

THE LOCAL WISDOM OF THE TRIBAL COMMUNITY OF MANDAR IN UTILIZING RIVERS SEEN FROM THE PERSPECTIVE OF HUMAN RIGHTS

Putera Astomo ¹ and Tongat ²

¹ Faculty of Social and Political Sciences, Universitas Sulawesi Barat, Indonesia.
Email: puteraastomo@unsulbar.ac.id

² Faculty of Law, Universitas Muhammadiyah Malang, Indonesia.

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Abstract

Rivers are God's gifts for human beings to utilize for their survival. The issue in this research lies in the embodiment of the local wisdom of the tribal community of Mandar in utilizing rivers from the perspective of human rights, in which both local and central governments have not optimally introduced local regulations as part of legal politics that govern river management and utilization, considering that the local wisdom of the local community of Mandar is a way of bringing about human rights according to applicable customary law and traditions in the community. Second, the poor introduction of the regulations to society has left impacts on people's knowledge about human rights, responsibilities, and restrictions in river utilization. This study is categorized as empirical research, showing that the nexus between the political theories and the local wisdom of the Mandar community in river utilization seen from the perspective of human rights can be seen from the local regulation in the Province of West Sulawesi. This regulation is established through legal politics to govern and guarantee legal protection of the local wisdom of the tribal community of Mandar in terms of river utilization as part of the manifestation of human rights under applicable traditions and customary law. This manifestation encompasses *Panjaga Uwai Sau'* (religious-magic values of the rivers), *Tradisi Mappagau' Macoa* (good deed for merit), *Tradisi Massau'* (taking water from the rivers), and *Tradisi Mappiara* (properly maintaining natural features for life sustainability).

Keywords: Human Rights, Local Wisdom of the Tribal Community of Mandar, River Utilization.

INTRODUCTION

This article focuses on the local wisdom of the tribal community of Mandar in river utilization seen from the perspectives of human rights. Development is identical to the planned change process or a changing condition for the better. Development is an endeavour to arrive at a developed stage for all human beings in general, and such development is often linked to attaining and improving well-being in an economic context. Development is a change in the way how needs are met to improve quality of life. That is, development encompasses changes, growth, fulfilment of the needs, and dignity upgrading (Uceng et al., 2019)

National development amidst the autonomous era seems obvious in the policies made by local governments to trigger economic growth in local communities through sustainable actions where a synergized nexus between local government, the House of Representatives, stakeholders, and local people is established. Local governments are stimulated to develop local potential within physical and non-physical scopes to back up regional development that leads to the well-being of the locals, while proper river management and utilization should contribute to this local potential. Generally, rivers are God's gifts for human beings as the main actors to utilize further to help them survive. This utilization is protected by the Constitution, particularly in Article 28A of the 1945 Constitution of the Republic of Indonesia, implying that every individual is entitled to the right to life and to survive.

Several studies have discussed such river utilization, like those conducted by Febriana Tri Nur Suliana dkk on “the Utilization of River Sampean Baru as a Drinking Water Source for the Locals of Sampean Village in the District of Klabang” (Tri Nur Suliana et al., 2023), and Hardi Hamzah dkk with their work on “Drinking Water Testing of Mandar River with Arduino Uno-Based pH Censor” (Hamzah et al., 2021).

These research titles represent the novelty of the substances of research results, in which the issues discovered have a bearing on the realization of local wisdom of the local community of Mandar in the context of river utilization seen from the perspective of human rights. First, neither the local government nor village government has performed any optimal approaches to introducing the local regulation to society, while this should represent the legal politics that govern the management and utilization of the rivers since the local wisdom of the tribal community of Mandar should represent the embodiment of the local wisdom according to traditions and the customary law. Second, poor dissemination of the regulation leads to poor knowledge and understanding among the locals about their rights (human rights), responsibilities, and restrictions in river utilization.

Departing from the above issue, this research seeks to investigate the following problems:

- 1) How are the theory of legal politics and the local wisdom of the tribal community of Mandar correlated in the context of river utilization seen from the perspective of human rights?
- 2) How is the local wisdom of the Mandar community manifested in the context of river utilization from the perspective of human rights?

METHOD

This is empirical research, also called socio-legal research, aiming to study the law conceptualized as actual behaviour, indicating diverging social phenomena not written and experienced by every individual in real life (Disemadi, 2022). This research is focused on, first, the nexus between the local regulation as legal politics and the local wisdom of the community of Mandar in the context of river utilization. Second, the social behaviour of the locals in utilizing the rivers upholds the values of local wisdom to realize human rights in compliance with the applicable traditions and customary law.

The research data cover primary materials representing Tandung Village, the District of Tinambung and Salarri Village, the District of Limboro, both of which sit in the Regency of Polewali Mandar, while the secondary data includes laws and regulations as the primary materials and journals as the secondary data. Data were collected from observation, interviews, and library research. The research results were analyzed using qualitative analysis by elaborating on the realization of the local wisdom of the Mandar community in river utilization according to the perspective of human rights.

