

THE IMPACT OF INFORMATION COMMUNICATION TECHNOLOGY DEVELOPMENTS IN THE INDIGENOUS LAW COMMUNITY

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Abstract

The development of information and communication technology (ICT) always has an impact on changes in human paradigms, both positive and negative. This change in the human paradigm will conflict or not conflict with Indigenous law which is the guideline for the Indigenous law community. The question is, to what extent are the boundaries that guide Indigenous law community that this paradigm change is or is not in conflict with Indigenous law that applies to Indigenous law community, thereby resulting in restrictions on the use of ICT by Indigenous law community? In this research, there are two case studies, namely the development of ICT, which is considered contrary to Indigenous law and the acceptance of ICT development in the Indigenous law community of Baduy Dalam, Baduy Luar, and Kasepuhan Ciptagelar Sukabumi. This research aims to examine the impact of ICT developments on the paradigm of the Indigenous law community of Baduy Dalam, Baduy Luar, and Kasepuhan Ciptagelar so that the results of this research can be used as a reference for the government to determine appropriate regulations for implementing digital transformation programs for Indigenous law community.

Keywords: Information and Communication Technology (ICT), Indigenous Law Community

Introduction

Indonesia has three commemorative moments in August, namely the commemoration of the Independence Day of the Republic of Indonesia every August 17, International Indigenous Peoples Day every August 9 and National Technology Awakening Day (Hakteknas) every August 10 due to the success of P.T. Dirgantara Indonesia in carrying out the first flight of the N250 Gatotkaca aircraft on August 10 1995 in Bandung and a commemorative moment for B.J. Habibie in scientific achievements and the application of information and communication technology (ICT) in Indonesia, which is not inferior to countries that have advanced technology. The development and use of ICT is one of the aspects that from the past until now has largely determined the success or failure of a nation in overcoming various social problems and achieving the common goals set by the state.

The development of ICT, especially internet, can connect person to person, also include the Indigenous law community with the wider public or various other relevant

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parties. Fulfilling the right to information, one of which can be fulfilled by the availability of internet access, is important for the Indigenous law community of Baduy Dalam, Baduy Luar, and Kasepuhan Ciptagelar. However, the use of the internet and smartphones has caused opposition from the Traditional Elder of the Indigenous law community of Baduy Dalam, who officially asked the Regent of Lebak on June 1, 2023, to turn off the internet in the Baduy Dalam area, but internet can still enter the Baduy Luar area. On the other hand, the Traditional Leader (Abah) of Kasepuhan Ciptagelar is confident that adopting ICT developments and complying with applicable positive laws will have a positive impact on the Indigenous law community of Kasepuhan Ciptagelar, both economically and knowledge-wise.

State-of-the art research is taken from several examples of previous research as a guide or example of research conducted today. The example taken is a journal with the research object of the Indigenous law community of Baduy, with the title *Application of Indigenous Sanctions for Violations Occurring in The Territory of The Baduy Traditional Community*, written by Hari Purwadi Anti Mayastuti and Yusuf Kurniawan, Lecturers at the Faculty of Law, Sebelas Maret University, published at Sebelas Maret University, *Journal* (Purwadi et al., n.d.).

The results of the research show that the customary law of Baduy follows the times and respects legal pluralism in Indonesia. And a journal regarding Kasepuhan Ciptagelar with the title "Customary Law in the Indigenous Law Community of Ciptagelar Village: Elaboration Between Traditional and Modern Habits," written by Dwi Desi Yayi Tarina, Rianda Dirkareshza, Ali Imran Nasution, and Rosalia Dika Agustanti of the Veteran National Development University of Jakarta, Indonesia., published in Scopus 2021. Based on this article, it is known that the Kasepuhan Traditional Law Community lives in harmony with ICT developments in its region but still maintains the preservation of its customs and culture and obeys Indigenous and national laws (Tarina et al., 2020).

There has been no research regarding the impact of technology, information, and communication (ICT) developments on the paradigm of the indigenous law community of Baduy and Kasepuhan Ciptagelar and in connection with the Indonesian government's digitalization development plans throughout Indonesia. Therefore, the authors try to explore the impact of ICT developments on the paradigm of indigenous law community, with the aim of the authors being able to provide input to the government in implementing digital development in Indonesia, especially in areas of indigenous law communities, by prioritizing protection of indigenous law community and not conflicting with existing customary laws. that apply and are obeyed by indigenous law community.

Research Methods

The research method used is empirical legal research, which is initially studied using secondary data and then continued with research on primary data in the field or society (Soekanto, 2010). In this research, the author used primary data, which was the result of interviews with representatives of the Indigenous law community of Baduy and Kasepuhan Ciptagelar regarding applicable Indigenous laws and the introduction of the internet and smartphone use.

Results and Discussion

The development and use of ICT can be placed in positive, neutral, or negative poles. Discussions regarding the development of ICT in the Indigenous law community cannot be separated from ICT developed by the Indigenous law community themselves

(indigenous technology) to support or help the lives of the Indigenous law community in social relations and relationships with nature. Given this reality, the government must have a reference for implementing digital connectivity development in order to realize digital transformation through the government's multifunctional satellite capacity provision program (Satria, Palapa Ring) and the construction of telecommunications towers in frontier, outermost, and underdeveloped areas (3T). especially in areas of indigenous law community whose customs and culture must be preserved. The development of digital connectivity must be based on the protection of customary laws that apply and are obeyed by the Indigenous law community that lives in their territory.

