

## Note From Baduy About Learning to Sustain the Ecology of the Baduy Community

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### ABSTRACT

*The development of environmental law in Indonesian society which is influenced by the way of thinking of the west that leads to the industrialists and consumptive headed at the thought of anti-ecological, we have to learn to one of the tribes that exist in Banten, the Baduy community, a tribe that is still firmly uphold customary law as the foundation of living. Baduy is one of the indigenous communities, which until now still live a life day-to-day based on the law that they have. This research was included in a type of qualitative research that is descriptive, is research that aims to describe something problems in certain areas or at certain times. This research method is used to describe systematically the facts or characteristics of a specific population or a particular field, in this field are actual and carefully. This method focuses on the observation and experience of nature. This study also uses primary and secondary data sources, which are analyzed using a qualitative method, with data collection techniques the Study of Literature and Field Studies to the Baduy community, the interview was conducted to the speaker to get accurate data about the conditions and the realities on the baduy community. The results of the research are the baduy apply customary law in the form of pikukuh karuhun, if we observe how the Baduy community in maintaining the ecology of the environment both in the system of agriculture and preservation of the forest in accordance with the laws of the environment in the modern meaning. but we can take the values that they apply to the Baduy community. Need for synergy between the government, employers and the community in preserving the environment. It's time the government issued a policy to concrete to protect environmental sustainability with the implementation of value of local wisdom because it contained the value of human interaction and the environment.*

**Keywords :** Ecology, Baduy, Sunda Wiwitan, Environment

### **ABSTRAK**

Pembangunan hukum lingkungan dalam masyarakat Indonesia yang dipengaruhi oleh cara berfikir barat yang mengarah ke industrialis dan konsumtif yang menuju pada pemikiran anti ekologis, kita harus belajar ke salah satu suku yang ada di Banten, yaitu masyarakat Baduy, suku yang masih teguh memegang teguh hukum adatnya sebagai landasan berkehidupan. Baduy merupakan salah satu komunitas adat yang hingga kini masih menjalankan kehidupan sehari-harinya berdasarkan hukum yang mereka miliki. Penelitian ini masuk dalam jenis penelitian kualitatif yang bersifat deskriptif, merupakan penelitian yang bertujuan untuk melukiskan (menggambarkan) sesuatu permasalahan di daerah tertentu atau pada saat tertentu. Metode penelitian ini digunakan untuk melukiskan secara sistematis fakta atau karakteristik populasi tertentu atau bidang tertentu, dalam hal ini bidang secara aktual dan cermat. Metode ini menitikberatkan pada observasi dan suasana alamiah. Penelitian ini juga menggunakan sumber data primer dan sekunder yang dianalisis menggunakan metode kualitatif, dengan teknik pengumpulan data Studi Pustaka dan Studi Lapangan ke Baduy, wawancara dilakukan kepada narasumber untuk mendapatkan data yang akurat mengenai kondisi dan realita pada masyarakat baduy. Hasil penelitian adalah masyarakat baduy menerapkan hukum adat berupa pikukuh karuhun, jika diperhatikan cara masyarakat Baduy dalam mempertahankan ekologi lingkungan baik dalam sistem pertanian maupun peletarian hutan sesuai dengan hukum lingkungan dalam arti yang modern. tetapi kita bisa mengambil nilai-nilai yang mereka terapkan pada masyarakat baduy. Perlu adanya sinergi antara pemerintah, pengusaha dan masyarakat dalam menjaga kelestarian lingkungan. Sudah saatnya pemerintah mengeluarkan kebijakan konkrit untuk melindungi kelestarian lingkungan dengan penerapan nilai-nilai kearifan budaya lokal karena terkandung nilai interaksi manusia dan lingkungan.

