without the forest there is no life. To take water alone, the *Ammattoja Kajang* community do not dig wells. if you dig the land, it is the same as hurting the earth. The *Ammattoja Kajang* community has forest management principles that realize environmental justice, these principles are (a) *boronga appariyeki katallassang* (the forest brings a source of life); (b) *boronga akkatuhoi timbusu* (the forest maintain the availability of water sources); (c) *boronga appambani-l bosi* (the forest brings rain); (d) *boronga appadingingi pa'rasangang* (the forest soothes the environment).⁵⁰

Ammattoja asserts that the forest is a source of human life for coastal estuaries in addition to the towns that surround it. *Ammattoja* presented a specific illustration: Lowland rice production relies heavily on springs derived from the forest. According to *Ammattoja*, this implies the significance of maintaining forests because they have an effect on various environmental services provided by sustainable forests, including providing for family food needs, from rice sown in the fields to the lives of creatures that use water as their habitat.⁵¹

46 Ega Rusanti and others, 'The Indigenous Ecotourism in Kajang South Sulawesi: Empowerment Issues in The Context of Pa'pasang Ri Kajang' (2021) 5 Religious: Jurnal Studi Agama-Agama dan Lintas Budaya 321. <https://doi.org/10.15575/rjsalb.v5i2.11661>

47 Erni Erawati and others, 'The Changes of Settlement Types in the Kajang Area: From Segmentary Society to Chiefdoms', *Mozaik Humaniora*, 22.1 (2022), 30-48 <https://doi.org/10.20473/mozaik.v22i1.32665>

48 Gustiana Anwar Kambo, 'Local Wisdom Pasang Ri Kajang as a Political Power in Maintaining Indigenous People's Rights', *ETNOSIA: Jurnal Etnografi Indonesia*, 6.2 (2021), 265-80 <https://doi.org/10.31947/etnosia.v6i2.10585>

49 Murdiati (n 17).

50 Sukmawati, Sugeng Utaya, and Singgih Susilo, 'The Local Wisdom of Indigenous People on Forest Preservation as Learning Source of Geographic Subject', *Jurnal Pendidikan Humaniora*, 3.3 (2015), 202-8 <http://journal.um.ac.id/index.php/jph/article/view/4862/2398>

51 Nurmala, Dassir and Supratman (n 18). Muhammad Siddiq et all Armia, 'Post Amendment of Judicial Review in Indonesia: Has Judicial Power Distributed Fairly?' (2022) 7 JILS 525;

The table below illustrates the philosophy of forest management for the *Ammatoa Kajang* community in realizing environmental justice as follows:

Table 2: Philosophy of Pasang ri Kajang in Forest Management

No.	Pasang ri Kajang	The Meaning
1	<i>Jagai linoa lollong bonena kammayya tompa langika siagang rupa taua siagang boronga</i>	Take care of the land and all its creatures, the sky, people, and the trees.
2	Nikasipalliangngi ammanra'-manrakia borong	Prohibiting the destruction of forests
3	<i>Anre nakulle ni Ta'bang kayu, tunu bani, Rao Doang siang tette' Uhe'</i>	It is severely prohibited to chop down Rotan, fire bees, catch shrimp, or cut down wood (trees).
4	<i>Anjo boronga iya kontaki bosiya nasaba konre mae pangairangnga iaminjo boronga nikua pangairang.</i>	When there is no irrigation, a forest encourages rain; after that, a forest acts as irrigation by bringing rain.
5	<i>Punna nitabbangngi kajua riborongnga, nunipappirangnga Angngurangi bosi patanre timbusu. Nibicara pasang ri tau Ma'riolo</i>	If the wood in the forest is cut down, the rain will be reduced and the springs will be lost (dries).
6	<i>Narie' kaloro battu riborongga, narie' timbusu battu rikajua.</i>	The existence of rivers originating from the forest, where spring comes from trees.
7	<i>Borongga parallui nitallassi, erea battu ri kaloro lupayya.</i>	Forests need to be preserved because the water coming from small rivers
8	<i>Iyamintu akkiyo bosi anggenna ereya nipake a'lamung pare, ba'do appa'rie' timbusia</i>	It (the forest) makes rain so that it can be used to grow rice, corn and into spring
9	<i>Anjo boronga anre nakkule nipanraki. Punna nipanraki boronga, nupanraki kalennu</i>	Forests should not be tampered with, if you ruin them as well as the damage yourself
10	<i>Anjo tugasa'na Ammatoa nalarangngi annabbang kaju ri boronga.</i>	The task of an Ammatoa prohibits the extraction of timber. Such laws apply here
11	<i>Iyaminjo nikua ada'tana Iyaminjo boronga kunne pusaka. Talakullei nisambeij kajua, iyato' minjo kaju timboa, talakullei nitambai nanikurangi borong karama, nilarangngi tauwa a, lamung-lamung riborongga, nasaba se're hattu larie'</i>	This is the law here The forest is a heritage. The wood cannot be replaced even if it grows. The sacred forest cannot be increased or decreased. People are forbidden to plant in the forest because one day there will be people who recognize the former plants.