The Indigenous Law Community

The existence of Indigenous law community in Indonesia has in fact existed since the time of our ancestors until the present. An indigenous law community is a territorial or genealogical community unit that has its own wealth, has citizens who can be differentiated from members of other law community, and can act internally or externally as a legal entity (subject of law) that is independent and governs itself (Alting, 2010). Many experts argue that the definition of Indigenous peoples must be differentiated from Indigenous law community. The concept of Indigenous law community is understood to refer to a certain community with certain characteristics. Meanwhile, indigenous law community is a technical, juridical definition that refers to a group of people who live in a particular area (ulayat) where they live and live in a certain environment, have wealth and leaders who are tasked with safeguarding the group's interests (outside and inside), and have a legal system (system). and government (Rasyidi et al., 2010).

The definition of an Indigenous law community, according to Ter Haar, is an orderly group of people living in a certain area, having their own power, and having their own wealth in the form of visible and invisible objects, where the members of each unit experience life in society as a normal thing. according to the nature of nature, and no one among the members has the thought or inclination to dissolve the bond that has grown or abandon it in the sense of breaking away from the bond forever (Rasyidi et al., 2010).

The term Indigenous law community were created and used by customary law experts, who function more for theoretical-academic purposes. This term is used to give identity to Indigenous groups who have their own legal systems and traditions and to differentiate them from European and Far Eastern groups who have written legal systems and traditions (Rasyidi et al., 2010).

An Indigenous law community is a group of people who are bound by their indigenous legal order as citizens of a legal association because of the same place of residence or on the basis of descent. Based on the definition above, it can be understood that Indigenous law community are included in the definition of community, but not all community can be classified under the definition of Indigenous law community. The Indigenous law community is bound by the customary law, which grows and develops naturally in the community so that it reflects the soul of the community. The existence of Indigenous law community areas in Indonesia is proven in several literature sources, including that according to the results of research conducted by Van Vollenhoven, there are 19 Indigenous law areas, namely ⁽¹⁾ Aceh, ⁽²⁾ Gayo, Alas, Batak, and Nias. ⁽³⁾ Minangkabau, Mentawai, ⁽⁴⁾ South Sumatra, Enggano, ⁽⁵⁾ Malay, ⁽⁶⁾ Bangka, Belitung, ⁽⁷⁾ Kalimantan, ⁽⁸⁾ Minahasa, ⁽⁹⁾ Gorontalo, ⁽¹⁰⁾ Toraja, ⁽¹¹⁾ South Sulawesi, ⁽¹²⁾ Ternate Islands, ⁽¹³⁾ Maluku, ⁽¹⁴⁾ West Irian, ⁽¹⁵⁾ Timor Islands, ⁽¹⁶⁾ Bali, Lombok, ⁽¹⁷⁾ Central Java, East Java, Madura, ⁽¹⁸⁾ Solo, Yogyakarta; ⁽¹⁹⁾ Java West, Jakarta ^[20] (Rasyidi et al., 2010).

The Indigenous Law Community Right

Discussions regarding the rights of indigenous law community are still extraordinarily complex. The relationship between Indigenous community and natural resources, the environment, or their area of life is more accurately categorized as a relationship of obligations rather than rights. These relationships are only categorized as rights if they relate to outside parties, be the other community, entrepreneurs, and even the government. When dealing with outside parties. Then the conception of rights becomes something that is politically charged which is contested and, at the same time, becomes the object of regulation in law. The constitutional rights of indigenous peoples, according to the Human Rights Commission and the 1986 International Labor Organization (ILO) Convention, include (Konstitusi, 2016): the right to self-determination; the right to participate in government; the right to food, health, habitat, and economic security; the right to education; the right to work Children's rights; Workers' rights; Rights of minorities and customary law community; Land rights; the right to equality; The right to environmental protection The right to good government administration; the right to fair law enforcement; Rights to land and natural resources are one of the most important rights for indigenous peoples because the existence of these rights is one measure of the existence of indigenous law community.

Meanwhile, Abdon Nababan said that of the many categories of rights relating to indigenous community, there are at least four rights of indigenous community that are most frequently voiced, including (Arizona, 2010): The right to “master” (own, control, and manage) land and natural resources in their customary territory; The right to self-governance in accordance with customary law (including customary courts) and customary law mutually agreed upon by the indigenous law community; The right to take care of oneself based on the customary management or institutional system; The right to identity, culture, belief system (religion), knowledge system (wisdom), and native language. Regarding the function of indigenous rights, Moh. Koesnoe stated that there are four functions related to traditional rights in indigenous law community with regard to maintaining harmony between society and the universal system, including: government function, spirit maintenance function, religion maintenance function, and customary law development function (Rahman et al., 2011).

The constitution does not explain what rights the state must fulfill for Indigenous community. In the constitution, these rights are termed the traditional rights of indigenous law community. Until the present, there has been no adequate explanation to explain what is classified as the traditional rights of Indigenous community. All existing laws and regulations only copy the formulation of the traditional rights of Indigenous community in the constitution without providing any explanation. Mahyuni believes that traditional rights are rights created from, by, and for the community within the scope and boundaries of the life of the community concerned as a legacy from their ancestors in order to maintain life naturally and sustainably. The principles contained in these traditional rights include the right to defend their biological, social, and cultural values and beliefs (Mahyuni, 2023).