**Kata Kunci** : *Ekologi, Baduy, Sunda Wiwitan, lingkungan*

## Introduction

Indonesia is a country that is often nicknamed the emerald of the equator because it has the natural resources out of the ordinary. Resources of gold, silver, nickel, gas, petroleum, forest and sea of lies from Merauke to Sabang, however much the natural wealth we've not owned again by our nation but has much to be had foreign, Indeed, since time immemorial Indonesia is known as a country rich in mineral content, but we have to accept the pain. The fact that there are in our midst Indonesian people only enjoy a small part of the benefits for the gift. The rest of the many dominated by foreign companies.<sup>1</sup> With the number of controlled natural resources by foreign companies showing weak bargaining power of the government.

Not a few of the companies that do environmental crimes that cause ecological damage, causing loss to the community. Such losses not only the material, imateril but also damage the environment where the process of recovery requires time in a very long time.

Ecological damage is accumulated from the government's policy of each regime. In the new order government (Orde Baru), political law natural resources only promote the acceptance of the state as a source of income for the capital development without thinking about ecology while political law natural resources, in the era of reform (Era reformasi) did not change significantly, more likely to continue estapet political law model of the new order (Orde baru) and don't pay attention to the political policy of environmental law which is oriented on local cultural wisdom. The government always puts the regulations that are positivistic by ignoring the rule of law in Article 33 of the 1945 Constitution

of the Republic of Indonesia (UUD NRI 1945).

The development of science in the modern legal positivism has raised the problems of the human belongs to the environmental problems such as the construction of environment that is not based on the balance between social justice, economic justice and justice ecology which resulted in the destruction of natural resources, the emergence of social conflict and the emergence of issues related to basic human rights over the environment and the healthy as a part of the human right and others. This condition is exacerbated with the concept of development environment that is focused on the "*paradigm anthroposentris*" or the interests of the human compared to the living environment.<sup>2</sup>

In addition, the development of environmental law in Indonesian society which is influenced by the way the west has lead to the industrialists and consumer as well as more leads on to the anti-ecological. The application of the theories and concepts of development according to the way the west has caused serious consequences on the environment and economic growth is more oriented consumer and technology that are not environmentally sound has been bothering him the balance of nature even cause damage to the environment.<sup>3</sup> The direction of development of environmental law in the end only the advanced aspects of the legislation and policy of the state through policies that are top down or set up and keep an eye on so it does not ground with the needs of the community and the environment. the rule of law is contrary to the principle of law which states that the principle of the law of one "*alterum non leadere*" (not harming others), the principle that the law

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<sup>1</sup> Otong Rosadi, *Quo Vadis, Hukum, Ekologi Dan Keadilan Sosial* (Yogyakarta: Thafa Media, 2012). P. 28.

<sup>2</sup> Moh Mahfud MD et all Anton F Susanto, *Dekonstruksi Dan Gerakan Pemikiran Hukum Progresif* (Semarang: Thafa Media, 2013). P. 198.

<sup>3</sup> Anton F Susanto.

does not fit with the natural law is law that is not fair then it can not be considered as actual legal.<sup>4</sup>

It is no wonder the number of environmental crimes is increasing with the quality and the modus operandi of increasingly sophisticated means of the offender committing a crime by utilizing laws and regulations. Patterns of change can lead to conditions conducive to the rise of the crime.<sup>5</sup> Because of the ecological problems that exist in Indonesia can be overcome as long as the government, employers and society are related there is a desire to preserve the environment.

Environmental sustainability has actually been taught from our ancestors for generations, but the political attitudes of natural resources adopted by the government oriented to the development

We have to learn to one of the tribes that exist in Banten, the Baduy community are still firmly uphold customary law as the foundation of living. Baduy community is one of the indigenous communities, which until now still runs his life based on the laws that they have, because the Baduy community is able to maintain the ecology of the environment is maintained and never floods, landslides or disasters related to natural disasters.