Muhammad Siddiq Armia, 'Ultra Petita and the Threat to Constitutional Justice: The Indonesian Experience' (2018); Muhammad Syauqi Bin-Armia, 'From Constitutional-Court To Court Of Cartel: A Comparative Study Of Indonesia And Other Countries' (2024) 9 PETITA: Jurnal Kajian Ilmu Hukum dan Syari'ah. See also, Muhammad Siddiq Armia and Muhammad Syauqi Bin-Armia, 'Introduction: Maintaining the Constitutional Rights to Create a Better Society' (2023) 8 Petita : Jurnal Kajian Ilmu Hukum dan Syariah 69; Muhammad Siddiq Armia and others, 'Introduction: Measuring Environmental Impacts And Judiciary Environments' (2024) 9 Petita : Jurnal Kajian Ilmu Hukum dan Syariah i <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/309>>; Muhammad Siddiq Armia and others, 'Introduction: Bridging Tradition And Modernity: Legal Innovations For Justice, Equity And Sustainability In Contemporary Society' (2024) 9 Petita: Jurnal Kajian Ilmu Hukum dan Syariah <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/688>>; Muhammad Siddiq Armia and Muhammad Syauqi Bin-Armia, 'Introduction: Form Over Substance, Achieving Objectives While Preserving Values' (2023) 8 Petita : Jurnal Kajian Ilmu Hukum dan Syariah i.

	<i>tau angngakui bate lamunna.</i>	
--	------------------------------------	--

Source: Egi Rusanti et.al (2021) ⁵²

The first *pasang* emphasizes that nature is divided into three areas, namely the upper area of *boting langi* (sky), the middle area (where living things including humans) is called *lino* and the lower area is called *paratihi* (ocean), the three are a unity that is interrelated with one another and forms a system. If one element of the system is damaged or unable to function properly, the other elements will also be disrupted and unable to function optimally. Damage to one of its elements will cause damage to the system. Forests must be preserved because forest destruction will lead to drought, erosion, flooding, global warming, and various other forms of damage that will harm humans. The result is that the balance of nature becomes unstable and if forest damage gets worse, it will be difficult to restore it to its original condition even though forests are a renewable resource.

The second and third *pasang* emphasize not taking/destroying the forest (wood, rattan, and animals) and overexploit the forest. If this is done, it can cause floods, dry up water sources, reduce soil fertility, and damage the balance of the ecosystem. is the result of human greed "*tubakka teka'na*" or not *kamase-masea* (simple life).

The fourth, fifth, sixth, and seventh *pasang* describe the hydrological function of the forest as a water regulator. A sustainable forest can bring rain and keep springs flowing. Although the *Ammatoa* community expressed it in simple language, this shows that they really understand the function of the forest. Human life will be better because they can fulfil their needs without disturbing the ecological balance. *Ammatoa* indigenous people with awareness of the function of the forest will always maintain its sustainability. If this is not done, they will feel the consequences such as drought and crop failure, as well as not being able to carry out other activities.

