

Bridging Legal Ambiguity and Customary Legitimacy: Governance of Village Boundaries in Multicultural Rural Indonesia

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ABSTRACT

This study examines the dynamics of customary and administrative village boundary management in Kambiyain and Auh Villages, Tebing Tinggi District, Balangan Regency, from a governance perspective. The research focuses on three key aspects: legal clarity in boundary determination, community participation in boundary arrangements, and coexistence through tolerance and mutual recognition between the Dayak and Banjar communities. Using a qualitative descriptive approach, data were collected through in-depth interviews with customary leaders, village officials, community members, and local government actors, supported by field observations and document analysis of maps and relevant policies. Data analysis involved reduction, presentation, and interpretive conclusion. The findings show that formal legal clarity has not been achieved due to the absence of a definitive Regent Regulation. However, customary boundaries under Dayak Pitap tradition provide strong social legitimacy. Participation occurs through informal deliberation and traditional leadership, but remains weakly integrated into formal mechanisms. Social relations between communities remain stable, marked by tolerance and the absence of open conflict despite differing systems. The study concludes that social harmony and customary legitimacy sustain governance under legal gaps. Policy implications highlight the need for local governments to accelerate boundary formalization through participatory mechanisms that recognize customary boundaries and strengthen institutional integration. These findings support adaptive policies that balance administrative authority, cultural recognition, and long-term conflict prevention in multicultural village governance contexts today.

Keywords

Village boundaries, Governance, Legal certainty, Community participation, Coexistence

Introduction

Village boundary determination constitutes a fundamental element of local governance, as it provides the legal foundation for administrative authority, spatial planning, public service delivery, and resource management (Kartika & Wulandari, 2025). In Indonesia, Law No. 6 of 2014 on Villages explicitly emphasizes that clearly defined village boundaries are essential to ensure legal certainty in governance, land utilization, and village asset management (Republic of Indonesia, 2014). This mandate is further reinforced by the Ministry of Home Affairs Regulation No. 45 of 2016, which requires village boundaries to be established through cartometric methods, formal agreements, and regional head decisions to prevent administrative disputes. Despite these regulations, boundary issues remain widespread; by 2023, approximately 10,200 villages—around 13% of all villages in Indonesia—were recorded as having unresolved boundary problems (Ministry of Home Affairs, 2023). These conditions underline the urgency of boundary governance as a critical issue in strengthening village administration and form the basis for identifying the core governance problem addressed in this study.

Empirical evidence shows that unclear village boundaries generate significant administrative and social consequences, including delays in village fund distribution, uncertainty in land ownership, and increased potential for social conflict. The National Border Management Agency reported that more than 30% of village-level public service disputes are triggered by unclear administrative boundaries (Husen et al., 2022). Similar patterns have been observed in various developing countries, where weak boundary governance at the local level undermines institutional effectiveness and social stability (UN-Habitat, 2020). These findings highlight that village boundary issues are not merely technical cartographic problems but governance challenges with multidimensional impacts, reinforcing the importance of this research in addressing both administrative effectiveness and social cohesion (Ningrum et al., 2024).

Administratively, Kambiyain Village and Auh Village are located in Tebing Tinggi District, Balangan Regency, South Kalimantan, within a mountainous landscape shaped by the Meratus range (Tamu et al., 2023). Beyond geographical complexity, the two villages exhibit distinct socio-cultural orientations. Kambiyain Village is predominantly inhabited by the Dayak Pitap community, which maintains customary boundaries based on natural markers and collective historical knowledge, while Auh Village is largely populated by the Banjar community, which relies on state-defined administrative boundaries derived from official agrarian maps (Dwipyana et al., 2022). This socio-cultural divergence creates a unique governance context where customary and administrative boundary systems coexist within the same administrative framework, making the case particularly relevant for examining governance dynamics and research objectives related to legal certainty and participation (Ramadhani et al., 2023).

