



Existence Of The Towani Tolotang Community Based On Atr Candy Number 18 Of 2019

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ABSTRACT

The Towani Tolotang community has for generations passed on and maintained the culture and beliefs that originated from its ancestors. The passage of time is quite long, proving that their community is able to survive all the influences and penetrations of other cultures that surround from all timelines. The purpose of this study is to determine the existence of the Towani Tolotang community based on the ATR Regulation Number 18 of 2019. This research is an empirical legal research, with primary and secondary data sources and analyzed descriptively. The results of the study concluded that the Towani Tolotang community cannot be said to be an indigenous law community, because of the non-fulfillment of the criteria listed in article 2 paragraph 2, Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019. Such as not having controlled indigenous territories and clear customary institutions. However, the Towani Tolotang community can be said to be an ordinary indigenous people, where they still have communally controlled areas that are only used as religious activities and traditional ceremonies and have Uwa' and Uwatta as the traditional stakeholders who are the highest decision-making among them.

ABSTRAK

The Towani Tolotang community has for generations passed on and maintained the culture and beliefs that originated from its ancestors. The passage of time is quite long, proving that their community is able to survive all the influences and penetrations of other cultures that surround from all timelines. The purpose of this study is to determine the existence of the Towani Tolotang community based on the ATR Regulation Number 18 of 2019. This research is an empirical legal research, with primary and secondary data sources and analyzed descriptively. The results of the study concluded that the Towani Tolotang community cannot be said to be an indigenous law community, because of the non-fulfillment of the criteria listed in article 2 paragraph 2, Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019. Such as not having controlled indigenous territories and clear customary institutions. However, the Towani Tolotang community can be said to be an ordinary indigenous people, where they still have communally controlled areas that are only used as religious activities and traditional ceremonies and have Uwa' and Uwatta as the traditional stakeholders who are the highest decision-making among them.

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I. INTRODUCTION

Indonesia is one of the compound countries with different tribes, races, cultures and religions, this country has long recognized its plurality through the motto "Bhineka Tunggal Ika" which has different meanings but remains one. In the Constitution of the Republic of Indonesia of 1945 in article 18B paragraphs 1 and 2, in the first paragraph confirms that "The State recognizes and respects special or special local government units regulated by law" while the second paragraph reads "The State recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated in law".

One of the tribes in Indonesia is the Bugis or To Ugi tribe, this tribe is one of the largest tribes on the island of Sulawesi, especially South Sulawesi. To Ugi can be found in various regencies and cities in Sulawesi, such as in Sidenreng Rappang Regency, Wajo Regency, Luwu Regency and Makassar City. Even though they live in modern times like today, the Bugis people still uphold the values and cultural wisdom that are firmly held for generations and become a view of life for them. The main values that are used as the handles and outlook on life of the Bugis people make this tribal community a society that has a distinctive cultural identity, which they always maintain wherever they live and settle.

For the Bugis people, customs occupy a central position in their daily lives. The customs reflected in the living habits of the Bugis people form views and patterns of daily life that include social processes such as the relationship between the individual and the kelokpok, the rights and obligations of the individual in society, patterns of social interaction, leadership, social order and the like. Sidenreng Rappang Regency or commonly abbreviated as Sidrap Regency is a regency that is famous for the Bugis tribe settlement area in Sulawesi. In Sidenreng Rappang Regency, there is a Bugis tribe slum called Tolotang. Tolotang in Sidenreng Rappang Regency is divided into two, namely Towani Tolotang and Tolotang Benteng. However, the focal point of this research is the Towani Tolotang community.