RESULTS AND DISCUSSION

The Mandar tribal community was built by fourteen kingdoms, known as “*Pitu Ba’bana Binanga Pitu Ulunna Salu*” (Seven kingdoms upstream and another seven downstream).

Mandar is a major tribe existing across six regencies, including Polewali Mandar, Majene, Mamasa, Mamuju, Central Mamuju, and Pasangkayu in the Province of West Sulawesi.

The research took place in the Regency of Polewali Mandar, particularly in Tandung Village and Salarri Village, from which research samples were garnered. Geographically, Tandung Village lies in the District of Tinambung with Muslims and Mandar people dominating the population.

Tinambung Village flows through Tandung Village, bordering Mandar Bay in the southern part. Figure 1 below shows the Tinambung River flowing along Sepabatu Village and Tandung Village.

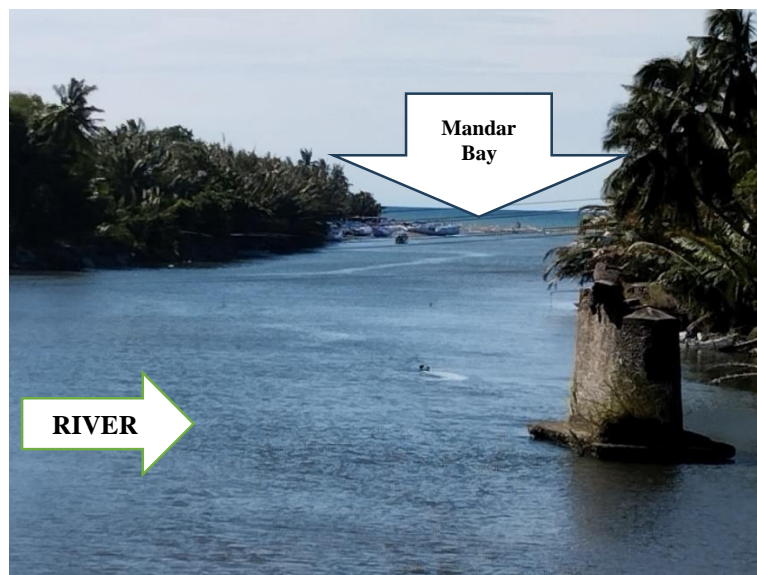


Figure 1: Tinambung River

Salarri Village is geographically located in the District of Limboro with its major population dominated by Muslims and the people of the Mandar tribe.

This village is where the Tiung River flows through (Figure 2):



Figure 2: Tiung River

The Nexus between the Theory of Legal Politics and Local Wisdom of the Tribal Community of Mandar in the Purview of River Utilization from the Perspective of Human Rights

Legal politics is simply derived from the two words: legal and politics, meaning endeavours to achieve a better life or efforts made to set regulations accepted by society for a harmonious life. Law is defined as legislation set by the government and it results in sanctions when violated. Legal politics is also understood as a state policy to reach the goals of forming legislation. Statutory regulations are responsible for settling disputes arising in the state. That is, the state makes efforts to set legislation to ensure that the state's goals are achieved. The state in this context is understood as a legislative body authorized to set legislation following the approval from the president as the executive body. Legal politics can also be understood as an "official guideline" initiated by the state to achieve the state's objectives through the law. (Erwanto, 2022)

Daniel S. Lev argues that determining the legal process represents the concept and structure of political power, indicating that law, to some extent, serves as a political instrument. How the law is positioned in a state is contingent upon, among others, political balance, power definition, and evolution of political, economic and social ideology. Although the above legal processes are not correlated to the intention of law-making, it is often discovered that the processes and dynamics of law-making share the same tendencies in terms of the structure and conception of political power applicable in society, and this condition determines the formation of a legal product. In other words, it indicates the existence of acceptable access where a political process may be facilitated through political institutions to form a legal product. Political influences are always obvious in law-making processes whose every stage is inextricable from these influences, thereby affecting the substances of the laws made by the government. (Latif Mahfuz et al., 2019)

Moh. Mahfud MD argues that legal politics also represents legal policy or the official guidelines of policy related to the laws that will be in place through the creation of new laws or the replacement of earlier laws to achieve the objectives of the state. Legal politics encompasses the law making and implementation processes that reveal in which direction the law leads. (Endarto et al., 2022)

Indonesia adheres to the continental legal system, which follows a hierarchical pattern of legislation. This layered nature of legal regulations necessitates the effectiveness of law to ensure non-overlapping enforcement. Furthermore, legal regulations serve as the basis for policy formation and the occasional translation of policies into legal rules. The intrinsic relationship between law and policy is widely recognized and tends to pose challenges during implementation. Based on the Indonesian Constitution, the formulation of laws must meet specific requirements, with the most important being the collaboration between the President and the House of Representatives. This procedural aspect is also specified in Article 43, paragraph 1 of Law No. 12 of 2011, which governs forming laws and regulations. Additionally, to ensure fairness within society, laws must incorporate public participation during their formation process. This requirement is addressed in Article 96, paragraph 1 of Law No. 12 of 2011. These provisions highlight the importance of procedural compliance and the involvement of the public in the legislative process, thereby upholding justice and legitimacy in the development of laws in Indonesia. (Wijatmoko et al., 2023)