Although both villages are legally classified as administrative villages under national law, the existence of the Dayak Pitap customary community introduces a parallel system of spatial governance. While customary institutions and territories are socially and culturally recognized, they do not possess equivalent legal standing within the formal administrative boundary framework (Usman & Djafar, 2023). Previous studies have shown that such partial recognition of customary territories often leads to governance gaps and legal uncertainty (Plunkett, 2021). This situation illustrates a broader challenge in plural legal systems, where state law and customary norms coexist without effective integration, underscoring the significance of this research in identifying governance shortcomings.

In many regions of Indonesia, inconsistencies between customary boundaries and administrative boundaries have resulted in prolonged disputes and social tensions (Kaposy, 2021). However, unlike cases characterized by open conflict, the Kambiyain–Auh case demonstrates a relatively stable pattern of coexistence between the Dayak and Banjar communities (Fitria & Aprianto, 2025). Despite prolonged boundary disagreements, both communities continue to engage in shared economic activities, social cooperation, and informal conflict mediation (Nishijima, 2021). Similar patterns of intercultural coexistence have been documented in other indigenous contexts globally, where local norms and informal institutions help maintain social harmony amid legal ambiguity (Bataha et al., 2022). This distinctive condition highlights the novelty of this study, which shifts the analytical focus from conflict escalation to coexistence and governance resilience (Sulistiyowati & Fauzan, 2024).

Previous research on village boundary disputes has largely emphasized legal formalization, conflict resolution mechanisms, or administrative compliance with state regulations (Neonbeni et al., 2025). While these studies contribute valuable insights, they often overlook how social harmony and customary legitimacy function as stabilizing forces in governance systems lacking formal legal certainty (Hutagalung & Zulkarnain, 2023). This study addresses this gap by integrating governance theory with socio-cultural analysis, examining how legal certainty, community participation, and coexistence interact in practice (Sinaga et al., 2023). By doing so, the research offers both theoretical and practical contributions to inclusive village governance and provides a context-sensitive model applicable to other multicultural and indigenous regions (Swara, 2024; Kridasakti & Mulyadi, 2025; Berenschot, 2024).

This study contributes to the literature by offering a nuanced understanding of village boundary governance in plural legal contexts, particularly by highlighting how governance systems can remain functional despite incomplete formal legal frameworks. Unlike dominant approaches that focus on conflict escalation and legal resolution, this research emphasizes the role of social harmony, tolerance, and customary legitimacy as stabilizing mechanisms within boundary governance. It

further develops an integrative analytical perspective that connects Good Governance principles with coexistence dynamics, demonstrating that governance resilience can emerge not only from institutional completeness but also from socially embedded practices. By doing so, this study provides a context-sensitive contribution to governance theory and offers practical insights for designing inclusive and adaptive boundary policies in multicultural and indigenous settings.

Accordingly, this study is significant because it examines village boundary governance not only as a legal-administrative issue but also as a social governance process shaped by cultural recognition, participation, and tolerance (Choiriyah & Pratama, 2021; Warman & Dewi, 2023; Afriani & Febriani, 2022). This study aims to analyze the dynamics of village boundary governance in plural legal contexts by examining legal clarity, community participation, and coexistence between customary and administrative systems in Kambiyain and Auh Villages. The findings are expected to contribute to the development of participatory boundary governance models that integrate customary legitimacy into formal administrative systems, thereby supporting sustainable governance and social stability (Borry et al., 2023). This significance directly informs the formulation of the research problem and objectives, which seek to analyze governance dynamics, identify integration opportunities, and propose adaptive policy recommendations (Rosenberg, 2024).

Method

This research uses a qualitative approach with a descriptive design to explore the dynamics of customary and administrative village boundary management in Kambiyain and Auh Villages, Tebing Tinggi District, Balangan Regency, South Kalimantan. A qualitative approach was chosen because it allows for an in-depth understanding of social processes, governance practices, and community perceptions related to boundary management within the local context and culture (Burhanuddin et al., 2025). This approach is considered most relevant for examining the interaction between formal administrative systems and customary norms within the community, which cannot be adequately explained through quantitative measurements alone. This research is also grounded in the theoretical framework of Good Governance, specifically the aspects of legal certainty and community participation, as well as the theory of coexistence, which emphasizes recognition, tolerance, dialogue, and social harmony as analytical lenses for understanding the dynamics of governance and social relations around village boundaries (Senastri & Suryawan, 2023).