Towani Tolotang is a Bugis tribal community that has a belief in the existence of a god, namely "Dewa Sewwae" which means God Almighty, this community lives in old Amparita, Tellu Limpoe District, Sidenreng Rappang Regency. But now Amparita is divided into four villages, namely Amparita Village, Toddang Pulu Village, Baula Village and Arateng Village. Along with the times this community began to spread to various regions in Sidenreng Rappang Regency such as in Wattang Pulu District, Watang Sidenreng District, Panca Lautang District and Baranti District. Currently, Towani Tolotang is classified as Hinduism by the Indonesian government, considering that in article 1 of Law No.1/PNPS/1965 concerning Prevention of Abuse and/or Blasphemy which reads "The religions embraced by the population in Indonesia are Islam, Christianity, Catholicism, Hinduism, Buddhism and Khong Hu Cu (Confusius)" this is emphasized by the Decree of the Director General of Guidance of the Balinese Hindu Community/Buddhism Number 6 of 1966 which stipulates that Tolotang is a sectarian of Hinduism. (Alfiansyah, 2018) Although it is formally that the Towani Tolotang people are classified as Hinduism but they still practice their beliefs or customs as their ancestors have done to this day.

Historically, the Towani Tolotang indigenous community was a group of people who originally came from the Wajo kingdom, precisely in Wani Village. They have long settled there for generations since their ancestors lived in the land of Sulawesi. Around the 17th century, the Wajo Kingdom was conquered by the troops of Sultan Alauddin of the Gowa Kingdom. The conquest caused King Wjo Peta La Sangkuru Arung Matoa IV to follow sultan Alauddin's will to islamize himself. The Islamicization of King Wajo has marked the arrival of a new era where the Wajo people under the rule of the Wajo Kingdom also converted to Islam. (Afala, 2019) King Wajo at that time ordered all the people of the Wajo Kingdom to convert to Islam as he did, but Towani Tolotang did not follow the order, which led to their expulsion from the Wajo Kingdom.

On the way in search of a new area, they headed south, heading to a part of the Kingdom of Sidenreng. In Sidenreng this group was accepted by adatuang (king) Sidenreng. They were allowed to settle in the Amparita region under the supervision of Arung (the leader of the royal part of the kingdom) amparita. At that time, Adatuang Sidenreng had embraced Islam first, but he did not prevent the Wani people from settling in his territory. The acceptance of the Wani people in Sidenreng was not unconditional, but through several agreements made by the Wani people and Adatuang Sinreng at that time. All the conditions proposed by Adatuang Sidenreng were agreed upon by the Wani group including two conditions that were somewhat contrary to their beliefs namely dishalati when dying and being married Islamically. Since then this community was allowed to settle in the southern part of the kingdom of Sidenreng which was later referred to as the name of tolotang which means people (tau/to) south (lotang). According to Mattulada, Towani Tolotang is a doctrinal name as well as a name for its adherents, The term comes from King Sidenreng La Patiroi which is addressed to a group of people who adhere to a separate belief in the southern part of his territory, precisely in Amparita. (Afala, 2019) And until now they still live in Amparita and they are the majority of the population in the place.

Over time the lands where Towani Tolotang settled in old Amparita have now been converted into property rights, this is evidenced by the existence of certificates owned. But on the other hand, there are still customary lands that are used communally by Towani Tolotang, the lands that are used together are usually lands used for traditional or religious ceremonies. In Tellu Limpoe Subdistrict there are communally controlled lands such as customary lands in Parinyameng and Ajakkangeng'.

Currently, indigenous peoples are listed in various legal products in Indonesia as stated in the 1945 Constitution of the Republic of Indonesia article 18B paragraph 2, The Agrarian Principles Law Number 5 of 1960 articles 3 and 5 to those that specifically contain indigenous peoples are stated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019 concerning Procedures for The Administration of Customary Lands of the Unity of Indigenous Peoples. The ATR Regulation contains the implementation of customary land tenure to customary land administration.

Research related to the Towani Tolotang community is not the first time it has been carried out, such as research conducted by Alfiansyah with the research title "Political Behavior of Towani Tolotang in Amparita, Sidenreng Rappang Regency" in 2019 and Hasse J with the title "State Conquest of Local Religions in the Case of Towani Tolotang in South Sulawesi" in 2012. The two previous studies are very different from this research, where the research conducted by Alfiansyah focused on the political behavior of the Towani Tolotang community where Uwa and Uwatta as traditional stakeholders still have a great influence in all aspects of their lives and the research conducted by Hasse J focused on the state's recognition of the beliefs of the Towani Tolotang community as one of the local religions in Indonesia. While this research focuses on the existence or existence of the Towani Tolotang community based on the ATR Regulation Number 18 of 2019, in addition, this research will examine the communal land of Towani Tolotang and their interaction with the Islamic community that coexists in old Amparita. Research related to the existence of the Towani Tolotang community has never been carried out by previous researchers and this research is the first time to study this.