The above elaboration on legal politics shows that the substance of the theory of legal politics refers to the existence of a policy of the state institution as a political institution in forming, stipulating, and enforcing law to reach national objectives. Legal politics results in legal products, including laws and regulations aiming to regulate human life. In the time of autonomy, the policy of making regulations at a regional level takes into account legal politics to help make local regulations as regulatory products to regulate the lives of the people in regional areas. This policy is plausible with a harmonious connection between the Regional House of Representatives (DPRD) and regional governments at provincial, municipal, and regency levels.

The research results indicate that local regulations in the Province of West Sulawesi guarantee legal protection of the local wisdom of the tribal community of Mandar in the context of river utilization (Table 1).

Table 1: The Nexus between Local Regulation and the Local Wisdom of the Tribal Community of Mandar in River Utilization

No	Local Regulations	Regulatory Substances
1	Regional Regulation of the Province of West Sulawesi Number 4 of 2014 Concerning Environmental Protection and Management	The protection and management of natural resources according to the principle of local wisdom; the vigour to protect and manage the natural resources around watersheds based on the values of local wisdom.
2	Regional Regulation of the Province of West Sulawesi Number 6 of 2017 Concerning Zonation Planning for Coastal Areas and Small Islands in the Province of West Sulawesi between 2017-2037	Cultural and social aspects as the criteria to be considered for water conservation, encompassing: public support, the likelihood of conflict of interests, threat, local wisdom, and local traditions.
3	Regional Regulation of the Province of West Sulawesi Number 2 of 2019 concerning Recognition, Protection, and Fulfillment of the Rights of People with Disabilities	The local government that is required to guarantee access to drinking water for those with disabilities.
4	Regional Regulation of the Province of West Sulawesi Number 3 of 2019 Concerning Watershed Management	1) Watershed management according to the principle of public utility. 2) River management and utilization aimed to bring about the well-being of the society.
5	Governor Regulation of West Sulawesi Number 41 of 2021 Concerning the Implementation of Regional Regulation of the Province of West Sulawesi Number 3 of 2019 Concerning Watershed Management	People empowerment in watershed management that adheres to the principle of local potential.

Source: Regional Regulations of the Province of West Sulawesi.

Table 1 indicates that the political theory and local wisdom of the Mandar community in river utilization are correlated, and this nexus is obvious in the Provincial Regulations of West Sulawesi made through legal politics to regulate and give legal protection to the local wisdom of the Mandar community in utilizing rivers as part of human rights according to the local traditions and applicable customary law.

Bringing about the Local Wisdom in the Tribal Community of Mandar within the Context of River Utilization Seen from the Perspective of Human Rights

Local wisdom is closely related to the position of a village representing the entity of the people of customary law (henceforth referred to as KMHA). Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia states "The State shall recognize and respect, to be regulated by law, the homogeneity of societies with

customary law along with their traditional rights for as long as they remain in existence and in agreement with societal development and with the principle of the Unitary State of the Republic of Indonesia.” However, it raises the question of whether a village is categorized as an entity of KMHA as referred to in the Constitution?

The three local community bodies continue to exist in their respective regions, and the Government of the Republic of Indonesia, in particular, permits them to do so as long as they do not offend other official regulations. This is clearly stated in Article 97 paragraph 4 of Law Number 6 of 2014 concerning villages which states, “A customary law community unit and its traditional rights as referred to in paragraph (1) letter C are following the principles of the Unitary State of the Republic of Indonesia if the customary law community unit does not interfere with the existence of the Unitary State of the Republic of Indonesia as a political and legal entity which: a. does not threaten the sovereignty and integrity of the Unitary State of the Republic of Indonesia; and b. the substance of the norms of customary law is following and does not conflict with the provisions of laws and regulations. (Wicaksono et al., 2022)

The entity of the people of customary law along with their traditional rights living in society should be entitled to

- a) an area that at least meets one or a combination of elements involving community whose members share the traditions in the same community per se, customary government, asset and/or customary objects; and/or the structure of the norms of customary law;
- b) the entity of the people of customary law along with their traditional rights seen as congruous with the growth of society if the existence of the community is recognized by statutory regulations the general and sectoral statutory regulations that represent the growing values that fit the current societal development, and the substance of these traditional rights is recognized and respected by the people concerned and the citizens in a wider scope and they must not contravene the principle of human rights;
- c) the social entity of customary law along with the people’s traditional rights according to the principle of the Unitary State of the Republic of Indonesia as long as the existence of the community of the customary law does not upset the structure of the Unitary State as a political and legal unity that respect the sovereignty and integrity of the Unitary State while the legal norms of the customary law comply with the provisions specified in statutory regulations.

