

***COMMUNITY PARTICIPATION IN CUSTOMARY LAW-
BASED ENVIRONMENTAL MANAGEMENT IN PAYA NIE***

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ABSTRACT

This study examines the ecological conservation dynamics in the Paya Nie area, managed under customary law. The region holds significant ecological value as a habitat for flora and fauna and serves as a water catchment area supporting the local economy. This qualitative research adopts a normative juridical approach with a socio-legal perspective to address two main questions: how the position of customary law within the national legal system can support the protection of peatland ecosystems, and what role customary legal norms play in safeguarding peatland natural resources based on the principles of environmental sustainability. The data utilized include legal documents, literature, and relevant policy reports. The study aims to provide insights into the role of customary law within the national legal system and propose normative mechanisms to strengthen conservation efforts based on local values. Thus, the research contributes to the development of sustainable conservation policies and the harmonization of national and customary law. This study relies on secondary data, including an analysis of legal documents, legislation, literature on customary law, conservation policy reports, and previous studies. These data will be used to identify applicable customary legal norms and analyze their

role in maintaining ecological balance. The main focus lies in the normative analysis of customary law applied to ecosystem management in Paya Nie and its support for sustainability principles. Additionally, this study explores how customary law and social capital can synergize to achieve sustainable natural resource management.

Keywords: *Ecological Conservation, Customary Law, Social Capital*

INTRODUCTION

The idea in this study stems from the lack of public awareness in maintaining ecological sustainability in Paya Nie even though there is customary law that regulates the management of the Natural Resources of the Paya Nie Swamp in Kuta Blang District, Bireuen Regency. The large potential of the Paya Nie area makes this area considered urgent to be protected. In connection with this, when viewed from the data from the Area Report in Bireun Regency, Paya Nie is one of the swamps with the largest area in the Regency, with a total area of 300.15 ha spanning 7 villages in Kutablang District, Bireuen. In addition to its area exceeding hundreds of ha, Paya Nie is also a peatland where various types of flora and fauna live, in addition to also functioning as a water absorption area and water source for agriculture in the area. Furthermore, the preservation of the natural sustainability of the Paya Nie area also has a correlation with the magnitude of the potential of this area, so that many people who live around the area depend on the natural resources of Paya Nie for their economy, for example, fishermen, farmers, and also MSMEs from the women's community in Blang Mee Village who are engaged in handicrafts using purun as the basic material.

From a formal legal aspect, the status of the Paya Nie area is an Other Use Area (APL), which has a legal status as an area that provides protection for subordinate areas. It is interesting to note regarding the area of the area, where when comparing the current data source with that recorded in Qanun No. 7 of 2013, that at that time Paya Nie had an area of around 304.19 hectares, it is clearly illustrated that the area of the swamp area has decreased by around 4.04 hectares in the last few years. This happened because of the land conversion carried out by the local community, both for rice fields, mixed coconut plantations, and oil palm plantations.

The Rawa Paya Nie area is also one of the ecosystems rich in biodiversity, so it has a very important ecological and economic role in maintaining the balance of nature and providing direct benefits to the surrounding community. Therefore, it is an urgent need to ensure the sustainability and preservation of this area, this can be attempted by internalizing local wisdom such as strengthening the existence of customary law in overseeing the management of natural resources in Paya Nie.

In line with the description above, customary authority holders and indigenous communities certainly have a crucial role. Customary authorities or stakeholders, in this case, have the responsibility to design policies by involving various parties, and implementing strategies that support environmental conservation. Furthermore, legal awareness and participation of indigenous communities who are one of the main actors who live close to and depend on Paya Nie natural resources, also have an important role in realizing the ideals of customary law in overseeing the management of Paya Nie natural resources.

However, the fact is that not all actors comply with the applicable customary law regarding the prohibition of exploiting nature in certain ways that have a damaging impact on the ecology of Paya Nie. For example, until now there are still actions by actors who do not comply with local customary rules regarding the prohibition on the use of electrocution fishing methods. According to information obtained by researchers, this violation of customary law even had an impact on the scarcity of freshwater fish in 2019 in Paya Nie. Overall, these problems, in addition to destroying the sustainability of fauna life, also have a direct impact on the scarcity of food supplies for people who depend on the Natural Resources in Paya Nie for their livelihoods. Efforts to maintain the ecological sustainability of Paya Nie through enforcement of customary law are actually very promising to

guarantee food security and stocks for the community. For example, if the prohibition on hunting fish in certain ways is not implemented, it is possible that the area will continue to be exploited, so that natural resources can be completely destroyed in the future. However, if we draw a common thread, what is being attempted by the authorities and the Indigenous community is not only oriented towards the problem of local food supplies, but also to realize a balanced ecology and save various endemic flora and fauna in the Paya Nie area.