### Research Methods

This research was included in a type of qualitative research that is descriptive, is research that aims to describe (describe) something problems in certain areas or at certain times. This research method is used to describe systematically the facts or characteristics of a specific population or a particular field, in this field are actual and carefully. Descriptive method not only describes the

(analytical), but also blends. Not only do the classification but also the organization. This method focuses on the observation and the atmosphere is natural.<sup>6</sup>

In collecting data, used the interview to the informant. Interviews were conducted informally to 3 (three) people who are considered aware of the issue and the condition of Baduy people. The first source that Jaro Saija, Jaro Saija role as jaro Pamarentah replacement jaro Dainah. Jaro Saija in administration in the system of national government is the Head of the Baduy Village as an extension of the government, while the indigenous Jaro Saija under Puun. The second source that Ayah Mursid is the vice Jaro Sami (Jaro Cibeo), Ayah Mursid served as a spokesman with the outside community who want to know about developments in Baduy. The third is Asep Kurnia is the observer of the Baduy community.

Weaknesses in the search data this study is the classic that is the limitations of the time owned, but researchers in the search of data with presenting some of the sources that can be trusted, competent and at the time of the research visit to the Bedouin are there raids traditional to modern materials that are not allowed by law indigenous

### Discussion

The name of the Baduy for the community that lives in the Kendeng mountains is not known since when the name was used. There is mention that the name was derived from the report of the ethnography of the people of the Netherlands, such as Hoevell (1845), Jacob & Meijer (1891), Pleyte (1909) who call people who live in the area as badoe'i, badoei and badowei. The researchers also introduced the appellation of the Baduy

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<sup>4</sup> Suteki, *Masa Depan Hukum Progresif* (Semarang: Thafa Media, 2015). P. 38.

<sup>5</sup> Tb. Ronny Rahman Nitibaskara, *Tegakkan Hukum Gunakan Hukum* (Jakarta: Kompas, 2006). P. 227.

<sup>6</sup> Suteki dan Galang Taufani, *Metodologi Penelitian Hukum (Filsafat, Teori Dan Praktik)* (Depok: PT Rajagrafindo Persada, 2018). P. 133-134.

in to refer to Baduy Tangtu and Baduy Luar to refer to Baduy Panamping.<sup>7</sup>

The origin of the Baduy can not be separated from the kingdom of Banten Girang, the Hindu kingdom located in the west of the island of Java. Many assumptions Baduy tribe is a tribe of escape when the kingdom of Banten Girang in conquered by Sultan Hasanuddin of Banten. Geographically, the location of the Baduy community is located on the 6°27'27"-6°30' North Latitude (LU) and 108°3'9"-106°4'55" East Longitude (BT). Baduy community is located on the territory of the western part of the Island of Java, on the area which is part of the Kendeng mountains (900 Mdpl). Administratively, the Baduy communities living in Leuwidamar District, Lebak Banten Province. Baduy community according to their belief, the Baduy are the first people in the world, at least in the region of the Sunda. Therefore they call her trust as *sunda wiwitan* (sundanese first). That trust in the development of cosmology, that its territory (*sasaka pusaka dunia/sasaka domas* in in the protected forest) is the center of the world or sacred place (*mandala*). To maintain the sanctity of the made customary law (*pikukuh*).<sup>8</sup>

Baduy community divide the territory of the Kanekes into three zones, namely the lower zone, the middle zone, and the upper zone. Region hills in the valley is relatively flat zone below is used as a zone settlements. Baduy community call this zone as a zone of "*dukuh lembur*" which means it is the forest of the village. They set up home in this zone in groups. Home Baduy community is referred to as "*rumah panggung*" which is building a simple and traditional. The Material used is obtained from the nature around them,

such as wood for poles, bamboo for walls and palm leaves for the roof. Their settlements are located at a height of 250 Mdpl, with the lowest area at 150 Mdpl, the highest up to 400 Mdpl. The second zone or zones are in the middle of the forest of the village, the land is used as agricultural land intensive, such as fields, gardens and orchards of the mixture. How to farm them is still traditional with open forests to be used as agricultural land and gardens. The forest opened to the fields is a type of secondary forest or forest production. Land for farming was used for one year, after which the land is left to be the forest back at least 3 years. The third zone or the upper zone is an area at the top of the hill. This region is a conservation area should not be made to the fields, can be taken its wood is on a limited basis. Baduy community refer to this area as "*leuweung kolot*" or "*leuweung titipan*" which means the old forest or forest traveler that must be preserved. They are very obedient to the prohibition not to enter into the territory of the old forest without the permission of the officers of the customs. With the area of protected forests or that their so-called old-growth forest, then the area of the Baduy has a biodiversity that is quite high. The condition of the ecology will create a balance of nature and provide other advantages such as resources, germplasm can be developed for breeding and outcrossing of the plant in the future. The presence of vegetation that motley can keep the local climate, avoid global warming, protect from strong winds, scorching sun, the protection of wildlife, prevent erosion, and preservation of the environment other.<sup>9</sup>