Sutoro Eko mentions five definitions of village in the context of Indonesia:

- 1) Village, or in another term that defines it, that represents the unity of the people of customary law is an entity dissimilar to a regional area;
- 2) Village, or in another term that defines it, represents an entity pre-existing before the birth of the Unitary State of the Republic of Indonesia in 1945, with its genuine structure carrying the rights of origin;
- 3) Village represents part of diversity or multiculturalism in Indonesia that cannot be instantly uniformed;
- 4) Through a long history, village structurally has served as room for exploitation of land and population, where villages in general have been unfairly treated since royal and colonial times to the present time of modern government;

- 5) The Constitution has specified the matter therein, requiring the country to recognize and respect the existence of villages, sometimes termed the social entity of customary law, along with their traditional rights. (Timotius, 2018)

Studies on “villages” in Indonesia will bring further to at least three interpretations or definitions. First, in a sociological scope, the term village represents a social entity or community whose people reside within an area and they know each other well. They are relatively homogenous and heavily rely on what nature can offer. Second, in an economic scope, the term village is defined more as a social entity whose people try to fulfil their daily needs by utilizing what nature can offer. Third, in a political scope, a village is understood as a government organization or authorized organization that politically possesses special authority simply because it is part of the state government. (Rifan & Rahmawati, 2021)

Indonesian local communities consist of more than 110 tribes from various ethnic groups spread over more than 17,000 islands. Indonesian ethnics are as diverse as their natural environment, traditions, languages, cultural customs and religions. (Fakhriati et al., 2023)

As discussed in this research, both Tandung Village and Salarri Village in the Regency of Polewali Mandar as a social entity of customary law represent well-divided areas along with their traditional rights representing their identity as part of human rights and the cultural value of the people of Mandar who reside in the villages. They are also respected by the state, as specified under the Constitution, particularly in Article 28I paragraph (3), implying that cultural identity and the traditional rights of the people are respected, and pertinent to the current development and civilization. That is, the traditional rights (human rights) culture, traditions, and customary law living in the Mandar community reflect the local wisdom of the people of the community in living their daily life.

In the context of customary law, Ter Haar argues that customary law is made with full authority without any sophisticated preparation, meaning that it is not binding. His definition is known as *beslissingenleer*, implying that the customary law overlooks the written part, and this is the whole rule that exists within the decision made by legal functionalists. This decision is believed to carry *macht* (the power of authority) and effect that may be spontaneously in place without any of them having the courage to rebel against it. This decision not only covers an official dispute but also deals with the conflict arising in society to settle according to the local wisdom that lives in line with spiritual values and the community. (Yusuf Ibrahim, 2022)

Ronald Titahelu believes that the following factors can be considered to figure out whether the people of customary law remain adherent to the local law:

- 1) The normative rules within the community, proverbs in the formulation of the local law, or unwritten legal principles;
- 2) Regularity in the formulation of the local law involving proverbs or unwritten legal principles with the decision made by a tribal head through the deliberation attended by the locals (the Decision of Customary Council);
- 3) Involvement of processes/methods/guidelines recognized by the locals and these processes are often referred to as instruments to settle disputes;

- 4) Imposition of sanctions or force following violations of normative rules as referred to in point 1;
- 5) The presence of special institutions dealing with social and economic matters or the political systems and structure. (Sedubun, 2022)

The diversity of the Indonesian state can be seen in the diversity of ethnicities, races, languages, and religions. The diversity of cultures and customs that are owned is a treasure in enriching national culture, of course also rich in abundant natural wealth in several regions in Indonesia. In essence, this archipelago is regulated and managed from generation to generation by customary law, followed by hundreds of belief systems and religions. (ARIFIANI et al., 2019)

Suhartini argues that such perspectives and concepts build the basis of local wisdom which has a broader coverage transcending traditional knowledge. Local wisdom is the embodiment of the implementation of articulation and traditional knowledge understood by those interacting with their surrounding nature. In other words, local wisdom forms cultural knowledge living in a community and entails natural resource management models as well as measures to maintain the connection with nature through wise and accountable utilization. (Muhaimin, 2018)

Siti Nurbaya asserts that the aspects of local wisdom and traditional knowledge form essential bases, acting as a balancing instrument that puts globalization and modernization in harmony with geographical, cultural, and social conditions in the community of customary law. (Siombo et al., 2022)

Local wisdom can be local knowledge, local skill, local intelligence, local resources, local social process, local norms, and local customs. Moreover, local wisdom will be the source of character building for the younger generation to create a generation that craves welfare improvement through hard work, discipline, loving education, loving health, loving cooperation, loving gender management, loving cultural conservation, and creativity caring for nature (Nasution et al., 2021).

