

CUSTOMARY LAW OF NYAMPOKNG PADI AS A PRACTICE OF MYSTICAL JUSTICE

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Abstract

Customary law of *nyampokng padi* among Dayak Kanayat'n is reflecting a practice of justice based on mysticism which is often overlooked by modern formal and rational legal systems. A paradox arises when spiritual and symbolic forms of evidence are confronted by positivist legal logic which relies strictly on empirical proof. Therefore, this study aimed to describe and analyze the concept of transcendental justice in the framework of customary law. The analysis adopted a empirical legal method grounded in philosophy and hermeneutics, using both literature review and observation of customary practices. The results showed that customary system of evidence combined local rationality and transcendent values in the processes of customary oaths and *munuh adat*. The novelty of the analysis was based on the assertion that mysticism-based customary justice could serve as an alternative model of holistic justice. This would further offer insights that were relevant for the development of a more humanistic, spiritual, and contextually grounded national legal system.

Keywords : Customary Law, Dayak Kanayat'n, Justice, Mysticism, Transcendentalism.

1 Introduction

Indonesia is known for its rich diversity of customs and traditions, which are among the nation's most distinctive cultural features. Each region of the nation has personal unique practices, such as the tooth-sharpening tradition in Mentawai (Munandar, Noer, Erwin, & Syahni, 2022), funeral rites in South Sulawesi (Anggraeni & Putri, 2021), and Ngaben cremation ceremony in Bali (Arsana, Parwati, & Tejawati, 2024). These customs originating from repeated communal habits passed down through generations eventually become legitimized in each ethnic group. Over time, the tradition develop into normative systems that govern the lives of local communities and are recognized as customary law (Sabandiah & Wijaya, 2018).

Customary law in Indonesia has existed since ancient times, as evidenced by historical inscriptions found across the archipelago. These inscriptions, such as Kawali (Saptono, 1994), Sarwadharma (Rahem, 2020), and Sriwijaya (Izza, 2019), provide

insights into the lives of communities that were already governed by customary norms. Recognizing this deep-rooted tradition, the Constitution of Indonesia formally acknowledges the existence of customary law in Article 18B (2) of the 1945 Constitution.

The recognition of customary law in the 1945 Constitution has implications for the enforcement of local laws by indigenous communities (Satria, Yulastini, Fitriani, & Astono, 2024). In enforcing customary law, indigenous communities use norms that have been passed down through generations, either orally or in written form (Melati & Rahardi, 2022). In response to the pressures of modern life, some communities have begun to formalize their customary laws. An example is Dayak Kanayat'n indigenous community in Sengah Temila Sub-district, Landak Regency, West Kalimantan, which codified its oral traditions into written form during Customary Assembly in 2010 (Dawi, Haryono, Yulastini, & Astono, 2022; Astono, Muyassar, & Wagner, 2024).

Among the provisions of the 2010 Customary Council is a significant article with a religious-magical character. This article comprises sacred values, supernatural sanctions, symbolic meanings, and ritual elements (Astono, Alkadrie, Fitriani, Arabiyah, & Sitorus, 2023). The provisions of a religious-magical nature are contained in Article 67 of the 2010 Customary Council, stating “*Nyampokng padi* is an act performed in a superstitious or mystical manner with the intention of casting a spell on another individual's rice field or farmland to not produce a harvest”. This reflects the long-standing belief in mystical practices in Dayak Kanayat'n community.

Steve Payne defines mysticism as a state of consciousness including union with a higher reality through spiritual or contemplative experience (Zarrabizadeh & Kharisman, 2011). In this context, mystical elements of *nyampokng padi* can be perceived as manifestations of ancestral spiritual experiences expressed in physical or material forms (Malik, 2009). Based on Steve Payne's framework and the cultural understanding of *nyampokng padi*, mystical justice can be defined as a form of justice derived from transcendental or spiritual experiences. This concept emphasizes an awareness of the connection to a higher reality, which gives rise to a value system expressed through traditions, rituals, or customary laws. In Dayak Kanayat'n community, justice is not limited to rational or legalistic frameworks but is deeply rooted in spiritual experiences and ancestral legitimacy.

When examined through the rationalist paradigms of Cartesian logic or Newtonian physics based on logic, mathematics, and quantification, customary law of *nyampokng padi* presents a paradox. The challenge lies in the method of proving guilt in the cases, which may not correlate with empirical legal standards. This raises an important question, can customary law of *nyampokng padi* offer a genuine sense of justice for both the alleged perpetrator and the victim?