In addition to legal disobedience, according to the initial hypothesis, the researcher assessed that the weak legal force and the absence of strict sanctions in overseeing the management of the Paya Nie ecosystem could also be driving factors for continued exploitation in the area. Although since 2022 there has been active social capital encouragement by the community and sovereign customary leaders in 7 villages in the Paya Nie area in creating and issuing written customary laws, until this research was conducted, the disregard of local customary laws by individuals continued to occur. Therefore, the researcher assessed that the ideals of making Paya Nie a conservation area and efforts to revitalize local customary law could actually be a new breakthrough in maintaining sustainable natural resources in the area.

Based on the brief description above, this research problem is considered important to be carried out in order to comprehensively examine the position of customary law in the national legal system and how customary law can support the protection of peat swamp ecosystems such as Paya Nie. This study is also important for analyzing the role of customary legal norms in providing protection for peat swamp natural resources based on the principle of environmental sustainability. This research will attempt an in-depth normative analysis of customary law aspects, including how prevailing norms and values can be recognized in the national legal system. In addition, this research will also examine the relevance of customary law in promoting the principle of sustainability, as well as how the normative framework can address challenges and create opportunities for sustainable peat swamp ecosystem protection.

RESEARCH AND METHODOLOGY

This research is a type of qualitative research with a normative legal approach that fully utilizes secondary data as analysis material. Secondary data were obtained through literature studies involving various official documents, such as regulations, policies, scientific journals, books, and research reports related to customary law, social capital, and peat swamp ecosystem protection. Data collection techniques focus on document analysis to understand the relationship between customary law norms, ecological sustainability, and social capital. This data was obtained from relevant libraries, digital repositories, and online databases. The data collection process aims to trace the implementation of customary law in natural resource management in Paya Nie, design a relevant analytical framework, and explore the contribution of customary law to ecosystem conservation based on environmental sustainability.

Data analysis was carried out using a qualitative approach through the stages of data reduction, categorization according to the research theme, and in-depth interpretation using social capital theory. This study also adopts a socio-legal approach to understand the relationship between social and legal aspects, so as to be able to explore the role of customary law in the context of peat swamp ecosystem conservation. Data validity was obtained by comparing various secondary sources to ensure consistency and relevance. The results of the analysis are formulated to answer two main focuses of the research, namely the position of customary law in the national legal system and the role of customary law norms in supporting the ecological sustainability of Paya Nie. With this approach, the research is expected to provide academic contributions as well as offer practical recommendations for strengthening local wisdom in environmental management based on customary law.

RESULT

1. The Position of Customary Law in the National Legal System in Supporting Ecological Protection of Paya Nie

To analyze the position of customary law in the legal system, it is necessary to pay attention to one of the schools of law, namely sociological jurisprudence conveyed by Eugen Ehrlich. The basic concept of Ehrlich's thinking about law is what is called living law. Good and effective positive law is law that is in accordance with the living law of society that reflects the values that live in it (Afandi, 2024). Because in reality, in drafting a regulation, attention should be paid to what lives in society (Mahdi Syahbandir, 2010).

Based on the concept of *living law* put forward by Eugen Ehrlich, customary law can be considered as a manifestation of the law that lives in society. In the context of Paya Nie, customary law is not only a tool for managing natural resources, but also reflects ecological and social values that have been internalized in the lives of local communities. Customary norms, such as the prohibition on the use of destructive fishing gear and the prohibition on the conversion of peatlands for oil palm plantations, are clear evidence that customary law functions as an instrument of ecological protection that is relevant to the needs of local communities. The existence of this customary law shows the harmony between humans and the environment that has been going on for centuries.

However, in the national legal system, the position of customary law is often at the crossroads between formal recognition and marginalization. Although the 1945 Constitution Article 18B Paragraph (2) has recognized the existence of customary law communities and their rights, the implementation of this recognition often clashes with sectoral regulations and development policies that ignore local values. For example, the conversion of peatland in Paya Nie which was carried out without considering customary law shows a gap between formal law and the law that lives in society.

Sociological jurisprudence provides the view that effective law must be able to accommodate social values that exist in society (Ainun Annurriyyah, et al. 2023). In this case, customary law in Paya Nie can serve as a foundation for building formal regulations that are more responsive to local ecological needs. By making customary law an integral part of the national legal system, the potential for conflict between formal and local law can be minimized, while providing space for indigenous peoples to play an active role in environmental protection.