The eighth and ninth *pasang* emphasize the importance of the forest to the *Ammatoa* community. This is because the forest is considered a heritage so the responsibility to protect the forest is held by *Ammatoa*. Based on the expression *Pasang ri Kajang*, it appears that power is entrusted to the holder of government control, not arbitrary power, but power must be devoted to realizing the welfare of the community. The attitude of government controllers who are given a mandate determines the creation of a harmonious relationship between nature and human life. Honesty held firmly by government officials is an absolute requirement to preserve nature and the environment. Therefore, *pasang ri kajang* reminds people, whether they are in control of the government or as members of the custom, to always be responsible for their duties and remind each other in various matters.

The tenth and eleventh *pasang* emphasize that no logging or planting is allowed in the customary forest (*borong karama*). The trees in it are allowed to grow and experience natural succession. Therefore, no one will recognize private ownership of the forest.

Regarding sanctions against perpetrators of offenses within customary forest areas, three levels of sanctions are known. The first is a light sanction or *cappa babbala*. The sanction is Rp5-7 million. The medium sanction is called *tanga babbala*, with a sanction of IDR 7-8 million. The most severe sanction is called *poko' babbala* with a sanction of Rp12 million.

52 Rusanti and others (n 46). See also, Muhammad Siddiq Armia and others, 'Criticizing the Verdict of 18/JN/2016/MS.MBO of Mahkamah Syar'iyah Meulaboh Aceh on Sexual Abuse against Children from the Perspective of Restorative Justice' (2022) 17 AL-IHKAM: Jurnal Hukum & Pranata Sosial 113 <<http://ejournal.iainmadura.ac.id/index.php/alihkam/article/view/4987>>; Muhammad Syauqi Bin-Armia, Muhammad Siddiq Armia and Muhammad Fazlurrahman Syarif, 'Economical Rights versus God's Rights: Criticising of the Implementation Shariah Economic in Indonesia' (2024) ahead-of-p International Journal of Islamic and Middle Eastern Finance and Management <<https://doi.org/10.1108/IMEFM-01-2024-0054>>; Muhammad Siddiq Armia, 'Public Caning: Should It Be Maintained or Eliminated? (A Reflection of Implementation Sharia Law in Indonesia)' [2019] Qudus International Journal of Islamic Studies.

These sanctions are given to forest destroyers whose identities are known and captured by the community. As for perpetrators whose identities are unknown, there is a type of punishment that is often carried out by the *Ammatoa* customary community, which is called *tunu pasau* and *tunu panroli* (burning crowbar).⁵³

In the crowbar burning ceremony, a crowbar is burned until it is as white as cotton. In its cotton-white state, people suspected of forest destruction are asked to hold the crowbar. If the person concerned is not the perpetrator of the violations, then the smouldering crowbar will not burn his hand, and the heat of the fire will not be felt in the hand. However, if the perpetrator is the one who destroyed the forest, when he holds the crowbar, his hand will immediately burn. If the culprit runs away and does not participate in the crowbar burning, the sanction is even more fatal, namely his stomach is enlarged.

The *Ammatoa Kajang* community administers the forest to maintain the ecosystem's balance (environmental justice) by taking pre-emptive measures in every situation where its effects are anticipated to be negative in order to lessen such effects. Several things are done to prevent environmental exploration. The early identification of locations that should not be touched by humans at all is one of them. Regulation (*Pasang ri Kajang*), which is the fundamental cornerstone of environmental protection, is then followed by law enforcement.