Abdulyani argues that local wisdom is understood as an idea, value, and perspective of the locals that demonstrate a wise and noble attitude with the values ingrained in the people of the community. Local wisdom carries the following features:

- 1) The ability to maintain cultural values and protect them from external cultures;
- 2) The ability to accommodate the positive cultural elements brought by the outside world;
- 3) The ability to amalgamate the elements of external cultures with the local ones to support development;
- 4) The ability to control and accommodate differences as the identity of the richness of the local cultures;
- 5) The ability to keep the culture relevant to current development. (Bulok et al., 2021)

In general, local wisdom emerges through internal process and passed for a long time as a result of the interaction between humans and their environment. This long process of evolution will lead to the emergence of a value system that crystallized in the form of common law, belief and local culture. Thereby, substantially local wisdom

is the norm practiced in a society which is faithfully believed and become a reference in their daily life. (Vitasurya, 2016)

According to Noonan (2019), that peoples' characters tend to be shaped or molded along with the development and awareness of other cultures. This leads to a shift or even the extinction of indigenous tradition because the influence of more advanced cultures has eroded it. Therefore, the study of oral literature is essential to recognize and document the original culture passed on by previous generations. Concentrating on personal identity, the coherence and similarity of people across lifetimes are famously troublesome, and contending conceptualizations exist inside the way of thinking and brain research. (Baan et al., 2022)

The local wisdom of the community of Mandar in the context of river utilization is specified under Article 22 paragraph (2) point a of the Regional Regulation of the Province of West Sulawesi Number 3 of 2019 concerning Watershed Management in conjunction with Article 27 paragraph (2) point a of the Governor Regulation of West Sulawesi Number 41 of 2021 concerning the Enforcement of Regional Regulation of the Province of West Sulawesi Number 3 of 2019 concerning Watershed Management, implying that the empowerment of the locals in the watershed management adheres to the principle of local asset which is understood as local wisdom of the tribal community of Mandar reflected from the attitude and behaviour in river utilization. Local wisdom of the community in the context of river utilization from the perspective of human rights is presented in Table 2:

Table 2: The Local Wisdom of the Tribal Community of Mandar in the Context of River Utilization Seen from the Perspective of Human Rights

No	Local Wisdom	Meaning
1	<i>Panjaga Uwai Sau'</i>	<i>Rivers carry religious-magic values</i>
2	<i>Tradisi Mappogau' Macoa</i>	Doing good things to give benefits
3	<i>Tradisi Massau'</i>	Taking water from the rivers
4	<i>Tradisi Mappiara</i>	Maintaining and Preserving things appropriately for sustainable living

Source: The Local Wisdom of the Tribal Community of Mandar in River Utilization.

Table 2 indicates the embodiment of local wisdom of the community of Mandar in the context of river utilization seen from the perspective of human rights, which is elaborated further as follows:

a. *Panjaga Uwai Sau'*

In the Indonesian context, where religion and culture coexist seamlessly, Bourdieu's social capital theory proves highly apt to comprehend the dynamics of interfaith communication. Indonesia stands out with its unique fusion of religious and cultural practices, often blurring the boundaries between these spheres. Bourdieu's theoretical framework becomes invaluable in capturing the nuanced interplay between cultural and religious elements within communities. (Gede Agung et al., 2024)

The customs and local cultural traditions can play a significant role in the context of Islamic law, especially in indigenous peoples who have a strong cultural heritage. Customs can affect how Islamic norms and laws are interpreted and praised in life. Islamic law and customs can influence each other. The relationship between Islamic law and the value of the traditions among society in a place is not a relationship that has occurred in recent years. However, its relationship occurred when Islam was born

together with the birth of Islam itself. Islam has an accommodative character through its legal understanding. The universality of Islamic law is proof that Islam can enter the realm of space, which is free of space and time. In the perspective of Fazlur Rahman, the ideal moral of the Quran is *Qadim*. Although Islam appears in Arab land, it does not mean attached to its culture. Thus, Islamic law can accommodate the values of customs and local culture if it does not violate the principles of Islam. (Sadiani et al., 2023)

Tinambung, Tiung, and other rivers carry religious-magic values that are beyond normal scientific understanding based on the perspective of customary law. The rivers are believed to be under the guard of supernatural beings cursing any conduct (*panggaukang*) violating these mystical values. The rituals performed by the locals are intended to keep these beings under control, thereby not disturbing passers-by.

Mandar people have been living with ritual traditions, and these rituals remain in place notwithstanding some changes in the rituals following the changing time. Rituals serve as a distinguishing feature that marks the difference from other ethnicities in Indonesia. Rituals are treated as a legacy helping build the characteristics of the people of Mandar. The local traditions and rituals of the Mandar community are instilled with ideas and views of its people about life, rightness and wrongness, and judicative concepts regulating the attitude of each individual related to local organizations. (Hafid et al., 2019)

This research learns that the ritual traditions in the community of Mandar involve prayer recital chanted to Allah SWT (God Almighty) aiming to request protection against supernatural beings (jinn, Satan, and tuyul, among others). Such rituals are led by the Imam of a mosque and during the rituals, food and snacks are served to the guests. The foods vary, ranging from rice, "*Sokkol Pitu Rupa*" (sticky rice of seven kinds), side dish, and cake, to water. Incense sticks are also provided during rituals.