The research was conducted in Kambiyain and Auh Villages, located in Tebing Tinggi District, Balangan Regency. The research locations were chosen purposively due to the coexistence of two existing boundary systems: the customary boundary maintained by the Dayak Pitap community in Kambiyain Village and the administrative boundary implemented by the village government in Auh Village.

This situation reflects a typical case of boundary dualism in a multi-ethnic rural context. Field research and data collection activities were conducted over a period of approximately fourteen months, from November 2024 to December 2025.

The data sources for this study were primary and secondary data. Primary data were obtained through in-depth interviews and field observations involving key stakeholders, such as traditional leaders, village heads, village officials, local community members from the Dayak and Banjar groups, and officials from relevant local government agencies. Informants were selected purposively, taking into account their knowledge, roles, and involvement in village boundary management. A total of eight informants were involved in this study, representing traditional leaders, village officials, community members, and local government actors directly engaged in village boundary governance. Meanwhile, secondary data included official documents such as village boundary maps, policy regulations, government reports, statistical data, mediation records, and relevant academic publications. This secondary data was used to enrich the research context and support the data triangulation process.

Data collection was conducted using three main techniques: observation, indepth semi-structured interviews, and documentation. Direct observations were conducted in village border areas to record the presence of physical boundary markers, land use patterns, and social interactions occurring in the border area. Indepth interviews were used to explore informants' perspectives on the history of boundaries, governance processes, participation mechanisms, and relations between community groups. This interview technique was flexible but adhered to research indicators to ensure the data collected remained focused. Documentation was utilized to collect visual data, maps, and policy documents related to boundary determination and dispute resolution (Malik & Rahman, 2025).

Data analysis was conducted using an interactive qualitative analysis model, encompassing data reduction, data presentation, and conclusion drawing. Data from interviews, observation notes, and documents were analyzed through a coding and grouping process based on the research's key indicators: legal certainty, community participation, recognition, tolerance, dialogue, and social harmony. The coding process was conducted manually by systematically organizing and categorizing interview transcripts to ensure analytical depth and consistency with the research indicators. Relationships and patterns between categories were then interpreted to construct an analytical narrative explaining the dynamics of governance and coexistence mechanisms in village boundary management at the research site (Neonbeni & Sumampouw, 2025).

To ensure the validity and reliability of the research findings, several strategies were implemented, including data triangulation by comparing various sources and data collection techniques, and selective member checking to confirm key interpretations with informants. The researchers' prolonged involvement in the field

strengthened their understanding of the local social and cultural context, while detailed recording of research procedures supported transparency and consistency of analysis (Sari & Kustiawan, 2023).

Result and Discussion

1. Legal Certainty in Village Boundary Governance

The findings reveal that legal certainty in the boundary management of Kambiyain and Auh Villages is shaped by the coexistence of two parallel boundary regimes: customary boundaries maintained by the Dayak Pitap community and administrative boundaries enforced by the state. These two systems possess distinct sources of legitimacy and operate according to different epistemological foundations. Customary boundaries derive legitimacy from collective memory, historical continuity, and natural landmarks, whereas administrative boundaries rely on formal documents, cartometric maps, and legal authorization from the regency government.

For the Dayak Pitap community, legal certainty is socially embedded and culturally stabilized. Boundaries are understood as “living boundaries,” anchored in ancestral narratives and ecological markers that are perceived as fixed across generations. From this perspective, the absence of formal legal documentation does not undermine certainty; instead, certainty is produced through shared social recognition and continuous practice.

Figure 1. Administrative Boundary Map of Kambiyain Village



Source: Balangan Regency Government (2023)

Conversely, the Auh Village government defines legal certainty strictly through formal administrative instruments. Official maps, village formation decrees, and land administration documents constitute the sole legitimate basis for governance, public services, and territorial management. Customary boundaries are acknowledged culturally but are considered insufficient for administrative decision-making.