Meanwhile, the Constitutional Court defines traditional rights as special or special rights that are inherent and owned by a community based on their common origins (genealogy), common areas and other customary objects, rights to customary land, rivers, etc., forests, and are practiced in their community. The existence of Indigenous law community as subjects, legal objects and authority can be explained as the subject of community rights over their Indigenous territories (Ulayat rights). In national legislation,

what is used is the Indonesian Indigenous law community, which is a community based on similarities in territory, ancestry, area, and ancestry, so that there is a diversity of forms of Indigenous community from one place to another (Samangun et al., 2017).

Recognition and protection of the rights of Indigenous law community is indeed important because it must be acknowledged that traditional Indigenous law community were born and existed long before the Unitary State of the Republic of Indonesia was formed. However, in their development these traditional rights must adapt to the principles and spirit of the Unitary State of the Republic of Indonesia through normative requirements in the legislation itself.

The Indigenous Law Community of Baduy

According to Jaro Saija, Head of Kanekes Village (Baduy Luar), the Indigenous law community of Baduy numbers 12,000 people, administratively living in Kanekes Village, Leuwidamar District, Lebak Regency, Banten Province. The area is five thousand one hundred thirty-six hectares (5,136 ha), and the number of villages (RT) is 65. Consisting of 3 Baduy Dalam villages, namely Cibeo, Cikertawana, and Ciekusik, which will not change forever. and 62 Outer Baduy Villages, the number of which is subject to change. Cicakal Girang cannot be included in the Outer Baduy Village because most of its residents are Muslims, while the residents of Inner Baduy and Outer Baduy are Sundanese Wiwitan. The Baduy traditional law community originated with the Prophet Adam and then developed and spread to various corners of the earth. The Baduy people chose to live in Kanekes because they were tasked with preserving their traditions. The Baduy people believe that their ancestors lived in the place where they live now for generations; the Baduy people are not refugees from the Padjadjaran Kingdom.

Geographically, it is located at coordinates 6°27'27" – 6°30'0" North Latitude (N) and 108°3'9" – 106°4'55" East Longitude (E).). The Baduy customary community lives in the western part of the island of Java, in an area that is part of the Kendeng mountains at an altitude of 900 meters above sea level (Permana, 2016). Administratively, Kanekes Village is flanked by 11 villages from 6 sub-districts: To the north it is bordered by Bojongmenteng Village, Isimeut Raya Village and Nayagati Village (Leuwidamar District). To the west it borders Parakan Besi Village, Kebon Cau Village (Bojongmanik District) and Karang Nunggal Village (Cirinten District). To the south it borders Cikate Village and Mangunjaya Village (Cijaku District). To the east it borders Karangcombong Village (Muncang District), Hariang Village and Cicalembang Village (Sobang District).

The origin of the name Baduy comes from outsiders who visited the Kanekes community, which is thought to be from the word Baduy, which is associated with inland Arab tribes. Baduy to refer to the urang (people) of Kanekes, whose name then experienced no resistance or objection from the urang Kanekes. The Baduy customary community is more accustomed to calling themselves according to the name of their village. For example, Urang Kanekes, Urang Cibeo, or Urang Cikesik.

The Indigenous law community of Baduy uses the Sundanese–Banten dialect of Sundanese. The Baduy people do not know written culture, so their customs, beliefs/religion and ancestral stories are only stored in oral speech (Astari, 2009). To communicate with foreigners they use Indonesian fluently, even though they did not get this knowledge from school because school is against customary law.

The Baduy traditional law community distances itself from the comforts of the modern world, such as electricity, cars, and television. The Baduy traditional law community believes that misfortune will befall the entire village if they embrace

information and communication technology (ICT) and deviate from the traditional lifestyle they have lived for hundreds of years. That is why, for several generations, the Baduy tribe has continued to live in simple houses made of wood and bamboo. They live a minimalist life and wear all black or white clothes woven by themselves. Because the Baduy tribe is also prohibited from using all kinds of transportation, they travel everywhere on foot, including when they have to meet government officials in Jakarta. A round trip of 200 km, which takes about four days. However, looking at the existing reality, the internet and smartphones are difficult for some of the Indigenous law community of Baduy Luar to reject.

The indigenous law community of Baduy have tried to deny ICT; with no electricity, television, or radio, the traditional leader will impose heavy sanctions to the indigenous law community of Baduy who are found to have smartphones, even in extreme cases, being expelled from Kanekes village because they are deemed to have violated their customary law. According to Baduy resident, Jamal, that the Baduy traditional council would carry out searches and inspections every few months to look for items from the outside world, such as smartphones, glass plates, and metal spoons, which would also be confiscated because the Baduy customary law community was not allowed to use them; they were only allowed to use bamboo glass. However, in reality, Kanekes Village has entered the internet, and several Indigenous peoples have had smartphones for years, even though they use them secretly at home or when leaving the boundaries of Kanekes Village. Smartphone owners charge their batteries in Ciboleger and Cijahe villages, the closest neighboring villages, with electricity, by paying Rp. 2000 (two thousand Rupiah) for one full charge.