Pasang ri Kajang teaches the principle of *tallasa kamase-mase*, encourages honesty, firmness, patience, and resignation, and believes in the power of *Tu Rie A'rakna* (God). The "*tallase kamase-mase*" lifestyle philosophy is practiced by the *Kajang* indigenous community and means to "live as is," "live simply," or "live enough." The *Kajang* people always maintain nature by utilizing what it has naturally provided them with rather than constantly seeking more.⁵⁴ For the *Ammatoa Kajang* community, *tallasa kamase-mase* is essentially work that is solely to fulfil life in "moderation", or in the sense that it can meet minimal needs.⁵⁵ This principle is a way of life that rejects modern things and products that use machines/industry.⁵⁶

The success of the *Ammatoa Kajang* Community in managing customary forest land and space is because at least the *Ammatoa Kajang* Community has 4 things, as follows: (1) Rules limiting activities in customary forests in accordance with their objectives; (2) *pasang ri kajang* as a role model for the management of customary forest land and space; (3), the determination of

53 Risfaisal and others (n 6). See also, G Radbruch, B Litschewski Paulson and S Paulson, 'Statutory Lawlessness and Supra-Statutory Law (1946)' (2006) 26 Oxford Journal of Legal Studies 1 <<https://academic.oup.com/ojls/article-lookup/doi/10.1093/ojls/gqi041>> accessed 27 June 2021; Katja Creutz, *State Responsibility in the International Legal Order* (Cambridge University Press 2020); Laurens Bakker, 'Custom and Violence in Indonesia's Protracted Land Conflict' (2023) 8 Social Sciences and Humanities Open 100624.

54 Sitti Aaisyah, 'The Concept of Environmental Ethics in The Manuscript of La Galigo', *Heritage of Nusantara: International Journal of Religious Literature and Heritage*, 7.2 (2018), 119-66 <https://doi.org/10.31291/hn.v7i2.538>; Etika Rahmawati, Esmi Warassih Pudji Rahayu and Sukirno Sukirno, 'State Actors in Agrarian Conflicts' (2023) 7 Journal of Southeast Asian Human Rights 276 <<https://jurnal.unej.ac.id/index.php/JSEHR/article/view/43798>>; Annisa Rizkina and Muhammad Maulana, 'Responsibilitas Pengusaha Diving Dan Snorkeling Terhadap Risiko Wisatawan Di Pantai Iboih Sabang' (2004) 8 JURISTA: Jurnal Hukum dan Keadilan 220 <<https://jurista-journal.org/index.php/jurista/article/view/129>>.

55 Eti Susanti, Bau Ismatul Auliyah, and Ria Anggriani, 'Analisis Perbandingan Pasang Ri Kajang (Tallasa Kamase-Mase) Dengan Syariat Islam', *Jurnal Pena*, 2.2 (2015), 387-97 <https://journal.unismuh.ac.id/index.php/pena/article/view/751/pdf>

56 Muhammad Takbir, Rizal Mustansyir, and Sindung Tjahyadi, 'Reinventing "Patuntung Religion" in South Sulawesi, Indonesia', *JICSA (Journal of Islamic Civilization in Southeast Asia)*, 10.1 (2021), 1-27 <https://doi.org/10.24252/jicsa.v10i1.21393>

penalties and prohibitions firmly to all indigenous communities, and (4) clear procedures in forest management and logging.⁵⁷

Conclusion

Ammatoa Kajang Community, taking care of the forest is part of the "Passang" teaching, as the spirit of the people (*volksgeist*) because the forest is the staircase of the human spirit from and to earth and heaven, as a link between the supernatural and the real world. Kajang custom requires people to take care of the various creatures in the forest and its surroundings, and the gift of *Tu Rie A'rakna* (God) in the forest, making the surrounding nature preserve. *Pasang ri Kajang* teaches the principle of *tallasa kamase-mase*, encourages honesty, firmness, patience, and resignation, and believes in the power of *Tu Rie A'rakna* (God). The "*tallase kamase-mase*" lifestyle philosophy is practiced by the *Kajang* indigenous community and means to "live as is," "live simply," or "live enough. The *Ammatoa Kajang* community administers the forest to maintain the ecosystem's balance (environmental justice) by taking pre-emptive measures in every situation where its effects are anticipated to be negative in order to lessen such effects. Regulation (*Pasang ri Kajang*), which is the fundamental cornerstone of environmental protection, is then followed by law enforcement.