Figure 3: Recital as Part of Ritual Tradition

Not conducting rituals by the locals will lead, as believed, to disaster as shown in Figure 4 where a person was found drowning after he was too excited (in euphoria) while swimming in the river:



Figure 4: The Person helped after Drowning in the Tinambung River

b. Tradisi Mappogau' Macoa

People do good deeds to gain merit. Local wisdom of the community of Mandar is represented by good deeds that benefit the life and the rivers in the local area. *Tradisi Mappogau' Macoa* was explained further by Nurhaisah (the secretary of Salarri Village in the District of Limboro) in an interview, saying that the people of Mandar in Salarri Village built waterways to collect water from Tiung River. This was done to face summer and avoid the potential draught. Marzuki (the secretary of Tandung Village in the District of Tinambung) said in his interview that the locals of Mandar in Tandung Village also built and operated rafts transporting people across the Tinambung River, giving economic value by increasing local income.



Figure 5: Waterways at Tiung River



Figure 6: Rafts (Transporting Tools)

c. *Tradisi Massau'*

This tradition involves taking water from rivers (*Uwai Sau'*) for consumption. This tradition is not occasional, but it has taken place since the time of the ancestors in the tribal community of Mandar. Ancestors also took water from the rivers to survive. However, taking water from rivers should consider the water condition, colour, taste, and the surrounding conditions near the rivers.

These days, *Tradisi Massau'* representing the local wisdom takes more than taking water from the rivers. Locals put the water into jerry cans and then transport them door to door for sale. The locals buy this water for consumption as an alternative to refilled distilled water. A jerrycan of water is sold for one to two thousand rupiahs, leaving the locals with only a small profit compared to the profit gained by those selling refilled distilled water.



Figure 7: *Tradisi Massau'* in Tinambung and Tiung Rivers



Figure 8: Distributing River Water for Sale (*Uwai Sau'*)

d. *Tradisi Mappiara*

Human and environment interactions are inseparable in every culture. River is a source of sustenance resource for human life, both for food and other necessities. Therefore, the study of human relationships with the environment is not only studied in the nature sciences, but is also an important domain of social sciences.

From the evolution of human-environment interactions, the indigenous people gained unique local knowledge from daily experiences and passed down the skills from generation to generation. (Nurdin & Ng, 2013)

Human beings and their nature are inextricable. They form a unity in an ecosystem. Human interaction with their nature indicates that they are the system affecting each other. This type of reciprocal deed, therefore, has led to changes between the two, and environmental issues are no longer new. Life has been significantly marked by a vastly developed environment. Social factors within the scope of social systems representing behaviour, norms, and values have so far influenced environmental development. Environmental issues have a bearing on moral affairs and human behaviour; they are something beyond technical issues. Similarly, global ecological crises that people are currently experiencing are part of the moral affairs, representing global moral crises. (Hasbi et al., 2019)

A healthy and balanced environment supports different organisms on earth, and the human population depends on these organisms for comfortable and healthy living. The disturbances are mainly caused by natural and anthropogenic factors in the ecosystems, which cannot be prevented. However, the ecosystems are resilient and return to normalcy. (Kala et al., 2022)

Diverse cultures in Indonesia are home to values serving as the standard according to which people behave and interact with their nature. People interact with their natural environment in a balanced and harmonious setting, allowing them to behave appropriately and ethically in maintaining the balance of their environment, in line with the principle of utilizing an environment proportional to their needs. Nature is not for over-exploiting individuals and this unfair treatment will certainly affect people's life. Humans are born as social, biological, and ecological beings, responsible for maintaining the harmony of the interaction with their surroundings. This relation also has a bearing on simplicity, blending with nature, and respecting it. Furthermore, in the paradigm of local wisdom, people have different ways of constructing the nexus between human beings and their environment. That is, this construction exists in both the individuals and nature. Nature and its people have influences on one another, and the degree of this influence is heavily contingent upon the extent to which a person is knowledgeable and technology-literate. With such a basis, some are found heavily relying on nature, some are capable of self-adjusting, while others are capable of managing and utilizing nature to support their wellbeing. (Ismelina et al., 2021)

The essence of this tradition involves the efforts made to sustainably preserve and protect the environment near the rivers for the sake of young generations. It is, therefore, essential to maintain the local wisdom of *Tradisi Mappiara* in the community of Mandar simply because this tradition also backs up other traditions such as *Tradisi Massau'* that need drinkable, healthy, and economically valuable water.

Poor river quality may affect the health of the locals, considering that they access river water for daily needs, bathing, washing, and even for consumption. Some even rely on the income they earn from selling water. Water for consumption has been filtered using sand as the filtering medium placed around the river banks, and this process is commonly termed *Uwai Sau'*. *Massau'* tradition is popular among the locals and the filtered water gives clean water to them. However, poor water quality may ruin *Massau'* tradition since the water will not fit for selling or consumption. The following Figure shows poor water quality in the Tinambung River.