According to Baduy resident Ako Sarka, when the COVID-19 pandemic took place, the ban on the use of smartphones by the Baduy community should be relaxed because no tourists came, so the Baduy community had difficulty selling their products such as woven cloth, forest honey, and handicrafts. So, they have to use smartphones to open online stores and use social media to promote their products. He also created his own YouTube account, documenting daily activities and informing the outside world about the real traditions and customs of Kanekes Village. This is because many content creators come here and spread misinformation about Baduy, even though millions of people watch their videos. Therefore, there must be a balance of information in the form of stories from the perspective of the Baduy people themselves. Ako Sarka has more than 90,000 subscribers on YouTube and 3,000 followers on Instagram. Not long after, other young Baduy people followed Ako Sarka's steps and created their own social media accounts. Some of them have become nano influencers of sorts, with thousands of loyal followers on social media. Just like Ako Sarka, the outside of the Baduy influencers' wooden houses is decorated with photos of themselves, some of whom are seen side by side with celebrities and fans from big cities. If there is a raid by the Baduy traditional council, the photos will be removed and hidden in another village or in the forest.

Seeing the number of indigenous law community of Baduy, including children, youth, and mothers, who are increasingly using smartphones, Baduy traditional elders on June 1, 2023, sent a petition to the Regent of Lebak Regency, Banten, containing a request that Kanekes Village be free from internet signals. This step sparked differences of opinion among the indigenous law community of Baduy itself. Furthermore, on October 8, 2023, the internet in the Baduy Dalam tribe area in Kanekes Village, Leuwidamar District, Lebak Regency, Banten, was officially turned off. This area is now a blank spot, no internet signal. The removal of the internet in the Inner Baduy area was conducted

after a meeting between representatives of the Baduy traditional law community and the Ministry of Information and Communication.

The result of the meeting was an agreement, namely that according to the customary law (Baduy Ulayat) the internet was only turned off in the Baduy Dalam area. Based on a letter from the Baduy Traditional Institute, it is known that the internet will have a negative impact for the indigenous law community of Baduy, which does not yet have ready knowledge regarding easy unrestricted access to information. The ease of accessing information is felt by Indigenous law community, who should maintain the traditions of their ancestors according to Pikukuh. It is felt that the existence of smartphones that Indigenous law community of Baduy can own has resulted in a decline in the morals of the younger generation, who have been able to access various applications and content that are not educational, which is contrary to their customary law. The Baduy Traditional Elders also requested that parties who have this authority be able to limit, reduce, or close negative applications, programs, and content on the internet network that can affect the morals of the younger generation. This is to minimize the negative influence of smartphone use on Baduy residents. However, Baduy traditional elders also understand that the progress of the times cannot be resisted. In principle, they will follow and support ICT advancement programs, as long as they do not conflict with customary law.

According to Mulyono, a young Baduy man, the only one who studied at the university majoring in communications, developments and modernization cannot be avoided by the Baduy customary law community. According to him, going to school and teaching children education is prohibited by customary law, but because education is important, he must go to school and accept the consequences or punishment according to customary law. To face current developments and the digital era, Baduy people must be educated so they can differentiate between negative and positive content when using smartphones and continue to maintain their customs and culture by following technological developments.

The Indigenous Law Community of Kasepuhan Ciptagelar

The indigenous law community of Kasepuhan Ciptagelar was firstly formed after the aggression of the Sultanate of Banten to the territory of Kingdom of Hindu Sundanese Pakuan-Pajajaran on approximately 600 years ago. Some nobles and their armies were dispersedly retreated to the (then) area of National Park of Mount Halimun Salak and colonized in the District of Jasinga, Bayah, Cigudeg and Cisolok, in which lies Kasepuhan Ciptagelar (Nugraheni, n.d.). Kasepuhan Ciptagelar is one of Kasepuhan, in which formed by the descendants of the nobles and their army of Kingdom of Hindu Sundanese Pakuan, Pajajaran, existed within the previously mentioned area. However, Kasepuhan Ciptagelar has been acknowledged as the leader among other Kasepuhan due to its advanced custom, economic and political development. Kasepuhan Ciptagelar is located in Cisolok District, Sukabumi Regency, where the topography of the area is hilly.

The majority of the Kasepuhan Ciptagelar community depends on agricultural products, especially rice. In contrast to most nomadic community in Indonesia, Kasepuhan Ciptagelar and other former Kasepuhan residents grow rice in privately owned wetlands. However, the rice planting pattern in wetlands is the same as in drylands, namely once a year for six months only (Gunawijaya, 2005). During the remainder of the year, the wetlands are left unplanted until the next planting year. This is because the variety of rice used by Kasepuhan Ciptagelar residents only lasts in the rainy season.

Traditional leaders and the Kasepuhan Ciptagelar traditional law community highly

uphold customs and obey applicable customary laws, but they can accept modernization by adopting information and communication technology that is tailored to the needs of their community.