Customs, culture and tradition still strong coloring of the life of the

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<sup>7</sup> Sukirno, *Politik Hukum Pengakuan Hak Ulayat, Edisi Pertama* (Jakarta: Prenada Media Group, n.d.). p. 232.

<sup>8</sup> Ferry Fathurokhman, *Hukum Pidana Adat Baduy Dan Pembaharuan Hukum Pidana* (Depok: INCA Publishing, 2016). P. 79.

<sup>9</sup> Suparmi, "Pelestarian Lingkungan Masyarakat Baduy Berbasis Kearifan Lokal," *Jurnal Penelitian Humaniora* 18, no. 1 (2013): 12.

Baduy community. There are three main things are coloring their daily lives, namely the attitude of the simple life, in harmony with nature is natural, and the spirit of self-reliance. Simple and simplicity is a charm attached to the Baduy community. Until now the Baduy community is still trying to stay afloat on its simplicity at the heart of the strong current of modernization in all aspects. For their simplicity is not a deficiency or inability, but to be part of the meaning of life happiness.

Baduy community is not only known for maintaining their daily life based on customary law, but also in the Baduy community is very preserve the environment and maintain the ecological environment around. This is not apart of the local wisdom that if we do the reception in the Language of public policy and local knowledge or intelligence locals.

Local wisdom can be defined as a view of life and knowledge as well as a variety of strategies lives of intangible activities carried out by local communities in responding to various problems in the fulfillment of their needs, covering all elements of life; religion, science and technology, social organization, language and communication, and the arts. They have the understanding, programs, activities, implementation related to maintain, improve, and develop the elements of the needs and the way of its fulfillment, with attention to human resources and natural resources in the surrounding.<sup>10</sup>

Baduy community in general has had the concept and practice of nature conservation. For example, they are very pay attention to the safety of the forest. This they do because they are well aware that by keeping the forest it will preserve

the field they. Forest land located outside the territory of settlements, they open every year in rotation to be used as agricultural land. The interaction between humans and their surroundings do not always have a positive impact, sometimes cause a negative impact, namely the cause of the disaster, calamities, and losses-other losses. In such conditions, local knowledge possessed by the community can minimize the negative impact there. Similarly on the Baduy community, to follow, implement, and believe pikukuh of the ancestors who made hereditary, consciously or unconsciously, directly or indirectly, has a big role to the preservation of the environment.<sup>11</sup>

In maintaining the ecology we have a lot to learn from Baduy community which is a system of agricultural (ngahuma), Baduy community still use the traditional way and based on calendar or a matter of months what he believed in. Baduy people began to grow crops on the moon safar (*Baduy Calender*)<sup>12</sup> based on the instructions of the Girang Seurat<sup>13</sup>. To start the planting was held ritual ceremonies that are closed should not be attended by people from outside. Rituals are performed so that the harvest this time have good results. Rituals such as these do not conflict because people and nation of Indonesia recognizes the existence of a relationship the magical-religious among the residents, the communities, land and environment in which it lives (the principle of spirituality).

Agricultural systems (ngahuma) Baduy community for farming by burning the land that is already defined, digging with wood. Excavation with wood Baduy community to plant trees should not be using a hoe because of the

<sup>10</sup> Suparmi.

<sup>11</sup> "Interview with Mr. Asep, One of the Prominent Baduy Observers," n.d.