Figure 9: Garbage Piles around the Tinambung River

CONCLUSION

The nexus between the legal politics and local wisdom of the locals of the Mandar community in the context of river utilization and the perspective of human rights is reflected in the local regulation of the Province of West Sulawesi established through legal politics. This regulation is intended to regulate and guarantee legal protection of the local wisdom of the tribal community of Mandar in utilizing rivers to embody the human rights of the local community according to the traditions and customary law. This embodiment encompasses traditional activities such as *Panjaga Uwai Sau'* (religious-magic values of the rivers), *Mappogau' Macoa* tradition (doing good deeds for merit), *Massau'* tradition (taking water from rivers), and *Mappiara* tradition (properly maintaining natural features for life sustainability).

References

- 1) ARIFIANI, K. N., WIJAYA, C. K. W., IRFAN, A., SEPTIASARI, A., ISKANDAR, J., ISKANDAR, B. S., PARTASASMITA, R., & SETYAWAN, A. D. (2019). Review: Local wisdom of Baduy people (South Banten, Indonesia) in environmental conservation. *Asian Journal of Ethnobiology*, 2(2). <https://doi.org/10.13057/asianjethnobiol/y020204>
- 2) Baan, A., Girik Allo, M. D., & Patak, A. A. (2022). The cultural attitudes of a funeral ritual discourse in the indigenous Torajan, Indonesia. *Heliyon*, 8(2). <https://doi.org/10.1016/j.heliyon.2022.e08925>
- 3) Bulok, P., Selatan Damar Wibisono, L., Damayantie, A., Syah, P., & Syani, A. (2021). SOSIOLOGI: Jurnal Ilmiah Kajian Ilmu Sosial dan Budaya Strategi Pelestarian Makna dan Fungsi Kearifan Lokal Nengah-nyappur pada Masyarakat Adat Marga Legun. *Jurnal Ilmiah Kajian Ilmu Sosial Dan Budaya*, 23(2), 226–243. <http://jurnalsosiologi.fisip.unila.ac.id/index.php/jurnal>
- 4) Disemadi, H. S. (2022). *Lensa Penelitian Hukum: Esai Deskriptif tentang Metodologi Penelitian Hukum (Lenses of Legal Research: A Descriptive Essay on Legal Research Methodologies)*. 2, 289–304. <https://doi.org/10.37253/jjr.v>
- 5) Endarto, B., Hadi, F., & Fithri, N. H. (2022). Politik Hukum Green Bond Di Indonesia. *Bina Hukum Lingkungan*, 7(1), 1–21. <https://doi.org/10.24970/bhl.v7i1.303>
- 6) Erwanto, P. Y. (2022). *Teori Politik Hukum Dalam Pemerintahan Indonesia* (Vol. 2, Issue 6).
- 7) Fakhriati, F., Nasri, D., Mu'jizah, M., Supriatin, Y. M., Supriadi, A., Musseptial, M., & Kustini, K. (2023). Making peace with disaster: A study of earthquake disaster communication through manuscripts and oral traditions. *Progress in Disaster Science*, 18. <https://doi.org/10.1016/j.pdisas.2023.100287>