The stigma of traditional community being closed, and conservative is refuted by the reality of the Kasepuhan Ciptagelar traditional community, which actually accepts ICT intervention. The life of the indigenous law community of Kasepuhan Ciptagelar runs dynamically like a modern urban society. Kasepuhan Ciptagelar has: 1. an organized water management system as a support for agriculture; this is because the Kasepuhan Ciptagelar Indigenous people make rice their main commodity, storing their harvests in a collectively owned barn called leuit. The abundant supply of rice makes Kasepuhan Ciptagelar able to be self-sufficient in food. Water management is highly organized; a Rorokan ('assistant') is responsible for ensuring that existing water resources are maintained and regularly maintained. 2. Solar power plants in the form of electricity-generating turbines. Along residential roads, there are solar panels installed on every house. Like a smart village that uses renewable energy. Kasepuhan Ciptagelar utilizes river flow and solar heat to produce electrical energy through turbines originating from four PLTMs. 3. The local television network, which they named Ciga TV, succeeded in breaking this isolation. Since 2008, Ciga TV has become an integrated information system that facilitates communication between residents there. Information technology, which is often feared to be able to erase local culture, has actually become a means of strengthening customs in Kasepuhan Ciptagelar. Ciga TV broadcasts many documentaries about people's daily lives, songs, and education about the environment, which, of course, increasingly inspires their determination to protect their culture. 4. Radio Installation Similar to Ciga TV, a radio station called Radio Swara Ciptagelar is also an important means of communication for the Kasepuhan Ciptagelar traditional law community. The content displayed is almost exactly the same as that on Ciga TV. The difference is that it is only presented in an entertaining talk version. Not only that, but this traditional community radio channel has also received permission from the Sukabumi Regency Diskominfo and has officially become a commercial radio. 5. Internet Network. Abah Ugi Sugriana Rakaswiwi, Kasepuhan Ciptagelar Traditional Leader, has been trying to provide an internet network in Kasepuhan Ciptagelar since 2009. Although it was not easy, finally an internet network was available in the Kasepuhan Ciptagelar area as a result of collaboration between the Kasepuhan Ciptagelar legal community and surrounding village community.

The digitalization problem in Kasepuhan Ciptagelar also occurred during the implementation of the digitalization development program in Kasepuhan Ciptagelar, namely the Internet Entering Villages program in 2009 by the government. This program did not last long because the equipment only functioned well for two years. After receiving assistance from the non-profit organization Common Room Networks Foundation, the Kasepuhan Ciptagelar traditional law community tried to develop and manage internet infrastructure independently, or community-based internet. Currently, around 15 Kasepuhan Ciptagelar residents have technician status and manage and develop internet services for more than 900 users. To increase the digital literacy of the Kasepuhan Ciptagelar traditional law community, an "Internet School" has been opened." Through this community internet service, the Kasepuhan Ciptagelar traditional law community claims to be able to pocket IDR 100 million–IDR 160 million per month.

The Indigenous law community of Kasepuhan Ciptagelar are not allergic to technology and still uphold tradition and obey customary law. The customary law

prohibits all Kasepuhan Ciptagelar residents include not being allowed to sell rice. This is due to the public's trust in the customs that apply in Kasepuhan Ciptagelar and belief in Dewi Sri. For them, Dewi Sri is believed to be a symbol of prosperity and fertility. Dewi Sri is believed to be a holy figure who regulates prosperity on earth. So Dewi Sri, also known as Nyi Pohaci, is a blessing in the lives of the Kasepuhan people. Starting with the death of Dewi Sri, life developed. Without Dewi Sri, the people of Kasepuhan would not have a life. That is why the indigenous law community of Kasepuhan Ciptagelar really respect Dewi Sri and rice. Thus, the people of Kasepuhan Ciptagelar cannot sell rice because it is the same as selling their lives or selling their own lives.

Second, it is forbidden to talk when pounding rice. The Kasepuhan Ciptagelar community is a society that upholds norms and ethics. Pounding rice in Kasepuhan Ciptagelar is different from pounding rice in other traditional villages. In Kasepuhan Ciptagelar, to pound rice, a mortar made in the forest must be provided. Apart from that, pounding rice is also often accompanied by the art of *angklung dogdog lojor*. Pounding rice is a sacred activity because it is closely related to Dewi Sri, or the Goddess of Rice. The reason is that it is forbidden to speak while pounding rice as a form of respect for Dewi Sri, apart from being able to better understand what is contained in the content of the songs performed in the art of *angklung dogdog lojor*.

Third, you are not allowed to build a house with walls. This type of customary law prohibition is related to natural disasters, namely earthquakes. The Kasepuhan Ciptagelar community believes that this customary law prohibition is a form of their ancestors' love for their generations to avoid natural disasters, namely earthquakes. As is known, cubicle houses, or houses made of wood without using bricks or walls, are very safe and do not easily collapse if an earthquake occurs. Moreover, Kasepuhan Ciptagelar is located on the cool Mount Halimun, so the room in the house is very suitable for such conditions.

Fourth, how to dress. Every Kasepuhan Ciptagelar is a traditional law community, and when male tourists come, they are obliged to use *iket*. *Iket* is a type of headgear made from cloth and worn with certain techniques such as folding, pleating, and closing as a final tie. This is related to the customs of our ancestors from time immemorial. *Iket* means a bond or link between brothers and sisters and is also a characteristic of Kasepuhan Ciptagelar men. Meanwhile, women must wear side clothes. The customary law for dividing inheritance in Kasepuhan Ciptagelar does not recognize patrilineal and matrilineal lineages but adheres to the mixed lineage of Kasepuhan Ciptagelar. As is the case if a traditional leader (*Abah*) is descended from the male line, The male Cabinet or Village Apparatus (*Rorokan*) will follow the male lineage, and so will the female. The line outside *Abah* and *Rorokan* is known as the *Kolot Route*. This *Kolot Path* holds the entrustment and duties of Kasepuhan and has extraordinarily complex and numerous tasks. The inheritance pattern of the *Colossal Line* is based on the descendants of the Leader. In everyday life, the Kasepuhan Ciptagelar community has its own rules and customary laws.