Bibliography

- Aaisyah S, 'The Concept of Environmental Ethics in The Manuscript of La Galigo' (2018) 7 *Heritage of Nusantara: International Journal of Religious Literature and Heritage* 119
- Abu Bakar A, Iskandar M and Reza Maulana, 'Penerapan Sanksi Tindak Pidana Illegal Logging Di Kawasan Hutan Lindung Ditinjau Dari Dari UU N0. 18 Tahun 2013 Tentang Pencegahan Dan Pemberantasan Perusakan Hutan' (2020) 3 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<http://petita.ar-raniry.ac.id/index.php/petita/article/view/37>>
- Afdal AAM, Lambali S and Syahribulan, 'Implementation of Regional Regulation Policy on The Sustainability of The Ammatoa Kajang Customary Forest' (2022) 11 *Legal Brief* 979
- Annisa Rizkina and Maulana M, 'Responsibilitas Pengusaha Diving Dan Snorkeling Terhadap Risiko Wisatawan Di Pantai Iboih Sabang' (2004) 8 *JURISTA: Jurnal Hukum dan Keadilan* 220 <<https://jurista-journal.org/index.php/jurista/article/view/129>>
- Armia MS, 'Ultra Petita and the Threat to Constitutional Justice: The Indonesian Experience' (2018)
- , 'Public Caning: Should It Be Maintained or Eliminated? (A Reflection of Implementation Sharia Law in Indonesia)' [2019] *Qudus International Journal of Islamic Studies*
- , 'Criticizing the Verdict of 18/JN/2016/MS.MBO of Mahkamah Syar'iyah Meulaboh Aceh on Sexual Abuse against Children from the Perspective of Restorative Justice' (2022) 17 *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 113 <<http://ejournal.iainmadura.ac.id/index.php/alihkam/article/view/4987>>
- , 'Introduction: Measuring Environmental Impacts And Judiciary Environments' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* i <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/309>>
- , 'Introduction: Bridging Tradition And Modernity: Legal Innovations For Justice, Equity And Sustainability In Contemporary Society' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/688>>

57 Muhammad Syainal Nur, Muhammad Zid, and Cahyadi Setiawan, 'Management of Land and Forest Space with the Perspective of Local Wisdom of the Ammatoa Kajang Community as a Conservative Endeavor', *Journal of Environmental Sustainability Management*, 6.2 (2022), 90–105 <https://doi.org/10.36813/jplb.6.2.90-105>