Therefore, an integrative approach between customary law and national law is needed. Regulations that recognize and empower customary law as a framework for ecological management can be a strategic solution to ensure the sustainability of Paya Nie. This is in line with Ehrlich's view that the law that lives in society is the most effective law in creating a harmonious and sustainable order.

From a legal anthropology perspective, customary law in Paya Nie reflects the close relationship between the culture of the community and the local ecology. This approach highlights that customary law is not merely a normative rule, but also the result of community adaptation to their environment. In the case of Paya Nie, customary norms governing the protection of peat areas and swamp ecosystems indicate a deep understanding by the community of the importance of maintaining ecological balance for their survival. The prohibition of destructive fishing or the conversion of peatlands, for example, is a manifestation of environmental protection practices based on local wisdom.

However, the integration of customary law into the national legal system often faces challenges, especially in terms of harmonizing local principles with the state legal framework. In the perspective of legal pluralism, the state is often considered too dominant, so that customary law loses its authority when faced with stronger formal regulations. In fact, customary law in Paya Nie has proven effective in managing natural resources sustainably, but without formal recognition and

protection in the national legal system, its existence remains vulnerable to being eroded by external pressures, such as infrastructure development or expansion of plantation areas.

To support the ecological protection of Paya Nie, it is important for the national legal system to adopt a *bottom-up approach* in the formulation of regulations. This means involving indigenous peoples in every stage of the legislative process related to their area. This approach not only provides symbolic recognition of customary law, but also strengthens the legitimacy of national law in the eyes of local communities. On the other hand, empowering customary law through formal recognition can encourage local communities to be more confident in enforcing their customary rules, while making it a stronger instrument of ecological protection.

Philosophically, the recognition of customary law in the national legal system is part of an effort to create ecological justice, where humans are not only users, but also guardians of nature. In this context, customary law acts as a link between traditional values and modern needs for environmental conservation. Thus, the position of customary law in the national legal system not only supports ecological protection in Paya Nie, but also provides an example of a model of natural resource management based on local wisdom that can be adopted in other areas.

Referring to customary law that has played a strategic role in maintaining the Paya Nie ecosystem in Aceh, it has been taken through steps involving prohibitions on activities that damage the environment. Indigenous communities, through customary institutions such as mukim, have established rules prohibiting hunting birds with firearms, as well as fishing using dangerous tools such as bombs, poisons, or electric shocks. These rules are supported by the power of customary sanctions, which are often more effective in enforcing the law at the community level than formal government regulations.

This approach also involves the participation of various parties, including dozens of keuchik (village heads) who are active in participatory discussions to upgrade the status of the area to a conservation area based on customary authority. This aims to preserve the biodiversity of Paya Nie and utilize its natural resources sustainably. The area is also recognized as an important habitat for water birds, including migratory species, so its role in ecology is very significant.

The Aceh Wetland Foundation (AWF), together with support from the private sector and local government, has facilitated the development of this regulation. This approach reflects an effort to integrate customary law with modern conservation interests, demonstrating how local norms can adapt to address contemporary environmental challenges. In addition, the application of customary law in Paya Nie also aims to address broader threats, such as the draining of peatlands for agriculture and plantations, which can disrupt the function of the swamp as a carbon sink and water storage.

Through customary law, the indigenous people of Paya Nie not only protect the environment but also maintain their cultural and social sovereignty. These rules reflect local values that support the ecosystem while ensuring the sustainability of resources for future generations. By involving government and non-governmental organizations, they have succeeded in creating a community-based conservation model that can serve as an example for other regions in Indonesia.

The application of customary law is based on the recognition of the authority of local customary institutions, such as mukim and keuchik, who have the authority to manage their customary areas. In this case, customary law in Paya Nie not only functions as a tool to regulate community behavior, but also provides a more binding sanction force compared to formal law. This underlines the importance of the role of indigenous communities in sustainable environmental management, by strengthening customary norms as a basis for ecological decision-making.

These protection efforts are increasingly relevant in the context of threats to the Paya Nie swamp area, which has undergone major changes due to drainage activities for oil palm plantations and other land conversions. This area, which was previously a water catchment area and an important habitat for migratory species, is now on the verge of ecological destruction. With the help of customary law, the Paya Nie community is trying to overcome this problem by establishing regulations that involve various elements of society to ensure the sustainability of their ecosystem.