<sup>12</sup> Baduy community calendar (Safar, Kalima, Kanem, Kapitu, Kadalapan, Kasalapan,

Kasapuluh, Hapit Imah, Hapit Kayu, Karo, Kasa, Katilu).

<sup>13</sup> Customary leaders who are given the authority and are in charge of agriculture.

Baduy community has a rule that the land should not be reversed (taneh ulah dibulak balik), should not change the way the water or make the water reservoirs such as ponds and may not use chemical fertilizers exception of natural fertilizer, may not change the contour of the land because of this all the land of the traveler (taneuh titipan) that must be maintained.<sup>14</sup>

Baduy community in lives always cling to the rules that have been determined, namely the consistency of the spatial planning, forest area into a protected area and a residential area and agricultural area of cultivation. The division is intended to save taneuh titipan (Baduy area), which became the essence of nature. If taneuh titipan crushed and broken, then the continuity of living things will be broken anyway and no wonder the forest in the Baduy still preserved and maintained as a buffer of life.

Not only in agricultural systems, Baduy community is known to be very nurturing the forest, and there are even some forest sacred or revered by Baduy community. Baduy community is able to maintain the preservation of the environment by protecting nature, especially the forest that produces a source of water as a buffer of life.

The forest for the Baduy community has its own position as something sacred. Forbidden forest are so very special in the treatments, forbidden forest so cared for, guarded and sacred. Anyone should not be allowed to enter the forbidden forest not because of something that is "terrible" but as a form of respect Bedouins towards the forbidden forest, forest ban in one year only three days may be entered by Baduy

community with the aim to remain sustainable.<sup>15</sup>

It is not regardless of their beliefs, namely the Sunda Wiwitan, one of the teachings of their faith, namely in the form of pikukuh karuhun or customs regulations very philosophy that "Gunung teu menang di leubur Lebak teu menang di rusak" which has a meaning that the Mountain should not be destroyed. Word Lebak here defined as a place of water, rivers, lakes, swamps, springs that should not be broken". Then up to the current forest in the Baduy still preserved and there is never floods and landslides.

If we observe how the baduy community in maintaining the ecology of the environment both in the system of agriculture and preservation of the forest in accordance with the laws of the environment in the modern meaning as it is said by Syahrul Machmud<sup>16</sup> that environmental law is oriented to the environment or environment-oriented law. Legal environment of modern set rules and norms to govern the acts of human actions with a goal to protect the environment from damage and deterioration of quality in order to guarantee the natural order to be directly continuous is used by the current generation and generations to come. Of course we can't follow 100 percent that is applied by Baduy community, but we can take the values that they apply that preserve the environment for future generations. It takes presence and thought a rescue ecology for future generations with the creation of a progressive law and the present law can be happy and prosperous society

The important thing is the presence of synergy between the

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<sup>14</sup> "Interview with Jaro Sami in Kampung Cibeo," n.d.

<sup>15</sup> "Interview with Naldi and Aldi, Residents of Kampung Cibeo," n.d.

<sup>16</sup> Syahrul Machmud, *Problematika Penerapan Delik Formil Dalam Persepektif Penegakan Hukum Pidana Lingkungan Di Indonesia Fungsionalisasi Azas Ultimatum Remedium Sebagai Pengganti Azas Subsidiaritas* (Bandung: Mandar Maju, 2012). P. 162.

government, employers and the community in preserving the environment. It's time the government issued a policy to concrete which is based on Article 33 of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) and to protect the sustainability of the environment with the application of the value-the value of local wisdom because it contained the value of human interaction and the environment has been creating harmony and synergy in environmental sustainability.

Of course such a policy actually should be a means to preserve the environment and sources of livelihood for the survival of life in the present and the future.

### Conclusion

Maintain ecological already become our obligation, not only were vested in the government, then in maintaining the ecological environment there should be a synergy together from the center to the regions, the government issued regulations based on local wisdom not only of the economy alone so as not to damage the environment and harm to the community. To do that we actually don't need to learn much to abroad because of the indigenous communities existing at thewe've done it all and proved to be in the area of the society of customary law which still retains the customary law in the original is not ever a natural disaster.

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