The indigenous law community of Kasepuhan Ciptagelar use their own units to calculate the amount of rice, the area of rice fields, *zakat*, and other heritage objects. The units used in calculating rice are *sarinci*, *sabeulah*, *sapocong*, *semai*, and *half*. In customary law, the distribution of Kasepuhan Ciptagelar's inheritance has a flow of inheritance processes, starting from the heirs, inherited assets, or wills, and those who regulate the course of inheritance. If a dispute occurs, it is prohibited to bring inheritance disputes into the realm of Kasepuhan Ciptagelar. Disputes that occur are often resolved amicably. Kasepuhan Ciptagelar is one of the indigenous law community in Indonesia

that still adheres closely to the ancestral traditions of the Sundanese land in all its activities. On the other hand, they succeeded in discarding the view that Indigenous peoples were closed, isolated, and ancient. This is in line with their philosophy, namely that they must be able to keep up with the times, but traditions must not be abandoned.

What happened to the indigenous law community of Kasepuhan Ciptagelar is an example of how indigenous law community can also transform following changing times and adapt to the digital world while remaining steadfast in maintaining their customs and culture. Subject to applicable customary and national laws. This is different from the views of traditional elders and the indigenous law community of Baduy Dalam, who are totally against modernization, especially the entry of digital spaces via the internet in the Baduy Dalam area.

The ICT Development in Indonesia

The development of information and communication technology (ICT) in Indonesia has existed since pre-literate times, as evidenced by cave paintings in Sulawesi that are 44,000 years old. During the Hindu-Buddhist kingdom, the development of ICT was heavily influenced by Indian culture. The development of ICT in ancient Indonesian society used many natural media, such as inscription stones, palm leaves, and animal skins. In terms of language and script, ancient Indonesian society used Sanskrit and Palawa letters as a means of verbal and written communication.

The development of radio in Indonesia has been around since the 1920s. The Dutch colonial government built several radio stations in big cities, such as Bataviaasche Radio Vereeniging (BRV), Nederland Indische Radio Omroep (NIROM), and Solosche Radio Vereeniging (SRV). On September 11, 1945, the Indonesian government succeeded in establishing an Indonesian national radio station called Radio Republik Indonesia (RRI). The development of the Palapa Domestic Satellite Communication System (SKSD) during the New Order government, which was successfully launched on July 8, 1976, from Cape Kenedy, United States, aims to build an effective and efficient national information and communication system. This satellite system is capable of providing telephony and fax services between cities in Indonesia.

The development of modern ICT in Indonesia began with the creation of an Internet Protocol (IP) at the University of Indonesia called UI-NETLAB on June 24, 1988. Then, in 1994, the first Internet Service Provider (ISP) appeared in Indonesia, called IndoNet. IndoNet succeeded in establishing an initial connection to the Internet using dial-up technology. And in 1995, the Department of Postal and Telecommunication issued business permits to ISP IndoNet and RadNet as a form of support for the development of internet technology in Indonesia (Prabowo & Gischa, 2020).

Datareportal.com in its Digital 2023 Indonesia report shows that the number of internet users in Indonesia continues to increase and is expected to continue to grow until it reaches 215 million users in 2023. Apart from increasing internet use, the report also shows that in recent years there has been an increase in the use of social media and e-commerce (Kemp, 2022). According to the Hootsuite (We Are Social), in 2023, the total population will be 276.4 million, but connected mobile devices are 353.8 million (128% of the total population). There are 212.9 million internet users (77% of the total population), and active social media users are 167 million (60,4% of the total population) (Riyanto, 2023). And at the present, ICT has been implemented in education, health, transportation, trading, and banking.

The Impact of ICT Development

Technology and human civilization are two things that cannot be separated. Digital transformation brings many diverse potentials and benefits, as well as potential negative impacts, challenges, and risks that need to be anticipated. Technologies such as blockchain, artificial intelligence, and big data analysis are some of the technologies that will significantly disrupt conventional sector supply chains. With the increasing use of Internet of Things devices and applications, there will also be an increase in security and privacy risks for society in general, including indigenous peoples. Customary law communities have their own customary laws; however, customary law communities continue to follow ICT developments while remaining obliged to maintain customs and culture.

Digital technology, through algorithms, can dictate people's activities in the digital world and the real world. For this reason, strategies are needed to manage community activities in the digital era. This is then called digital ethics. Digital ethics is an individual's ability to realize, exemplify, adapt, rationalize, consider, and develop digital ethical governance (netiquette) in everyday life. Digital ethics are important to apply in real life as a form of regulating activities in the digital era. In the Digital Civility Index report released by Microsoft in 2021, Indonesian people were 'crowned' as the most impolite social media users in Southeast Asia and ranked 29th out of 32 countries in terms of level of civility in mass media. The government should bring up ethical issues.