The study of Dayak Kanayat'n customary law continues to develop through various perspectives, such as gender, justice, and the environment. A 2022 study titled “The Restorative Justice Paradigm of Dayak Kanayat'n Customary Law on Environmental Damage Caused by Shifting Cultivation” found that in addressing environmental issues, the Dayak Kanayat'n indigenous community prioritized restorative justice in cases of environmental damage caused by shifting cultivation (Dawi et al., 2022). The publication shows that the problem-solving mechanisms in the community impose legal sanctions on perpetrators and restore relationships with the environment. The key difference between the previous publications and the current study lies in their focus on social and environmental restoration, without exploring elements of punishment or the realization of transcendental justice grounded in spiritual and cosmological dimensions.

Furthermore, a study conducted in 2024 entitled “Dayak Women in the Role of Protecting the Environment: An Ecofeminist Perspective on Environmental Law in West Kalimantan” explored the role of Dayak women in environmental protection. It emphasizes the spiritual dimension of the customary system adopted by Dayak women in managing the environmental harmony with nature (Astono et al., 2024). However, the publication does not explore the epistemological dimension of evidence in Dayak Kanayat'n customary law in details. Another 2024 study titled “The Progressiveness of Dayak Kanayat'n Customary Law in Preserving the Environmental Ecosystem,” outlined the progressive nature of the Dayak Kanayat'n customary law system. It argues that the system is grounded not only in written customary rules but also in communal values of justice upheld by customary officials when enforcing decisions, especially in environmental preservation (Satria et al., 2024). The publication remains limited to normative and ecological aspects and does not explore the elements of transcendental justice within the Dayak Kanayat'n indigenous community.

Based on several previous literature reviews, the current study titled “Customary Law of *Nyampokng Padi* as a Practice of Mystical Justice” offers a profound contribution. The study introduces the concept of transcendental justice as an epistemological framework in Dayak Kanayat'n customary law and documents the process of customary proof through practices such as customary oaths, the role of customary priests, and the *munuh adat* ceremony. This study presents an alternative interpretation of justice that challenges the dominance of positivist models based solely on formal-procedural logic.

Based on the introduction, this present study is titled “Customary Law of *Nyampokng Padi* as a Practice of Mystical Justice.” The analysis aims to answer the following questions, (1) How is customary law of *nyampokng padi* interpreted as a practice of mystical justice in the framework of customary law? (2) What are the sacred meanings and ancestral values contained in customary law practices concerning *nyampokng padi* cases? and (3) How is proof of violations of *nyampokng padi* established in Dayak Kanayat'n customary court in Sengah Temila District? The objectives of this study are to analyze and describe the following. (1) How customary law of *nyampokng padi* represents a form of mystical justice from a customary legal perspective, (2) What is the sacred meaning and value of ancestral traditions manifested in customary law practices related to *nyampokng padi* in the Dayak Kanayat'n community, and (3) How violations of this law are proven and adjudicated in customary courts of Dayak Kanayat'n community.

2 Methodology

This study used a philosophical method in the empirical legal framework (Wardiono, 2019). Primary legal materials were obtained through a literature review focusing on legal philosophy, customary documents, and relevant legislation (Iksan et al., 2023). Secondary legal materials were gathered through interviews and observations including customary leaders and the implementation of customary practices. The analysis was conducted in Sengah Temila Subdistrict, Landak Regency, West Kalimantan, as this region served as the center for the enforcement of customary rules related to *nyampokng padi*.

The data collection included a literature review of legal sources, including primary, secondary, and tertiary legal materials, as well as non-legal references. The analysis was carried out using descriptive-philosophical and hermeneutic methods to interpret the meaning of justice in customary practices. Conclusions were drawn

deductively, starting from the abstract concept of mystical justice and progressing toward its concrete application in Dayak Kanayat'n customary legal system.

3 Results and Discussion

3.1. Mysticism and Justice in Dayak Kanayat'n Customary Law Paradigm

In modern jurisprudence, justice was often regarded as a purely procedural and formal concept (Wibowo et al., 2023). This was evident in the thinking of Hans Kelsen, who argued that justice should be separated from law because legal reasoning must remain logical, formal, procedural, and systematic (Harun, 2019). In the framework of legal positivism, Kelsen rejected the inclusion of spiritual or metaphysical dimensions in legal analysis (Haq et al., 2022). Furthermore, utilitarian thinkers such as Jeremy Bentham and John Stuart Mill viewed justice as the outcome that produces the greatest happiness for the greatest number of people.

This perspective indirectly positioned justice as a product of the majority's preferences, often overlooking the rights of the minority (Guidi, 2008). According to the social contract theorists by Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, justice and law were considered as results of rational agreements among individuals (Elahi, 2013), excluding spiritual elements as foundations of law (Inusah & Gawu, 2021; Loewe, Zintl, & Houdret, 2021). From a rationalist standpoint, René Descartes insisted that truth and knowledge should be grounded in reason and logical proof (Leuehaq, 2021; سالمه صالح فرج; 2020).