Overall, the customary law efforts undertaken by the Paya Nie community demonstrate synergy between local norms and global conservation needs. Indigenous communities not only act as protectors of nature, but also as firm decision makers based on local wisdom in facing increasingly pressing ecological challenges.

Examples of violations or exploitation of the Paya Nie ecosystem are related to activities that damage the natural habitat in the area, one of which is the practice of fishing using destructive fishing gear such as electric fishing rods or fish bombs. This illegal practice threatens the sustainability of aquatic fauna, especially freshwater fish which are an important part of the food chain and the sustainability of the peat swamp ecosystem in Paya Nie. Violations of customary law also cause a decrease in the number of fish, which can lead to a shortage of food supplies for local communities who depend on these natural resources for their livelihoods.

In addition, land conversion activities for oil palm plantations and other commercial crops are also a form of exploitation that damages the Paya Nie ecosystem. In recent years, the peat swamp area has experienced a shrinking area due to changes in land use carried out by local communities, who often ignore customary rules that prohibit land conversion that damages the ecosystem. Data shows that the area of Paya Nie, which previously reached 304.19 hectares, has decreased to around 300.15 hectares, indicating a reduction in the swamp area due to land use changes.

This exploitation not only damages the habitat of existing flora and fauna, but also has the potential to disrupt the sustainability of natural resources that are the backbone of the local economy, such as fishermen and farmers who depend on the existence of the swamp ecosystem. The decline in soil quality and the reduction of water catchment areas can exacerbate the vulnerability of natural disasters, such as floods, which often occur in the area. Such violations can also worsen the climate change crisis in the Paya Nie area, which is highly dependent on the peat swamp ecosystem to absorb carbon and maintain local climate balance.

Concrete evidence of these violations includes community reports and documentation by organizations such as the Aceh Wetland Foundation, which records changes in the ecosystem due to land conversion and illegal hunting. Mitigation measures that have been taken, such as the establishment of customary rules related to natural resource management and efforts to revitalize local customary law, still face major challenges related to community awareness and compliance with customary law.

Indigenous communities in the Paya Nie area have implemented various concrete sanctions in an effort to protect the ecosystem and control destructive exploitation of natural resources. One of the main sanctions applied is a ban on the use of destructive fishing gear, such as fish bombs and electric shocks, which can cause severe damage to the peat swamp ecosystem. Violations of this rule are subject to quite severe sanctions, such as fines or a ban on carrying out fishing activities in the area. In addition, more serious violations can result in the expulsion of the perpetrator from the indigenous community, as a form of social sanction that punishes individuals who damage the social and ecological order. Other sanctions include restrictions on access to natural resources, such as a ban on accessing areas that have been damaged or converted for personal gain, especially if these activities damage environmental sustainability.

Social sanctions are also very strong in indigenous communities, where violators can lose their honor and experience exclusion from customary social or customary activities, which serves as effective moral pressure to ensure compliance with customary rules. In some cases, where environmental damage occurs, violators can be required to participate in ecosystem restoration or recovery efforts, for example by planting trees or repairing damaged hydrological systems. Evidence of the application of these sanctions is recorded in various reports and documentation carried out by institutions such as the Aceh Wetland Foundation, although challenges remain in terms of consistent enforcement of customary law (AWF, 2022).

Indigenous communities in the Paya Nie area face significant challenges in implementing their customary laws to protect the ecosystem, especially since the area is not legally recognized as

a conservation area or customary forest under Indonesian law. This limitation arises from the lack of formal legal recognition of areas traditionally managed by indigenous communities, which leaves them without strong legal status to maintain and protect their ecosystem from the threat of exploitation and environmental damage.

First, it is important to understand that the customary law applied by the indigenous people in Paya Nie has long regulated the management and protection of the environment, such as regulating the use of natural resources, limiting certain activities that damage the ecosystem, and implementing social sanctions against those who violate the rules. However, because the area does not yet have formal legal status, this customary law does not receive official recognition from the state legal system. Without a valid legal status, customary law becomes more vulnerable to changes in government policies that do not take into account the local wisdom of indigenous peoples in managing natural resources.

Second, the main problem is the unclear status of the area in Indonesia's national legal system. Legally, Paya Nie is not yet recognized as a conservation area or a legitimate customary forest. This makes government policy tend to focus more on managing forest areas that already have legal status, such as protected forest areas or national parks, which are regulated by Law No. 41 of 1999 concerning Forestry and Law No. 5 of 1990 concerning Conservation of Biological Natural Resources and Ecosystems. Areas that do not have clear legal status are often viewed as open land for conversion, which worsens the potential for ecosystem damage.