- Armia MS et al, 'Post Amendment of Judicial Review in Indonesia: Has Judicial Power Distributed Fairly?' (2022) 7 JILS 525
- Aspan Z and Irwansyah, 'Maintaining Environmental Sustainability Based on Traditional Knowledge: Lesson From Kajang Tribe' (2023) XI Russian Law Journal 69
- Aulia MZ, 'Friedrich Carl von Savigny Tentang Hukum: Hukum Sebagai Manifestasi Jiwa Bangsa' (2020) 3 Undang: Jurnal Hukum 201
- Bakker L, 'Custom and Violence in Indonesia's Protracted Land Conflict' (2023) 8 Social Sciences and Humanities Open 100624
- Benuf K and Azhar M, 'Metodologi Penelitian Hukum Sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer' (2019) 3 Refleksi Hukum: Jurnal Ilmu Hukum 20
- Bin-Armia MS, 'Pseudo-Environmental Values Versus Ethical Spirituality: A Study On Indonesian Green Sukuk' (2023) 8 Petita: Jurnal Kajian Ilmu Hukum dan Syariah <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/225>>
- , 'From Constitutional-Court To Court Of Cartel: A Comparative Study Of Indonesia And Other Countries' (2024) 9 PETITA: Jurnal Kajian Ilmu Hukum dan Syari'ah
- Bin-Armia MS, Armia MS and Syarif MF, 'Economical Rights versus God's Rights: Criticising of the Implementation Shariah Economic in Indonesia' (2024) ahead-of-p International Journal of Islamic and Middle Eastern Finance and Management <<https://doi.org/10.1108/IMEFM-01-2024-0054>>
- Creutz K, *State Responsibility in the Internatioonal Legal Order* (Cambridge University Press 2020)
- Daniel D and others, 'To What Extent Does Indigenous Local Knowledge Support the Social-Ecological System? A Case Study of the Ammatoa Community, Indonesia' (2022) 11 Resources 1
- Dassir M, 'Pranata Sosial Sistem Pengelolaan Hutan Masyarakat Adat Kajang' (2008) 3 Hutan dan Masyarakat 135
- Dedihasriadi LO and Nurcahyo E, 'Pancasila Sebagai Volkgeist: Pedoman Penegak Hukum Dalam Mewujudkan Integritas Diri Dan Keadilan' (2020) 9 Jurnal Magister Hukum Udayana (Udayana Master Law Journal) 142
- Erawati E and others, 'The Changes of Settlement Types in the Kajang Area: From Segmentary Society to Chiefdoms' (2022) 22 Mozaik Humaniora 30
- Erawati E, Lewa I and Thosibo A, 'Reflection of the Pasang Ri Kajang in Settlements Traditional Communities Kajang Bulukumba Regency', *Proceedings of the 9th Asbam International Conference (Archeology, History, & Culture In The Nature of Malay) (ASBAM 2021)* (2022)
- Erwin M, 'Reconstruction the Paradigm of Law and Justice on the Regulation of Right to Living Space of the Orang Rimba Tribe in Bukit Duabelas, Jambi Province' (2018) 2 Sriwijaya Law Review 56
- Fahamsyah E, Amalia Rama Wulandari B and Adiwibowo Y, 'Sustainable Development Goals To Strengthen Indonesian Palm Oil Development Through Indonesian Sustainable Palm Oil (ISPO)' (2021) 6 Petita: Jurnal Kajian Ilmu Hukum dan Syariah 82 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/112>>
- Fuad F, Thalib H and Zainuddin Z, 'Penerapan Asas Legalitas Materil Terhadap Hukum Pidana Adat: Studi Tana Toa Kajang' (2021) 2 Journal of Lex Theory (JLT) 1
- Hafid A, *Ammatoa Dalam Kelembagaan Komunitas Adat Kajang* (De La Macca 2013)