Justice as explained by experts from various perspectives, contributed to paradox that eventually closed off alternative spaces, specifically mystical justice. According to Britannica, mysticism was a profound religious experience in which individuals felt a direct connection with a transcendent or divine reality (Merkur, n.d.). This experience often included feelings of unity with the sacred, spiritual enlightenment, or a profound understanding that transcended ordinary sensory perception (Haq et al., 2021). Walter T. Stace defined mysticism as a profound transcendental experience of unity, which could be analyzed philosophically to test the validity and meaning in understanding reality and ethics despite difficult to explain logically (Smart & Stace, 1963). Stace also classified mystical experiences into two categories, namely extroversive mysticism, where the individual perceived unity through the external world, and introversive mysticism, where the self merged into an undifferentiated awareness of pure being (Almond, 1982).

Steve Payne further argued that mysticism represented a contemplative state of consciousness recognized as a legitimate mode of cognitive experience, not merely an emotional or psychological illusion (Payne, 1990a). Payne suggested that mystical experiences possessed epistemic value because the feelings provided better explanations for phenomenological and spiritual data than other reductionist theories, such as psychoanalytic or neurophysiological explanations. By using the "argument to the best explanation," he asserted that when mystical experience provided a more comprehensive understanding of reality than competing theories, it should be accepted as a valid form of knowledge (Payne, 1990b).

From Payne's perspective, mysticism did not contradict rationality but it expanded and deepened the boundaries of empirical and logical reasoning. Accordingly, mystical experiences were affective and cognitive in nature, making the emotions worthy of philosophical inquiry as legitimate sources of knowledge. In the domain of customary law in Dayak Kanayat'n community, spiritual values and legal norms were not separate but interwoven.

Among Dayak Kanayat'n, customary law was deeply rooted in spiritual values passed down through oral traditions across generations. In formulating customary laws, community elders relied on personal knowledge and experience as well as on revelations, dreams, and spiritual guidance obtained through prayer to ancestral spirits or Jubata (God). The community believed that justice could not be achieved solely through formal legal procedures but also required accumulated spiritual awareness, always in harmony with nature and divine forces.

Based on this understanding, the conceptual framework of mystical justice placed spiritual experience at the core of norm formation and justice interpretation. In this view, justice was simply a matter of procedures or cost-benefit analyses and a transformative experience of unity as well as interconnectedness, manifested in social harmony and cosmic order. From this perspective, Dayak Kanayat'n customary law was a set of legal rules and a spiritual path toward achieving justice. Similarly, mysticism was not merely a religious phenomenon but an alternative epistemology—offering a meaningful framework for understanding law, community, and the sacred dimensions of life.

3.2. *Nyampokng Padi* in the Sacredness of Norms and Ancestral Narratives

Customary law of Dayak Kanayat'n featured diverse regulations, primarily due to the autonomous application of customary laws by different *binua* (customary territories), each of which implemented personal legal practices (Efriani & Agustinus, 2021). Every *binua* had personal customary officials. In Dayak Kanayat'n Indigenous Community, these officials were generally classified into three hierarchical categories. The first was *Pangaraga*, who handled all issues arising in and outside the village. The second was *Pasirah*, who addressed cases unresolved by *Pangaraga*. The third and highest authority was *Timanggong*, who operated at *binua* level and presided over serious cases, such as murder or matters that *Pasirah* could not settle.

Customary law in Sengah Temila Subdistrict was originally transmitted orally from one generation to the next (Syam, Olendo, Dewantara, & Rahmani, 2024). These oral traditions took the form of folktales, songs, mantras, and symbolic narratives, all of which communicated the moral values, social order, and worldview of Dayak Kanayat'n Indigenous Community. The significance of these oral traditions extended beyond historical storytelling as the customs functioned as a transformative process that shaped the foundational values upheld by the community to the present day. To ensure the objective application of these values, Dayak Kanayat'n Indigenous Community eventually codified them into written customary law provisions. This transformation was formally realized in 2010 in Sengah Temila Subdistrict.

Customary law provisions were divided into several parts, namely customary law of white blood, red blood, and *na' manjahana*. Customary law of red blood referred to punishments for serious criminal offenses that endangered life, such as murder, severe assault, and *nyampokng nyawa* (black magic leading to death). Customary law of white blood addressed moral violations, including adultery, sexual harassment, and infidelity. Meanwhile, customary law of *na' manjahana* covered minor infractions related to etiquette, manners, and disturbances that could lead to social discord in the community.