This is reflected in the Kompas R&D survey at the end of January 2022. Based on a survey conducted on 1,014 respondents in 34 provinces, almost 50% of respondents apparently did not realize the importance of personal data security when using digital activities. As many as 46.5% of respondents did not know or were not aware that online activities, such as browsing, shopping, and other activities on social media, were an important source of data. From this survey, the following can be seen about the digital behavior of Indonesian society: 67.9 percent of respondents admitted that they had never changed their digital account passwords. Only a small percentage change their passwords regularly, and even then, only on certain accounts. As many as 22.4 percent of respondents admitted that they did not read the terms and conditions related to data security when filling in personal data in digital systems or applications. Meanwhile, 36.2 percent only skimmed. As many as 59 percent of respondents never checked the security of the applications on their smartphones. As many as 67.9 percent never change their digital account PIN or password regularly. Even though knowledge about the importance of personal data plays an important role in efforts to protect society's digital security, in the era of digitalization, personal data has become a gold mine, which, if leaked, could result in unlimited risks. Starting from financial losses to psychological. Protection of personal data must start with internet and social media users themselves.

The lack of awareness among internet and social media users to protect their personal data, of course, results in continued data leaks and cybercrime. Based on the 2020 Digital Civility Index, Microsoft Indonesia is ranked 29th with a score of 76, where the higher the score, the lower the digital civility. There are two risk factors that most influence the civility of Indonesian society in the digital realm. First, intrusive risks related to the emergence of unwanted contacts, hoaxes, spam, fraud, hate speech, and discrimination. Second, behavioral risks such as harsh treatment, provoking anger, misogyny, terrorism recruitment, online violence, microaggressions, and cyberbullying. The above behavior leads to the rise of crime in the digital age. Digital space security is not only limited to "cyber security" but also involves a broader security dimension known

as "digital security." With this approach, aspects of social security and digital economic security are also a concern (OECD, 2023). By using a digital security approach, technology, law enforcement, and national and international security have an impact on economic and social aspects. For example, activities using digital technology can disrupt the availability, integrity, and confidentiality of data, as well as the security of software, hardware, and networks (OECD, 2023).

Digital sovereignty is important for a country because it involves issues of trust and security between countries. Digital sovereignty is achieved by a country if that country has the ability to control data, software, and hardware. In general, each country has diverse regulations and perspectives; this is a challenge in managing cross-border data flows. When a country is unable to control data usage, especially involving cross-border areas, it can potentially create connectivity risks and trigger fragmentation in the high-tech market, which in the future could have an impact on state sovereignty.

Indonesia Digital Transformation

Indonesia will experience a demographic bonus in 2045, where this condition refers to the proportion of the population of productive age that will increase significantly, so that this will create opportunities for Indonesia to use digital technology to encourage national economic growth. Based on the Indonesian population projection report issued by BPS, it is stated that in 2045, the projected population in the 15- to 64-year age group will reach 214.2 million out of a total population of 329.1 million. This means that in 2045, the population of productive age will account for 65% of Indonesia's total population (Adiwibowo & Karyana, 2022).

The government must be able to use this moment to increase productivity and economic growth, as well as design policies that are appropriate to changes in labor market demands influenced by dynamic technological developments. Through the implementation of digital transformation, there will be the potential to create around 9–12 million new jobs. However, on the other hand, the digitalization process has also triggered a decline in job demand. As many as 60% of the working-age population in Indonesia works in six (6) main sectors, namely agriculture, forestry, fisheries, trade, retail, manufacturing, accommodation and culinary services, construction, and education, which are potentially threatened by automation. Routine and simple jobs can be replaced by machines and automation, causing a decline in demand for workers in these sectors. Therefore, facing digital transformation in the workforce requires careful planning. And in the long term, the government must also design policies to face the aging era.

This is in line with the vision of "Advanced Indonesia 2045." The Indonesian Government does this with four pillars, namely: (1) Human Development and Mastery of Science and Technology (IPTEK), (2) Sustainable Economic Development, (3) Equitable Development, and (4) Strengthening National Resilience and Governance. Technology is developing increasingly rapidly; for this reason, the government must be more alert and accustomed to managing digital technology (mobile internet and automation). Technologies that reduce physical limitations and distance also need to continue to be developed, accompanied by widespread adaptation to renewable energy technologies (solar, wind, nuclear, biomass, and geothermal) and the intensive application of more advanced health technologies. Second, develop hard infrastructure to build digital connectivity and prepare supporting institutions, policies, and legislation. To create capable digital connectivity, the government has built a 4G mobile broadband network and deployed the Satria Satellite to provide internet access in 150 thousand public facilities.

At the same time, farming and refarming of spectrum demand, integration of the Palapa Ring, and installation of 12,083 kilometers (km) of fiber optics have been carried out. Meanwhile, supporting institutions and policies, the establishment of a National Data Center, the

determination of capital expenditure of IDR 8.6 trillion for the period 2022–2023, and the creation of major legislation in the field of information and communication technology (ICT) are part of the government's efforts to realize the desired digital transformation. Third, develop soft infrastructure to build digital capacity. To achieve this, the government established the Digital Economy Program and prepared the nine million digital talents needed in the next 15 years to support digital transformation. The first is done through (i) adopting digital technology for micro, small, and medium enterprises (MSMEs), carrying out digital outreach and literacy, and introducing the concept of digital onboarding to MSMEs; (ii) increasing the adoption of digital technology in six priority sectors (agriculture, maritime, tourism, education, health, and logistics) and designating 10 regions in Indonesia as pilot projects; and (iii) supporting the development of digital startups by building Startupdigital.id, which is tasked with providing training, mentoring, and business matchmaking for startup companies and game developers. There are many challenges faced in driving digital transformation.