II. RESEARCH METHOD

The type of research used in this research is empirical legal research, where the research to be carried out examines and examines facts in the field. Therefore, this study will examine the existence of the Towani Tolotang community based on the Regulation of the Minister of Agrarian affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019.

There are two data sources in this study, firstly primary data obtained through direct interviews and secondly secondary data sourced from literature studies, reviews of legal documents, legal journals and legal scientific writings. Then the data that has been obtained will be analyzed using descriptive analysis techniques, meaning that all data obtained in this study will be analyzed by describing the data obtained.

III. RESULT AND DISCUSSION

Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019 concerning Procedures for The Administration of Customary Lands of the Unitary Indigenous Peoples, in article 2 paragraph 2 states that there are four certain criteria for the declaration of an indigenous law community, among them are; (1) Customary law communities and institutions, (2) The territory where customary rights take place, (3) The relationship, relationship and dependence of the unity of indigenous peoples with their territories, (4) The authority to jointly regulate the use of land in the unitary territory of the customary law community concerned, based on customary law that is still in force and obeyed by its people. The four creterias will be a reference to analyze the existence of the Towani Tolotang community which lives in Amparita, Sidenreng Rappang Regency and explained as follows;

Indigenous peoples and institutions

The Towani Tolotang community that lives in old Amparita(Amparita Village, Toddang Pulu Village, Baula Village and Arateng Village) in 2020 had 6,359 hindus (Towani Tolotang). For the amount of details can be seen through the following table;

Table 1. Number of Hindus (Towani Tolotang) population in Amparita

No	Neighborhoods	Sum
1	Amparita	2.516
2	Toddang Pulu	2.018
3	Baula	1.063
4	Arateng	762

Sources; Tellu Limpoe Subdistrict In 2021 Figures
Sidenreng Rappang Regency

Now the Towani Tolotang Community not only lives in Tellu Limpoe District but they are starting to spread in various villages /villages in Sidenreng Rappang Regency, such as in Buae Village, Watang Pulu District. But their main settlement is in Old Amparita which has long been the identity where they lived. In Tellu Limpoe Subdistrict, there is also their customary land called Parinyameng and Ajakkangeng'.

In the daily life of the Towani Tolotang community there are three social layer systems, the first is called Uwa and Uwatta, where in the Towani Tolotang Uwa and Uwatta communities are very influential people because in the community their existence is believed to be the tracer of towani Tolotang ancestors. Second, the group of scholars and technocrats, namely the Towani Tolotang people who managed to occupy certain positions outside the community such as the marchers/officials. The third group is called tobiasa/tosama (ordinary people) which is not meant in the previous two groups.

Formally, the Towani Tolotang community does not have customary institutions like in kajang, this was conveyed by one of the traditional leaders of the Towani Tolotang community, namely Uwa Samang. Unlike those in Kajang, Bulukumba Regency, South Sulawesi. Formally, the Towani Tolotang community does not have customary institutions like in kajang, this was conveyed by one of the traditional leaders of the Towani Tolotang community, namely Uwa Samang. Unlike those in Kajang, Bulukumba Regency, South Sulawesi. As a liaison between man and Turi'A'ra'na, and

responsible for the implementation of the preservation of pasang ri Kajang and in charge of the customary rules derived from Pasang and kajang customary norms. Ada' Limaya (ri Loheya and ri Kaseseya) is Ammatoa's maid who is specially in charge of managing customs (ada' pallabakki cidong), consisting of five officials with the title of Galla, and each Galla has duties and responsibilities. (1) Galla pantama, tasked with managing the land and designing and planning agricultural strategies in its territory (2) Galla' Kajang, in charge of accompanying Galla' Pantama in the control of government and traditional parties or rituals. (3) Galla' Lombo, in charge of dealing with the matters of government in the conquests of Ammatoa. (4) Galla' Anjuru, in charge of taking care of the fishermen, and (5) Galla' puto serves as Ammatoa's spokesperson and as direct supervisor on the implementation of Pasang ri Kajang. (Hafid, 2013) But it is Uwa and Uwatta who have a very important position in the Tolotang community, as indigenous leaders in their community in charge of customary laws and norms, plan customary activities and make decisions.