According to Dayak Kanayat'n customary law in Sengah Temila Subdistrict, the regulation concerning *nyampokng padi* was found in Article 67. This stated that “*Nyampokng padi* is an act carried out superstitiously or mystically to cast a spell on another person's rice field or farmland with the intention of preventing a successful harvest.” The act was categorized under *na' manjahana* customary law, as it was

considered a violation capable of triggering social conflict in the community. The prescribed penalty for violating *nyampokng padi* rule included a fine comprising 24 antique white plates, 10 gold plates or 6 antique white plates, 1 pig weighing 20 kilograms, 1 chicken, customary offerings considered appropriate, and payment to *Panyagahatn* (traditional priest), also determined appropriately. In cases of aggravated offenses, the penalty increased to 12 antique plates, 1 pig weighing 15 kilograms, 1 chicken, customary offerings, and the corresponding honorarium for *Panyagahatn*.

The severity of the punishment for *nyampokng padi* reflected the deep-rooted agricultural lifestyle of Dayak Kanayat'n Indigenous Community in Sengah Temila Subdistrict (Putri, Hasanah, Darmawan, & Purnomo, 2024). Agriculture was central to the local economy, spiritual, and social fabric of the community. Farmland was regarded not merely as an economic asset, but as ancestral heritage, a sacred domain, and an essential component of Dayak Kanayat'n collective identity.

Therefore, mystical practice of *nyampokng padi*, which aimed to damage another's harvest, was considered a profound violation of social harmony and the spiritual balance between humans, nature, and the guardian spirits of the land. Customary sanctions extended beyond material penalties to include restorative rituals, such as traditional offerings and compensation to *Panyagahatn*, who served as spiritual intermediaries. These measures underscored the community's commitment to restoring balance and harmony, both socially and cosmically.

3.3. Transcendental Proof Formulation and Local Rationality in *Nyampokng Padi* Customary Court

Based on Dayak Kanayat'n customary law, customary court proceedings in *nyampokng padi* case were conducted through several structured stages. The first stage included reporting the case to Pangaraga. This process commenced when the complainant submitted a written report accompanied by preliminary evidence in the form of a *babak pingatn* (plain white plate) and *pangkaras basi*, both of which symbolized the complainant's sincerity in bringing the case before customary court. The second stage entailed the examination of evidence and the collection of testimonies from experts and witnesses. During this stage, the insights and wisdom of traditional elders played a central role in resolving the dispute.

When the elders were unable to reach a resolution or find sufficient evidence, the elders could consult a traditional shaman though this stage was optional rather than mandatory. The third stage was customary court hearing, held in a *betang* (traditional Dayak longhouse), and open to the entire community. Before proceedings commenced, *Panyagahatn* (customary priest) performed a ritual procession to invoke blessings for a smooth hearing and a just resolution. The hearing was formally opened by *Timanggong*, assisted by *Pasirah* or *Pangaraga* (Wiguna et al., 2024).

The fourth stage included the trial process, during which customary officials judged the parties based on the principle of *Adil ka' Talino*—justice among fellow human beings. After hearing the statements from both parties, the traditional officials held a deliberation to reach a decision. In the fifth stage, *Timanggong* publicly read the decision in the presence of the disputing parties and the gathered community. When a party disagreed with the decision, the process moved to the sixth stage, which included customary oath. This oath was conducted with the assistance of *Panyagahatn*, invoking divine and natural elements—God, ancestral spirits, the sun, moon, water, wind, and trees—as witnesses to the party's claim. The seventh and final stage, known as *munuh adat* procession, was performed when the guilty party accepted the decision. The ritual aimed to restore the relationship between the parties and to reestablish cosmic harmony.

It comprised the payment of fines as determined by customary officials, followed by a communal meal including the disputing parties, traditional authorities, and community members who had attended the hearing. The ceremony concluded with a prayer led by *Panyagahatn*.

The method of evidence in *nyampokng padi* customary court reflected the principles of transcendental law, in which legal processes were not limited to formal norms, but were also expressions of spiritual and cultural values. Friedrich Carl von Savigny asserted that law evolved from the spirit of the people (*Volksgeist*) and developed organically through customs and traditions (Aulia, 2020). In this context, Dayak Kanayat'n community could be perceived as the product of internalized values and inherited life guidance passed down through generations. Similarly, Gustav Radbruch emphasized the importance of substantive justice in legal life, stating that law should balance justice, legal certainty, and utility (Tan, 2021; Alexy, 2021). In *nyampokng padi* court, the oath-taking process and the role of spiritual figures such as *Panyagahatn* underscored that the establishment of proof extended beyond empirical evidence. It also depended on collective belief and transcendental values that were widely respected in Dayak Kanayat'n Indigenous Community.