However, all parties will agree that this transformation needs to be accelerated. Apart from ensuring that Indonesia can adapt to a business environment that is changing rapidly and is increasingly dynamic and complex, it is also important that Indonesia participate in the high-speed vortex of innovation and change.

To support the realization of the Golden Indonesia Vision 2045, the Ministry of Communication and Information Technology launched the Digital Indonesia Vision 2045 on December 13, 2023. The aim is to hope that Indonesia will be able to exploit unexplored potential and master it through the directed and controlled use of digital technology. In Indonesia's Vision 2045, it is stated: Inclusive, namely the availability of equitable digital access and safe digital spaces for all levels of society. Empowering: society's ability to utilize digital technology productively and create added value from its use. Sustainable: Digital transformation is based on fulfilling the Sustainable Development Goals Agenda. And the government needs to anticipate and project the rapid development of digital technology. It is important to determine which digital technologies need to be adopted and the extent of adoption required. Apart from that, the government needs to actively prepare human resources who are able to adapt to advances in digital technology (Garuda, 2018).

In anticipating the development of digital technology as well as realizing Indonesia's digital aspirations in 2045, careful preparation and planning in various sectors are needed, as is the orchestration of all components of digital development as stated in the framework of the Indonesia Digital 2045 Vision, which is supported by three pillars: a modern and responsive digital government; a digital economy to create an innovative economy based on digital technology; and an empowered and cultured digital society. In realizing digital governance and encouraging a synergistic and reliable digital ecosystem in Indonesia, it is necessary to create an inclusive and equitable ecosystem where stakeholders play an active role in collaborating on the development and use of technology. Through strong synergy between the pentahelix (government, society, private sector, NGOs, and academics), we can build an environment that supports innovation and the development of digital technology. The government's role is to develop policies, regulations, and strategic directions that encourage technological growth. The central government plays a role in building a reliable ecosystem and synergy for digital development. Meanwhile, regional governments play a role in encouraging digital transformation not only in government systems but also encouraging digitalization in other sectors in the region and providing support for the development of digital ecosystems within them.

In Indonesia, there are more than 2,449 traditional community that are not against digitalization, such as the indigenous law community of Kasepuhan Ciptagelar and Baduy

Luar. It's just that there needs to be a guarantee that the digital transformation can be implemented well and adapted to the characteristics of the local indigenous law community. Indonesia's digital development is not only about infrastructure but also about human resources, customs, and culture. Moreover, to this day, Indonesia does not have a personal data protection agency. Data shows that Indonesian society has the highest internet and social media users in the world, but this is not comparable with the quality of digital literacy skills.

Unfortunately, in the Digital Indonesia Vision 2045, there is no mention of indigenous peoples being part of Indonesia's digital transformation. For this reason, the government, especially the Ministry of Information and Communication, before carrying out digital development in areas of indigenous law community, must first know the services needed by indigenous law community in the current era of digitalization. This is important thing because the indigenous law community has a way of life and values that have worked well without digital intervention.

A customary law lecturer at the UGM Faculty of Law, Tody Sasmitha, states, that one of the important elements in creating inclusive digitalization is trust. The reason is that when accessing the internet, users' hand over most of their personal things to people they have never met. The reason is that there must be an understanding given to vulnerable groups about this matter. Apart from that the government must ensure that indigenous peoples have control and are involved in the content presented in this digitalization. "Give indigenous law community the opportunity to determine the direction of their digital transformation themselves. We are not the ones who come with elite standards. How can the indigenous law community be supported to find their own goals in using technology (Sani, 2022).

Conclusion

Reflecting on the case of digital development in Kasepuhan Ciptagelar Sukabumi and Kanekes Village, Lebak Banten (Baduy), the government's efforts to carry out digital transformation in Indonesia are only based on input from the elite (government, private) without inviting discussion (dialogue) with the local community or the indigenous law community, which has its own structure and system of customary government and customary law.

In fact, the surrounding community has a direct impact on the digital transformation implemented by the government. Internet development and maintenance carried out by the government (2009 village internet program) without involving the community only lasted 2 (two) years, while the development of internet infrastructure for the Kasepuhan Ciptagelar customary law community by involving the local community and giving responsibility turned out to be successful, and the benefits were felt by the indigenous law community of Kasepuhan Ciptagelar and surrounding areas. Likewise, the construction of internet infrastructure in the Kanekes Village (Baduy) turned out to be unable to function optimally due to resistance from the Traditional Elders of Baduy Dalam.

Therefore, the government, especially the Ministry of Information and Communication, must add information about indigenous law community digital, digital skills, digital literacy, and infrastructure development in indigenous law community areas in Indonesia into the Digital Vision 2045. Apart from this, the most important thing is that the government must also add to the Draft Law on Recognition and Protection of Indigenous Community regarding digital development in Indonesia, including digital customary law communities which are adapted to customary law and culture that applies

to customary law community.

Therefore, we recommend seriously and consistently the implementation Indonesian Digital Society based on the Vision of Golden Indonesia 2045, so that the entire society should earn benefits while remaining with Indonesian Culture.

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