Third, although indigenous communities have norms and rules to maintain environmental sustainability, without legal recognition of their customary lands and territories, they are often hampered in enforcing these customary laws. The government, in this case, prioritizes regulations that do not take local wisdom into account, so that there is no room for indigenous communities to manage their territories with an approach that is in accordance with their traditions and values. As a consequence, many activities that damage the ecosystem in Paya Nie, such as illegal logging, land clearing for agriculture, or land burning for plantations, are often difficult to avoid because there is no legal legitimacy for indigenous communities to prevent these activities.

In this context, it is important for policymakers to understand and acknowledge the role of customary law in environmental conservation, especially in areas managed by indigenous peoples such as Paya Nie. The state needs to realize that recognizing the rights of indigenous peoples to their land and natural resources is the first step to supporting ecological sustainability and maintaining existing ecosystems. One step that can be taken is to provide clear legal status to customary forests or areas managed by indigenous peoples through the enactment of Government Regulations or Laws that recognize customary areas as conservation areas or customary forests. This will provide legal protection for indigenous peoples to enforce their customary laws more effectively and prevent the destruction of ecosystems by external parties.

For example, the recognition of customary forests in Law No. 41 of 1999 concerning Forestry, which was recently included in the policy changes on customary forests, can be an important step to protect customary areas from the threat of environmental destruction. In addition, the decision of the Constitutional Court recognizing the rights of indigenous peoples to their customary lands, as stated in the Constitutional Court Decision No. 35/PUU-X/2012, can be used as a reference to strengthen the position of indigenous peoples in environmental management and protection.

Furthermore, the government must also involve indigenous peoples in the decision-making process related to environmental policies that affect them. The active participation of indigenous peoples in the planning and management of natural resources will strengthen the effectiveness of existing conservation policies. For example, in several countries, indigenous peoples have been given the right to manage conservation areas by referring to their customary laws, which have proven effective in maintaining ecosystem sustainability.

Ultimately, legal recognition of indigenous peoples and their customary territories not only provides justice for indigenous peoples, but is also an important step in maintaining the sustainability of ecosystems in Indonesia, including in Paya Nie. Therefore, the government must be more sensitive to the values of customary law that have been proven to be sustainable in maintaining the preservation of nature, and begin to formulate policies that support the recognition and legal protection of customary territories that have high conservation value.

2. The Social Capital in the Conservation of the Paya Nie Ecosystem

Historically, global conservation efforts have focused on the development of conservation areas or protected zones that are set aside from human activity. However, growing evidence suggests that indigenous peoples and local communities living around conservation areas, both on land and in water, have the capacity to maintain the sustainability of their environment and ecosystems. In fact, indigenous peoples are considered the best protectors of wildlife, with around 80% of the world's remaining forest biodiversity located in their territories. Therefore, providing support to indigenous peoples to control, sustainably manage, and wisely utilize forests can be an effective solution to address the challenges of climate change, loss of biodiversity and culture, vulnerability of rural communities, and threats to food security (Faisol Rahman, 2022) .

The presence of customary law that protects the Paya Nie area shows that social capital in the local community has played an important role in encouraging ecological protection efforts. Social capital, which includes strong norms, networks, and trust among community members, is the foundation for indigenous people to maintain ecosystem balance. In Paya Nie, this social capital is reflected in the implementation of customary law that regulates various aspects of natural resource management, including strict rules related to environmental conservation.

One real example of the community's breakthrough in protecting the Paya Nie ecosystem is the prohibition on the use of destructive fishing gear, such as fish bombs. This prohibition not only maintains the sustainability of the freshwater ecosystem but also protects fish resources which are an important part of the livelihoods of local communities. In addition, other customary norms are also implemented to limit excessive exploitation of natural resources, such as rules on fishing times and methods that are in accordance with the principles of sustainability.

Paya Nie is a peat swamp area that has important ecological value, both as a habitat for biodiversity and an economic source for the local community. Efforts to preserve this area are not only based on the application of customary law, but also on the social capital inherent in the local community and support from various external parties. The perspective of social capital theory helps explain how networks, norms, and trust among local and external actors can contribute to the sustainability of the Paya Nie ecosystem.