Sally Engle Merry's concept of legal pluralism supported the recognition of multiple coexisting legal systems in a society (Merry, 1988). Accordingly, mystical forms of evidence used in Dayak Kanayat'n customary law constituted a legitimate expression of legal pluralism, helping to maintain both social and spiritual harmony. Eugen Ehrlich's concept of living law also outlined that many of the law actively practiced in society was unwritten while widely observed and respected (Lestarini, 2023; Nelken, 2008). The perspective was directly applicable to the evidentiary practices in *nyampokng padi* court, where long-standing traditions and spiritual beliefs formed the foundation of legal reasoning and judgment.

The term *transcendental*, derived from the Latin *transcendere*, meant "to climb upward" or "to go beyond." In the Big Indonesian Dictionary, it was defined as a spiritual, abstract, mystical, and difficult aspect to comprehend. According to Immanuel Kant, the term referred to *a priori* conditions—knowledge acquired through reason rather than sensory experience (Jaya, Septyanun, & Erwin, 2024; Lau, 2024). In essence, the knowledge existed within human beings prior to any experience (Anderson, 2022). Furthermore, Dan Zahavi explained that the transcendental in phenomenology referred to the meaning of an object as formed by consciousness, not merely derived from external reality (Jahavi, 2017).

Absori and Sigit Sapto Nugroho argued that transcendental thinking extended beyond religion, ethics, and morality (Absori, 2018). In understanding religion, ethics, and morality, it was not limited to theological understanding (Saputra, 2022), but could be integrated with other disciplines such as economics, culture, society, and law (Biondo, 2012). Based on this perspective, the transcendental in law could be interpreted as a method that incorporated spiritual, moral, and metaphysical dimensions into the legal structure. Law was no longer perceived merely as a system of formal and rational rules. It was perceived as an instrument embodying values rooted in divine awareness, moral intuition, and inner wisdom. Additionally, transcendental law aimed to deliver holistic justice, one that was legally normative, ethically, and spiritually grounded.

Transcendental justice was justice anchored in universal elements such as conscience, morality, spirituality, and even cosmology (Johansen, 2024). It could not be measured solely through formal or procedural standards but functioned as a harmonious relationship that deeply influenced both moral and spiritual dimensions. A clear

example of transcendental justice was evident in customary sanctions imposed in *nyampokng padi* cases.

In Dayak Kanayat'n customary law, actions associated with *nyampokng padi* were not merely treated as social violations but were also viewed as disturbances to spiritual and cosmic balance. Consequently, resolution through material compensation was considered insufficient. It required ritual processes such as *sumpah adat* (customary oath) and *munuh adat* (customary punishment) as means to restore relationships with ancestral spirits, nature, and fellow human beings. Among Dayak Kanayat'n, the practice of justice comprised a transcendental dimension, integrating legal, ethical, and spiritual aspects into a coherent and meaningful system.

Customary law followed by Dayak Kanayat'n community was not limited to settling disputes between individuals but also aimed to restore harmony disrupted by conflict between humans and nature, and between humans and the divine source. This form of justice challenged the dominance of formal-procedural justice which often neglected conscience and spirituality as well as affirmed that the norms embedded in the collective intuition of indigenous communities could offer a valuable alternative for achieving sacred, authentic, and fair justice. This view correlated with Balkin's argument that transcendental justice represented the pursuit of the highest meaning in the legal structure, not evident in positive normative systems but remained legitimate in the collective consciousness of society (Balkin, 1994).

Based on the outlined explanations, it was hoped Dayak Kanayat'n customary law would continue to develop as a strategic model for a justice system that went beyond legal formalism and accepted ethical and spiritual values.

In Indonesia's pluralistic society, the future of customary law did not solely rely on formal state recognition, but also on its ability to preserve its transcendental dimension as a cultural and moral foundation. Therefore, transcendental justice in customary law should not be reduced to localized or symbolic traditions. It should rather be recognized as a crucial part of the national legal framework that respects epistemological and spiritual diversity (Mubarok et al., 2023).

4 Conclusions

In conclusion, the results of the study showed that the customary law of *nyampokng padi* was interpreted as a mystical-based practice of justice, integrating spiritual values, transcendental experiences, and cosmic awareness into the Dayak Kanayat'n customary law system. Justice was considered in formal-procedural terms and further recognized as an inner experience that connected humans with God, nature, and ancestral spirits. The sacred meaning of *nyampokng padi* was reflected in the customary norm *na' manjahana*, which governed social relationships while also preserving spiritual harmony through ancestral narratives and the transformation of oral traditions into written law. The process of proving violations of *nyampokng padi* cases followed a transcendental method shaped by the collective rationality of the Dayak Kanayat'n community. This process included symbolic reporting rituals, gathering of information from customary elders and shamans, the taking of customary oaths, and the performance of *munuh adat* ceremonies. Furthermore, the elements reflected a system of legal pluralism and substantive justice embedded in the living legal tradition of the Dayak Kanayat'n Indigenous community.