- Hasan and Nur H, 'Patuntung Sebagai Kepercayaan Masyarakat Kajang Dalam (Ilalang Embayya) Di Kabupaten Bulukumba' (2019) 2 *Phinisi Integration Review* 185
- Hijjang P, Basir M and Ismail A, 'Indigenous People's Environmental Conservation System: Case Study of Kajang Society, Indonesia', *IOP Conference Series: Earth and Environmental Science* (2019)
- Irmawati, Pawennei M and Qahar A, 'Penyelesaian Tindak Pidana Ringan Melalui Kearifan Lokal (Hukum Adat) Dalam Sistem Hukum Indonesia' (2022) 3 *Journal of Lex Generalis (JLS)* 133
- Jamin M and others, 'Legal Protection of Indigenous Community in Protected Forest Areas Based Forest City' (2022) 10 *Bestuur* 198
- Kaharudin, Robot J and Lobja E, 'Pelestarian Hutan Rakyat Kaitan Dengan Kearifan Lokal Di Desa Tanah Towa Kecamatan Kajang Kabupaten Bulukumba.' (2020) 1 *GEOGRAPHIA: Jurnal Penelitian dan Pendidikan Geografi* 17
- Kambo GA, 'Kekuatan Politik Pemangku Adat Ammatowa Pada Masyarakat Adat Di Tanatowa Bulukumba' (2016) 7 *Jurnal Noken* 90
- Kambo GA, 'Local Wisdom Pasang Ri Kajang as a Political Power in Maintaining Indigenous People's Rights' (2021) 6 *ETNOSIA : Jurnal Etnografi Indonesia* 265
- Liunokas AN and others, 'Balancing Tradition And Law: Indigenous Use And Legal Protection Of Pulau Pasir/Ashmore Reef' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/413>>
- Lullulangi M and others, 'The Local Wisdom of the Community Kajang' (2021) 15 *International Journal of Innovation, Creativity and Change* 109
- Mahbub MAS and others, 'Indigenous and Non-Indigenous Knowledges Dialectics in Management of Kajang Customary Forest, District of Bulukumba, South Sulawesi' (2018) 42 *International Journal of Sciences: Basic and Applied Research (IJSBAR)* *International Journal of Sciences: Basic and Applied Research* 195
- Megawati S and Mahdiannur MA, 'Implementation of Forest Conservation Policies Based on Local Wisdom of the Ammatowa Kajang Indigenous Community', *IOP Conference Series: Earth and Environmental Science* (2021)
- Muhammad Siddiq Armia and Bin-Armia MS, 'Introduction: Form Over Substance, Achieving Objectives While Preserving Values' (2023) 8 *Petita : Jurnal Kajian Ilmu Hukum dan Syariah* i
- Muhammad Siddiq Armia and Muhammad Syauqi Bin-Armia, 'Introduction: Maintaining the Constitutional Rights to Create a Better Society' (2023) 8 *Petita : Jurnal Kajian Ilmu Hukum dan Syariah* 69
- Murdiati CW, 'The Role of Customary Knowledge in Contemporary Forestry: Experiences from the Kajang Customary Community in Indonesia' (2017) 5 *Global Journal of Business Social Sciences Review* 84
- Musi S and Fitriana F, 'Pola Komunikasi Ammatowa Dalam Melestarikan Kearifan Lokal Melalui Nilai Kamase-Masea Di Kajang' (2019) 7 *Komodifikasi* 257
- Naibaho N and Purba AY, 'Environmental Crimes In Indonesia And The Issue Of Proportionality In Fine Implementation' (2021) 6 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 27 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/114>>
- Natsir M and others, 'The Relevance Of Islamic Principles In Environmental Management In Aceh' (2024) 9 *Petita: Jurnal Kajian Ilmu Hukum dan Syariah* 30 <<https://petita.ar-raniry.ac.id/index.php/petita/article/view/114>>