The theory of social capital, as outlined by Robert Putnam, emphasizes the importance of social networks, collective norms, and trust that facilitate coordination and cooperation to achieve common goals. In the context of Paya Nie, this social capital is formed through interactions between indigenous communities, indigenous stakeholders, government institutions, civil society organizations (NGOs), women's communities, and academics who are concerned about ecosystem sustainability.

Social capital in Paya Nie is seen in the form of strong social relations between local communities and customary institutions. Customary norms that prohibit the use of destructive fishing gear, such as bombs or electricity, are a manifestation of social capital based on collective norms. This prohibition reflects shared values in maintaining the sustainability of the ecosystem while protecting fish resources that support the local economy.

Community trust in customary leaders is also a significant social capital. Customary leaders have the legitimacy to enforce customary rules that have been agreed upon together. For example, customary laws that prohibit excessive exploitation of peat swamps are supported by the community

because they believe that compliance with these rules will maintain ecological balance as well as their economic sustainability.

Support from government agencies, NGOs, and academics strengthens social capital by creating broader networks. For example, NGOs often provide training to raise public awareness about the importance of community-based conservation. Government agencies can provide resources and policies that support conservation efforts, such as legal assistance and facilitation of local wisdom-based management.

From the perspective of social capital theory, the involvement of various external actors expands *bridging social capital*, namely the network between local communities and external parties. This network not only supports ecological protection in practice but also provides greater legitimacy to indigenous peoples' initiatives in the eyes of national law.

Although social capital in Paya Nie has great potential to support conservation, there are challenges that need to be considered. One of them is the imbalance of power between local and external actors. If not careful, the involvement of external actors can create dominance that erodes the independence of indigenous communities in managing their natural resources. This has the potential to violate the principle of indigenous sovereignty which is the core of social capital in the area.

Philosophically, social capital in Paya Nie conservation reflects the values of collectivity and intergenerational responsibility that are in line with the principles of environmental sustainability. However, this philosophy can only be maintained if customary norms continue to be strengthened and social networks are expanded without sacrificing local values. In this context, the theory of social capital is not only an analytical framework, but also an ethical guide to ensure that the development of social networks and external support remains oriented towards local wisdom as the main pillar.

The relationship between the role of the community supporting the conservation of Paya Nie and the existing social capital shows that the success of ecological conservation depends on the synergy between local and external actors. The perspective of social capital theory helps to understand that norms, networks, and trust are important elements in maintaining the Paya Nie ecosystem. Therefore, there needs to be a strategy that not only strengthens the existing social capital but also maintains the balance between external support and the autonomy of indigenous peoples. The philosophy of sustainability rooted in social capital is the key to realizing fair and sustainable conservation.

Furthermore, the support of the actors for the implementation of customary law shows that the social capital that lives in the Paya Nie area not only functions to maintain social harmony, but also provides significant ecological benefits. With trust between community members and the active role of customary leaders, these conservation efforts can continue to be developed into an effective strategy in dealing with threats to biodiversity and the function of the peat swamp ecosystem in Paya Nie. This is in line with global findings that show that well-supported indigenous communities can be the best protectors of the environment.

CONCLUSION

The position of customary law in the national legal system can support the protection of the Paya Nie ecosystem by integrating the ecological values contained in customary law into national regulations. Customary law in Paya Nie, which regulates sustainable management of natural resources through prohibitions on destructive fishing gear and destructive land conversion, has proven effective in maintaining the balance of the local ecosystem. Recognition of customary law in the national legal system will strengthen ecological protection and prevent destructive exploitation. Although customary law faces challenges in formal legality, a bottom-up approach that involves indigenous peoples in policy formulation can strengthen their position. Recognition of indigenous peoples' rights and a clear legal status for customary areas, such as customary-based conservation

areas, will enable customary law to function as an effective tool in maintaining the sustainability of the Paya Nie ecosystem and its surroundings.

Furthermore, social capital in the Paya Nie indigenous community plays a key role in supporting the conservation of the peat swamp ecosystem. Social capital consisting of collective norms, strong social networks, and trust between community members, forms the basis for the effective implementation of customary law in maintaining environmental sustainability. The prohibition of the use of destructive fishing gear, such as fish bombs, as well as restrictions on the exploitation of other natural resources are real examples of the implementation of customary law that encourages ecosystem sustainability. In addition, support from various external actors, such as government institutions and NGOs, expands the social network that supports local wisdom-based management. The synergy between strong social capital in the indigenous community and external support strengthens the conservation of Paya Nie. The success of the Paya Nie ecosystem conservation depends on the strengthening of customary norms and the balance between external support and the independence of the indigenous community in maintaining its territory.

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