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References

- Absori. (2018). *Pemikiran Hukum Profetik: Ragam Paradigma Menuju Hukum Berketuhanan*. Yogyakarta: Ruas Media.
- Alexy, R. (2021). Gustav Radbruch's Concept of Law. In *Law's Ideal Dimension* (pp. 107–118). Oxford University Press.
<https://doi.org/10.1093/oso/9780198796831.003.0008>
- Almond, P. C. (1982). *Mystical Experience and Religious Doctrine*. DE GRUYTER.
<https://doi.org/10.1515/9783110823981>
- Anderson, R. L. (2022). Transcendental idealism as formal idealism. *European Journal of Philosophy*, 30(3), 899–923. <https://doi.org/10.1111/ejop.12753>
- Anggraeni, A. S., & Putri, G. A. (2021). Makna Upacara Adat Pemakaman Rambu Solo' di Tana Toraja. *Visual Heritage: Jurnal Kreasi Seni Dan Budaya*, 3(1), 72–81.
<https://doi.org/10.30998/vh.v3i1.920>
- Astono, A., Alkadrie, S. M. R. R. M., Fitrian, Y., Arabiyah, S., & Sitorus, A. P. M. C. (2023). Sustainable Mining Development Based on Local Wisdom in West Kalimantan: Progressive Legal Perspective. *Changing of Law: Business Law, Local Wisdom and Tourism Industry*, 47–55. https://doi.org/10.2991/978-2-38476-180-7_7
- Astono, A., Muyassar, Y. R., & Wagner, I. (2024). Perempuan Dayak dalam Peran Menjaga Lingkungan Hidup Perspektif Ekofeminisme terhadap Hukum Lingkungan di Kalimantan Barat (Studi Kasus: Kecamatan Sengah Temila, Kabupaten Landak). *Arus Jurnal Sosial Dan Humaniora*, 4(1), 8–16. <https://doi.org/10.57250/ajsh.v4i1.308>
- Aulia, M. Z. (2020). Friedrich Carl von Savigny tentang Hukum: Hukum sebagai Manifestasi Jiwa Bangsa. *Undang: Jurnal Hukum*, 3(1), 201–236.
<https://doi.org/10.22437/ujh.3.1.201-236>
- Balkin, J. M. (1994). Transcendental Deconstruction, Transcendent Justice. *Michigan Law Review*, 92(5), 1131. <https://doi.org/10.2307/1289630>
- Biondo, F. (2012). Comparative vs. Transcendental Approaches to Justice: A Misleading Dichotomy in Sen's The Idea of Justice. *Ratio Juris*, 25(4), 555–577.
<https://doi.org/10.1111/j.1467-9337.2012.00527.x>
- Dawi, K., Haryono, D., Yulastini, A., & Astono, A. (2022). Restorative Justice Paradigm of Kanayat'n Dayak Customary Law on Environmental Damage Caused By Shifting Cultivation. *Jurnal Analisis Hukum*, 5(2), 245–252.
<https://doi.org/10.38043/jah.v5i2.3918>
- Efriani, E., & Agustinus, E. (2021). Reflection of the Concept of Sanctions and Law on the Tamambaloh Dayak Custom. *Kanun Jurnal Ilmu Hukum*, 23(2), 309–324.
<https://doi.org/10.24815/kanun.v23i2.20897>
- Elahi, M. (2013). Summary of Social Contract Theory by Hobbes, Locke and Rousseau. *SSRN Electronic Journal*. <https://doi.org/10.2139/ssrn.2410525>
- Guidi, M. E. L. (2008). “Everybody to count for one, nobody for more than one.” *Revue d'études Benthamiennes*, (4). <https://doi.org/10.4000/etudes-benthamiennes.182>
- Harun, M. (2019). Philosophical Study of Hans Kelsen's Thoughts on Law and Satjipto Rahardjo's Ideas on Progressive Law. *Walisono Law Review (Walrev)*, 1(2), 195.
<https://doi.org/10.21580/walrev.2019.1.2.4815>
- Haq, H. S., Achmadi, A., Budiono, A., & Hangabei, S. M. (2021). Management of National Judicial System Control Based on Local Laws: A Case Study at the Mediation Center in Lombok, Indonesia. *Lex Localis: Journal of Local Self Government*, 19(3), 485–501.
- Haq, H. S., Achmadi, Hangabei, S. M., & Budiono, A. (2022). Community Mediation-Based Legal Culture in Resolving Social Conflicts of Communities Affected by the