- raniry.ac.id/index.php/petita/article/view/209>
- Ningsih T, 'Tradisi Saparan Dalam Budaya Masyarakat Jawa Di Lumajang' (2019) 17 IBDA` : Jurnal Kajian Islam dan Budaya 79
- Nur MS, Zid M and Setiawan C, 'Management of Land and Forest Space with the Perspective of Local Wisdom of the Ammatoa Kajang Community as a Conservative Endeavor' (2022) 6 Journal of Environmental Sustainability Management 90
- Nurmala N, Dassir M and Supratman S, "'Pasang", Knowledge and Implementation of Local Wisdom in The Kajang Traditional Forest Area, South Sulawesi' (2022) 4 Pusaka: Journal of Tourism, Hospitality, Travel and Business Event 40
- Padhee S and Bishwal S, 'The Theory Of " Volksgeist " By Savigny – An Intervention With Khap Panchayats In India' (2022) 12 Res Militaris 2172
- Radbruch G, Paulson BL and Paulson S, 'Statutory Lawlessness and Supra-Statutory Law (1946)' (2006) 26 Oxford Journal of Legal Studies 1 <<https://academic.oup.com/ojls/article-lookup/doi/10.1093/ojls/gqi041>> accessed 27 June 2021
- Rahman F and others, 'The Practice of Local Wisdom of Kajang People to Save Forests and Biodiversity: A Cultural-Based Analysis', *IOP Conference Series: Earth and Environmental Science* (2019)
- Rahmawati E, Rahayu EWP and Sukirno S, 'State Actors in Agrarian Conflicts' (2023) 7 Journal of Southeast Asian Human Rights 276 <<https://jurnal.unej.ac.id/index.php/JSEAHR/article/view/43798>>
- Rahmayani E, Nadjib M and Kahar K, 'Pola Perilaku Komunikasi Masyarakat Di Kawasan Adat Ammatoa Kajang' (2017) 6 KAREBA : Jurnal Ilmu Komunikasi 361
- Ridwansyah M, 'Tindak Pidana Kerusakan Lingkungan Dalam Undang-Undang Nomor 32 Tahun 2009 Dan Tinjauan Fiqh Al-Bi'ah' (2016) 1 Petita 15
- Risfaisal and others, 'Sistem Penyelesaian Kasus Pada Masyarakat Adat Kajang Ammatoa Kabupaten Bulukumba' (2022) 10 Equilibrium: Jurnal Pendidikan 261
- Rusanti E and others, 'The Indigenous Ecotourism in Kajang South Sulawesi: Empowerment Issues in The Context of Pa'pasang Ri Kajang' (2021) 5 Religious: Jurnal Studi Agama-Agama dan Lintas Budaya 321
- Sahib H and others, 'Customary Forest Conservation through Informal Knowledge System of Ammatowa Community' (2019) 270 IOP Conference Series: Earth and Environmental Science
- Salle S and others, 'Teseng: Implementation of Justice Values in Profit-Sharing Agreements Based on the Local Wisdom of the Bugis Makassar Community' (2024) 15 Jurnal Hukum Novelty 215
- Sukmawati, Utaya S and Susilo S, 'The Local Wisdom of Indigenous People on Forest Preservation as Learning Source of Geographic Subject' (2015) 3 Jurnal Pendidikan Humaniora 202
- Susanti E, Auliyah BI and Anggriani R, 'Analisis Perbandingan Pasang Ri Kajang (Tallasa Kamase-Mase) Dengan Syariat Islam' (2015) 2 Jurnal Pena 387
- Syarif E, 'Representasi Aturan Adat Dalam Pengelolaan Hutan Masyarakat Adat Ammatoa Sulawesi Selatan' (2018) 1 Jurnal Environmental Science 40
- , 'Tradition of "Pasang Ri-Kajang" in the Forests Managing in System Mores of "Ammatoa" at District Bulukumba South Sulawesi, Indonesia' (2016) 7 Mediterranean Journal of

Social Sciences 325

- Syarif KA, 'Literature Study of Pasang Ri Kajang as a Guideline for Resolving Customary Violations in the Ammatoa Kajang Customary Law Community' (2022) 01 International Journal of Education, Vocational and Social Science 303
- Tajibu K, 'Pasang Ri Kajang In Developing Youth Character of Enviromental Love In Tana Toa Kajang' (2020) 20 Jurnal Adabiyah 131
- Takbir M, Mustansyir R and Tjahyadi S, 'Reinventing "Patuntung Religion" in South Sulawesi, Indonesia' (2021) 10 JICSA (Journal of Islamic Civilization in Southeast Asia) 1
- Tan D, 'Metode Penelitian Hukum: Mengupas Dan Mengulas Metodologi Dalam Menyelenggarakan Penelitian Hukum' (2021) 8 Nusantara: Jurnal Ilmu Pengetahuan Sosial 2463
- Thontowi J, 'Perlindungan Dan Pengakuan Masyarakat Adat Dan Tantangannya Dalam Hukum Indonesia' (2013) 20 Jurnal Hukum Ius Quia Iustum 21
- Van der Muur W and Bedner A, 'Traditional Rule As "Modern Governance": Recognising the Ammatoa Kajang Adat Law Community' (2016) 28 Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada 149
- Zainuddin Z, Juselim Sammak and Salle S, 'Patuntung: The Encounter of Local Culture and Islamic Sharia in the Ammatoa Kajang Community' (2023) 18 AL-IHKAM: Jurnal Hukum & Pranata Sosial 177