The territory where customary rights take place

After being expelled from the Wajo kingdom, the Towani Tolotang community moved to Sidenreng Rappang Regency, more precisely in Amparita. The surrounding community calls it the old Amparita and now it has broken into four villages, namely Amparita Village, Toddang Pulu Village, Baule Village and Arateng Village. At this time in Amparita there are not only Hindus (Towani Tolotang) but there are also people who are Muslims. Of the nine villages in Tellu Limpoe District, there are four villages that become the main settlements of the Towani Tolotang community, namely Amparita Village, Toddang Pulu Village, Arateng Village and Baula Village or the local community calls it old Amparita. However, of the four main villages of the Towani Tolotang community settlement, there is no area that is controlled as a whole or there is no village that is completely inhabited only by the Towani Tolotang community, but they blend in with the Muslim community and their houses are side by side. But on the other hand, there are still indigenous lands that are communally controlled by the Towani Tolotang community. Broadly speaking, the land used by the Towani Tolotang community at this time is divided into three customs; (1) Communal land of the Towani Tolotang community, (2) Land used jointly (Towani Tolotang community and Islamic community), (3) Land used individually.

The first type of land is the communal land of the Towani Tolotang community, in Tellu Limpoe District there are two places that are communally controlled by the Towani Tolotang community, namely Parinyameng and Ajakkangeng'. In both of these places there is a Towani Tolotang community site in the form of a cemetery which at the beginning of each year will be held religious and traditional activities by Towani Tolotang. Parinyameng is located in Baula Village and is ±3 KM from Amparita. In Parinyameng there is the grave of I Pabbere one of the female figures who led the Wani people out of the Wajo Kingdom that time. Every year the Towani Tolotang community from various sub-districts in Sidenreng Rappang Regency such as Watang Pulu District and Dua Pitue District and even Towani Tolotang who live outside Sidenreng Rappang Regency such as Parepare City will come to this place to carry out Sipulung activities. The next place is called Ajakkangeng' where there is a site in the form of a cemetery of the Towani Tolotang community, but this place is very difficult to reach and cannot be passed by vehicles, to get to this place you have to walk for about three hours and pass through mountains and very dense forests. Ajakkangeng' is located in a protected forest area and takes more than three hours on foot to get there.

The second type of land is land that is used together (towani Tolotang community and Islamic community) such as amparita field land in Arateng Village, although this land has now turned into a sports field, basically the main function of this field is as a place to carry out mappadendang traditional activities. Mappadendang is a traditional ceremony of thanksgiving for rice harvest by the Bugis people. This mappadendang has long been done by the natives of Amparita even before the existence of Towani Tolotang in Amparita. However, because the indigenous people of Amparita have experienced Islamization, many have begun to abandon this Mappadendang traditional ceremony,

but there are still people who routinely carry out this traditional activity even though they have embraced Islam. So this makes the Communist Towani Tolotang have a very important role in this matter, because this activity does not conflict with their religious teachings. The next land that is used together is a public cemetery, market, educational facilities (TK / RA, SD, SMP and SMA) to health facilities. The latter type of soil is used individually, the soil used individually is land used as settlements and as rice fields and plantations. Proof of ownership of the land they owned in general the land certificate and the UN (Land and Building Tax) and detailed. From the results of the study, it was found that the land that occupies settlements around the Amparita central market already has a certificate, but it is different from the land used as rice fields and fields that most people who live in Amparita Village, Baula Village, Toddang Pula Village and Arateng Village have not certified the land where they grow crops.