- COVID-19 Pandemic in West Nusa Tenggara, Indonesia. *Studia Iuridica Lublinensia*, 31(2), 11–32. <https://doi.org/10.17951/sil.2022.31.2.11-32>
- Arsana, I. K. Y. A., Parwati, N. P. Y., & Tejawati, N. L. P. (2024). Nilai-Nilai Kearifan Lokal Pada Tradisi Ngaben Bikul di Desa Adat Bedha, Kecamatan Tabanan, Kabupaten Tabanan, Provinsi Bali. *Nirwasita: Jurnal Pendidikan Sejarah Dan Ilmu Sosial*, 5(2), 157–169. <https://doi.org/10.59672/nirwasita.v5i2.4090>
- Iksan, M., Surbakti, N., Kurnianingsih, M., Budiono, A., Fatih, S. al, & Ramon, T. M. (2023). Fulfilling the Restitution Rights of Crime Victims: The Legal Practice in Indonesia. *Academic Journal of Interdisciplinary Studies*, 12(4), 152–160. <https://doi.org/10.36941/ajis-2023-0101>
- Inusah, H., & Gawu, P. S. (2021). The Social Contract Theory and Corporation Moral Obligation. *E-LOGOS*, 28(1), 4–16. <https://doi.org/10.18267/j.e-logos.480>
- Izza, N. A. (2019). Prasasti-Prasasti Sapatha Sriwijaya: Kajian Panoptisme Foucault. *Titian: Jurnal Ilmu Humaniora*, 3(1), 110–123. <https://doi.org/10.22437/titian.v3i1.7027>
- Jahavi, D. (2017). *Husserl's Legacy: Phenomenology, Metaphysics, and Transcendental Philosophy*. United Kingdom: Oxford University Press.
- Jaya, I., Septyanun, N., & Erwin, Y. (2024). Ethics-Based Information Security System Law: Immanuel Kant's Transcendental Paradigm. *Journal of Transcendental Law*, 6(1), 16–31. <https://doi.org/10.23917/jtl.v6i1.5714>
- Johansen, T. O. (2024). Concepts of justice beyond suum cuique. *Studia Theologica - Nordic Journal of Theology*, 1–17. <https://doi.org/10.1080/0039338X.2024.2407958>
- Lau, C.-F. (2024). Kant's Transcendental-Psychological Approach to Metaphysics. *International Journal of Philosophical Studies*, 1–22. <https://doi.org/10.1080/09672559.2024.2418620>
- Lestarini, R. (2023). The Sociological Perspective on The Study of The Living Law: Is It a Part of Legal Discipline or Social Discipline? *Jurnal IUS Kajian Hukum Dan Keadilan*, 11(3), 448–464. <https://doi.org/10.29303/ius.v11i3.1270>
- Leuehaq, T. (2021). Basic Ideas of Rationalism and Empiricism and Some Epistemological Implications. *Media (Jurnal Filsafat Dan Teologi)*, 3(2), 145–158. <https://doi.org/10.53396/media.v3i2.35>
- Loewe, M., Zintl, T., & Houdret, A. (2021). The social contract as a tool of analysis: Introduction to the special issue on “Framing the evolution of new social contracts in Middle Eastern and North African countries.” *World Development*, 145, 104982. <https://doi.org/10.1016/j.worlddev.2020.104982>
- Malik. (2009). Relevansi Mistik Dengan Budaya Hukum Indonesia Dalam Perspektif Filsafat Ilmu. *Risalah Hukum*, 5(1).
- Melati, F. V., & Rahardi, R. K. (2022). Revitalizing the Values of Local Wisdom in the Oral Tradition of “Nyangahatn” Dayak Kanayatn in Anthropolinguistic Perspective. *JURNAL ARBITRER*, 9(2), 107–117. <https://doi.org/10.25077/ar.9.2.107-117.2022>
- Merkur, D. (n.d.). Mysticism | Definition, History, Examples, & Facts | Britannica. Retrieved May 20, 2025, from <https://www.britannica.com/topic/mysticism>
- Merry, S. E. (1988). Legal Pluralism. *Law & Society Review*, 22(5), 869–896. <https://doi.org/10.2307/3053638>
- Mubarok, A., Absori, Harun, & Jayabalan, S. (2023). The Relationship Of State Law And Customary Law. *Jurnal Jurisprudence*, 13(2), 188–204. <https://doi.org/10.23917/jurisprudence.v13i2.2914>
- Munandar, A., Noer, M., Erwin, E., & Syahni, R. (2022). Keragaman Bentuk Kearifan Lokal Masyarakat Suku Mentawai Di Kawasan Wisata Bahari Pulau Siberut. *Menara Ilmu*, 16(1). <https://doi.org/10.31869/mi.v16i1.3243>