- 8) Gede Agung, D. A., Nasih, A. M., Sumarmi, Idris, & Kurniawan, B. (2024). Local wisdom as a model of interfaith communication in creating religious harmony in Indonesia. *Social Sciences & Humanities Open*, 9, 100827. <https://doi.org/10.1016/j.ssaho.2024.100827>
- 9) Hafid, A., Pelestarian, R. B., Budaya, N., Selatan, S., Sultan, J., Tala, A. /, & Km, S. (2019). Makna Simbolik Tradisi Ritual Massorong Lopi-Lopi Oleh Masyarakat Mandar Di Tapango, Kabupaten Polman, Provinsi Sulawesi Barat Symbolic Meaning In Ritual Tradition Of Massorong Lopi-Lopi By Mandar Community In Tapango, Polman Regency, West Sulawesi Province. In *WALASUJI* (Vol. 10, Issue 1).
- 10) Hamzah, H., Nurkhalis Agriawan, M., & Saldi, M. (2021). Uji Kelayakan Konsumsi Air Sungai Mandar Menggunakan Sensor pH Berbasis Arduino Uno. *SAINTIFIK*, 7(2), 167–171. <https://doi.org/10.31605/saintifik.v7i2.339>
- 11) Hasbi, Mansyur Radjab, Ramli AT, & Hikmawaty Sabar. (2019). Kajian Sosiologis tentang Masalah Lingkungan Sungai Tallo dan Sungai Jeneberang di Kota Makassar. *Talenta Conference Series: Local Wisdom, Social, and Arts (LWSA)*, 2(1), 1–7. <https://doi.org/10.32734/lwsa.v2i1.598>
- 12) Ismelina, M., Rahayu, F., & Susanto, A. F. (2021). *Paradigm Of Human Relations And Environment Based On Local Wisdom During Covid-19 Pandemic*. 5(3). <https://doi.org/10.24970/bhl.v5i3.212>
- 13) Kala, A., Chaudhary, A., Adhikari, B. S., & Rawat, G. S. (2022). Local communities' perception and attitude towards dynamic ecosystem in a part of Kailash sacred landscape - India. *Environmental Challenges*, 9. <https://doi.org/10.1016/j.envc.2022.100603>
- 14) Latif Mahfuz, A., Jenderal, J., & Yani, A. (2019). *Faktor yang Mempengaruhi Politik Hukum dalam Suatu Pembentukan Undang-Undang* (Vol. 1, Issue 1).
- 15) Muhaimin, M. (2018). Kedudukan Kearifan Lokal dalam Penataan Ruang Provinsi Bali. *Jurnal Penelitian Hukum De Jure*, 18(1), 59. <https://doi.org/10.30641/dejure.2018.v18.59-71>
- 16) Nasution, T., Sibarani, R., Lubis, S., & Setia, E. (2021). The tradition of markobar in mangalap boru "Picking a Bride" as advice for the women mental health in mandailing wedding ceremony. *Gaceta Sanitaria*, 35, S561–S563. <https://doi.org/10.1016/j.gaceta.2021.10.099>
- 17) Nurdin, B. V., & Ng, K. S. F. (2013). Local Knowledge of Lampung People in Tulang Bawang: An Ethnoecological and Ethnotechnological Study for Utilization and Conservation of Rivers. *Procedia - Social and Behavioral Sciences*, 91, 113–119. <https://doi.org/10.1016/j.sbspro.2013.08.408>
- 18) Rifan, M., & Rahmawati, L. (2021). Konstitusi Desa dan Eksistensinya dalam Regulasi di Indonesia. *Jurnal Konstitusi*, 18(1), 022–043. <https://doi.org/10.31078/jk1812>
- 19) Sadiani, Emzaed, A. M., Amin, M., Mualimin, & Rosadhillah, V. K. (2023). PROGRESSIVE ISLAMIC LAW AND MISEK TRADITION OF DAYAK NGAJU IN CENTRAL KALIMANTAN. *El-Mashlahah*, 13(2), 225–244. <https://doi.org/10.23971/el-mashlahah.v13i2.7624>
- 20) Sedubun, V. J. (2022). Pembentukan Peraturan Daerah Tentang Pembela Hak Asasi Manusia Bidang Lingkungan Hidup Oleh Masyarakat Adat. *Bina Hukum Lingkungan*, 7(1), 22–38. <https://doi.org/10.24970/bhl.v7i1.252>
- 21) Siombo, M. R., Sinaga, V. S., & Sihotang, K. (2022). Kearifan Lokal Masyarakat Dari Sudut Pandang Hukum Lingkungan: Studi Pada Suku Baduy, Provinsi Banten. *Bina Hukum Lingkungan*, 7(1), 94–109. <https://doi.org/10.24970/bhl.v7i1.275>
- 22) Timotius, R. (2018). Revitalisasi Desa Dalam Konstelasi Desentralisasi Menurut Undang-Undang Nomor 6 Tahun 2014 Tentang Desa. *Jurnal Hukum & Pembangunan*, 48(2), 323. <https://doi.org/10.21143/jhp.vol48.no2.1666>
- 23) Tri Nur Suliana, F., Jurusan Pendidikan Fisika, Y., & Jember JI Kalimantan Tegalboto No, U. (2023). Pemanfaatan Air Sungai Sampean Baru Sebagai Sumber Air Bersih Warga Desa Sampean Kecamatan Klabang. *Inovasi Teknik Kimia*, 8(1), 11–16.

- 24) Uceng, A., Ali, A., Mustanir, A., Universitas Muhammadiyah Sidenreng Rappang ABSTRAK, M., Kunci, K., Masyarakat, P., & Sumber Daya Manusia, P. (2019). Analisis Tingkat Partisipasi Masyarakat Terhadap Pembangunan Sumber Daya Manusia Di Desa Cempa Kecamatan Enrekang Kabupaten Enrekang Dosen Universitas Muhammadiyah Sidenreng Rappang 4). *Jurnal MODERAT*, 5(2), 1–17.
- 25) Vitasurya, V. R. (2016). Local Wisdom for Sustainable Development of Rural Tourism, Case on Kalibiru and Lopati Village, Province of Daerah Istimewa Yogyakarta. *Procedia - Social and Behavioral Sciences*, 216, 97–108. <https://doi.org/10.1016/j.sbspro.2015.12.014>
- 26) Wicaksono, A., Yunita, I., & Ginaya, G. (2022). Living side by side with nature: evidence of self-governance in three local communities in Indonesia. *Heliyon*, 8(12). <https://doi.org/10.1016/j.heliyon.2022.e12248>
- 27) Wijatmoko, E., Armawi, A., & Fathani, T. F. (2023). Legal effectiveness in promoting development policies: A case study of North Aceh Indonesia. *Heliyon*, 9(11). <https://doi.org/10.1016/j.heliyon.2023.e21280>
- 28) Yusuf Ibrahim, M. (2022). Hukum Adat Di Indonesia Indonesian Adat Law. In *Jurnal Pengabdian* (Vol. 1). Online.