The relationship, interrelationship and dependence of the unity of indigenous peoples with their territories

The next criteria contained in article 2 paragraph 2 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019 concerning Procedures for The Administration of Customary Lands of the Unity of Indigenous Peoples is the area where customary rights take place. It should be emphasized that currently the Towani Tolotang community does not have a special residential area as a place to live. As for Amparita, which is often synonymous as their place of settlement, in fact there is an Islamic community that lives there too. The area that is a place controlled communally by Towani Tolotang is a place to carry out their traditional and religious activities, namely Parinyameng and Ajakkangeng'. Seeing this proves how important land is to the towani Tolotang community. Tanah is not only used as a means of living and farming but the land is used as a place for their traditional and religious ceremonies. Like Sipulung which was done in Parinyameng in Baula Village, in Parinyameng is the place of the tomb of I Pabbere, an ancestral woman of the Towani Tolotang community where in her lifetime she had a very important role in the Towani Tolotang community. The activity carried out in Parinyameng is the pilgrimage of the burial of I Pabbere, but at its core of this ceremony is to express gratitude for the gifts given by Lord Seuwae and ask for protection and grace in the face of the times to come. The ceremonial means used in ceremonies at the tomb of I Pabbere are called bakultepe, which consist of water, oil, betel leaf, betel nut, cloth, cotton and fire. In the series of Sipulung ceremonies, masempe' games are also held, Masempe' itself can be interpreted as kicking each other's opponents. This game only involves children, does not involve people who have grown up. Masempe' is basically done only as entertainment, as for the purpose of this masempe' fostering a sense of courage and sportsmanship in boys.

The authority to jointly regulate the use of land in the unitary territory of the customary law community concerned, based on customary law that is still in force and obeyed by its people

As previously explained, the Towani Tolotang community does not have a special territory that is their property, but the area that is a special place for the Towani Tolotang community is in the form of lands used as traditional and religious activities such as in Parinyameng and Ajakkangeng' which are controlled communally. Although Ajakkangeng' is located in the protected forest area and the mountains of Sidenreg Rappang Regency, this place only functions as a religious activity, not to be used for farming. The use of land that is the residential area of the Towani Tolotang community in Amparita Village, Toddang Pulu Village, Arateng Village and Baula Village is in the form of private or individual land use. Private land use is in the form of utilizing plantations and rice fields. Land that is controlled and privately owned is traded so that people outside old Amparita can own land in Amparita. People also usually give their land to be cultivated by others and there have been previous agreements. The types of plants that are the main community by the people of Tellu Limpoe District such as corn, rice, sweet potatoes, cassava, peanuts, long beans, big chilies and cayenne pepper.

IV. CONCLUSION

Based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019 concerning Procedures for The Administration of Customary Lands of the Unitary Indigenous Peoples, in article 2 paragraph 2 states that there are four certain criteria for the declaration of an indigenous law community, including; (1) Indigenous peoples and institutions, (2) The area where customary rights take place, (3) The relationship, relationship and dependence of the unity of indigenous peoples with their territories, (4) The authority to jointly regulate the use of land in the unitary territory of the indigenous law community concerned, based on customary law that is still in force and obeyed by its people. That the Towani Tolotang community cannot be said to be an Indigenous Law Society (MHA), due to the non-fulfillment of several criteria listed in the Regulation of the Minister of Agrarian Affairs and Spatial Planning /Head of the National Land Agency of the Republic of Indonesia Number 18 of 2019. Such as the absence of an area that is controlled as a whole by the Towani Tolotang community because it has blended into the Muslim community, but there is still communal land controlled by the Towani Tolotang community which is used as their religious and customary place, such as those in Parinyameng and Ajakkangeng' Tellu Limpoe District. In addition, the Towani Tolotang community does not have a clear customary law institution like the one in the Kajang Customary Law Society in Bulukumba Regency, but they have Uwa' and Uwatta' who are their leaders and are the highest decision-making among them. Although the Towani Tolotang community cannot be legally categorized as an Indigenous People, their ability to maintain their beliefs and traditions proves their existence as an ordinary indigenous people who still have their traditional rights.

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