- Nelken, D. (2008). Eugen Ehrlich, Living Law, and Plural Legalities. *Theoretical Inquiries in Law*, 9(2). <https://doi.org/10.2202/1565-3404.1193>
- Payne, S. (1990a). *John of the Cross and the Cognitive Value of Mysticism*. Dordrecht: Springer Netherlands. <https://doi.org/10.1007/978-94-009-2007-1>
- Payne, S. (1990b). Mysticism and the Explanatory Mode of Inference. In *John of the Cross and the Cognitive Value of Mysticism* (pp. 174–214). Dordrecht: Springer Netherlands. https://doi.org/10.1007/978-94-009-2007-1_6
- Putri, N., Hasanah, Darmawan, D. R., & Purnomo, T. A. (2024). Hilangnya Bahuma Mototn: Modernisasi Pertanian terhadap Sistem Perladangan Orang Dayak Kanayatn. *Satwika : Kajian Ilmu Budaya Dan Perubahan Sosial*, 8(2), 414–425. <https://doi.org/10.22219/satwika.v8i2.32776>
- Rahem, Z. (2020). Pendidikan Toleransi Antarsesama Pada Budaya Toron Tana Beji' Masyarakat Madura. *Tarbiya Islamia: Jurnal Pendidikan Dan Keislaman*, 9(1).
- Sabandiah, R. N., & Wijaya, E. (2018). Diskriminasi terhadap Agama Tradisional Masyarakat Hukum Adat Cigugur. *Jurnal Penelitian Hukum De Jure*, 18(3), 335. <https://doi.org/10.30641/dejure.2018.V18.335-352>
- Saptono, N. (1994). Religi pada Masa Kerajaan Sunda Kawali (Telaah Atas Prasasti Pendek di Situs Astana Gede, Kawali). *Berkala Arkeologi*, 14(2), 68–72. <https://doi.org/10.30883/jba.v14i2.703>
- Saputra, A. H. (2022). Transcendental Legal Principles in Restorative Justice A Review of Critical Legal Theory Studies. *Journal of Transcendental Law*, 4(1), 16–30. <https://doi.org/10.23917/jtl.v4i1.18415>
- Satria, R., Yulastini, A., Fitriani, Y., & Astono, A. (2024). Progresifitas Hukum Adat Dayak Kanayat'n dalam Menjaga Ekosistem Lingkungan Hidup. *Jurnal Adat Dan Budaya Indonesia*, 6(2). <https://doi.org/https://doi.org/10.23887/jabi.v6i2.66723>
- Smart, N., & Stace, W. T. (1963). Mysticism and Philosophy. *The Philosophical Quarterly*, 13(51), 186. <https://doi.org/10.2307/2217211>
- Syam, C., Olendo, Y. O., Dewantara, J. A., & Rahmani, E. F. (2024). Oral literature and social identity of the Dayak Kanayatn: the extinction of oral literature in the midst of contemporary cultural trends. *Cogent Arts & Humanities*, 11(1). <https://doi.org/10.1080/23311983.2024.2376785>
- Tan, S. H. (2021). Radbruch's Formula Revisited: The *Lex Injusta Non Est Lex* Maxim in Constitutional Democracies. *Canadian Journal of Law & Jurisprudence*, 34(2), 461–491. <https://doi.org/10.1017/cjlj.2021.12>
- Wardiono, K. (2019). Prophetic: An Epistemological Offer for Legal Studies. *Journal of Law and Justice*, 1(1), 17–41. <https://doi.org/10.23917/jtl.v1i1.8797>
- Wibowo, S., Dimiyati, K., Absori, Wardiono, K., Ramon, T. M., & Budiono, A. (2023). Islamic Nomocracy: from the Perspectives of Indonesia, Spain and Russia. *Legality: Jurnal Ilmiah Hukum*, 31(1). <https://doi.org/10.22219/ljih.v31i1.25358>
- Wiguna, T. M., Absori, Murhaini, S., & Budiono, A. (2024). Huma Betang-Based Resolution of Mining Land Conflicts: Belom Bahadat Legal Culture of Bakumpai Dayak Community in Central Kalimantan, Indonesia. *Lex Localis*, 22(3).
- Zarrabizadeh, S., & Kharisman, H. (2011). Mendefinisikan Mistisisme: Sebuah Tinjauan atas Beberapa Definisi Utama. *Kanz Philosophia A Journal for Islamic Philosophy and Mysticism*, 1(1).
- سالمة صالح فرج. (2020). نظرية الفكر وطبيعة اللغة عند ديكرت. *Journal of Human Sciences*, 19(2), 100–112. <https://doi.org/10.51984/johs.v19i2.1292>