Kambiyain Village authorities occupy an intermediary position, functioning as institutional brokers between customary legitimacy and administrative compliance. While adhering to official regulations, village officials actively engage customary leaders to prevent social misunderstanding and maintain local legitimacy. At the

regency level, the absence of a finalized Regent Regulation has resulted in a formal legal vacuum. This vacuum sustains administrative ambiguity without generating open conflict. Instead, boundary uncertainty manifests primarily in overlapping land claims and prolonged verification processes rather than social confrontation. Overall, legal certainty in this case is fragmented: socially consolidated within the customary system yet administratively unresolved within the formal legal framework.

2. Community Participation in Boundary Management

Community participation in boundary management is characterized by a multilayered and actor-specific structure. Participation does not occur as a single procedural event but unfolds through customary deliberations, village-level administrative forums, and regency-facilitated mediation.

Within the Dayak Pitap community, participation is embedded in customary governance. Customary leaders and elders actively engage in boundary discussions, verification processes, and mediation forums. Their involvement is substantive, serving as a conduit for transmitting historical knowledge and cultural legitimacy rather than merely symbolic representation.

In Auh Village, participation is structured through formal governance mechanisms. Residents, community leaders, and neighborhood units are involved in consultations, field verification, and documentation processes. Importantly, community input directly influences the village government's administrative stance, particularly regarding land documentation continuity.

In Kambiyain Village, participation operates through dual channels. Customary institutions provide social legitimacy, while village officials translate community claims into administrative data. Internal deliberation precedes any engagement with higher-level authorities, ensuring alignment between customary perspectives and administrative submissions.

Despite these inclusive processes, participation remains consultative rather than decisional. Final authority over boundary determination resides with the regency government, limiting community and customary institutions to advisory and data-providing roles.

3. Recognition of Customary and Administrative Boundaries

Recognition in the Kambiyain–Auh boundary context is layered and asymmetrical. Customary boundaries are widely acknowledged as culturally meaningful and socially legitimate but lack equivalent standing within formal legal decision-making.

For the Dayak Pitap community, recognition of customary boundaries is inseparable from identity preservation. Partial recognition—where customary boundaries are treated merely as supporting data—is perceived as insufficient, though it does not provoke confrontational resistance.

Figure 2. Administrative Boundary Map of Auh Village



Source: Dayak Pitap Traditional Institution (2025)

Village governments demonstrate pragmatic recognition. Kambiyain Village actively advocates for customary acknowledgment within formal processes, while Auh Village recognizes customary boundaries culturally without adopting them administratively.

At the regency level, recognition is conditional and institutionalized. Customary data are accepted for contextual understanding and verification but are subordinate to administrative standards. This creates a pattern of asymmetric coexistence: acknowledgment without full legal equivalence.

4. Tolerance as a Social Stabilizer

Tolerance emerges as a central mechanism preventing boundary ambiguity from escalating into conflict. Neither community perceives boundary differences as grounds for social antagonism. Instead, restraint, mutual respect, and deliberate avoidance of unilateral action define local responses.

Customary norms emphasize patience and intergenerational responsibility, discouraging confrontation. Village governments reinforce tolerance through procedural caution and controlled communication. Residents of both villages consciously separate administrative disputes from everyday social relations. This tolerance operates not as passive acceptance but as an active social strategy that preserves inter-village relations amid unresolved legal status.

5. Dialogue and Communication Mechanisms

Dialogue functions as both a preventive and sustaining mechanism in boundary governance. Communication occurs through multiple, interconnected channels: customary forums, inter-village administrative coordination, regency-led mediation, and informal social interaction. Customary dialogue prioritizes consensus-building and emotional regulation. Administrative dialogue emphasizes data exchange, map comparison, and procedural clarification. Informal communication maintains social trust by deliberately excluding sensitive boundary issues from daily interaction. This multichannel communication architecture ensures that disagreement remains institutionalized rather than personalized, significantly reducing conflict escalation risks.

6. Social Harmony and Coexistence

Despite prolonged boundary ambiguity, social harmony between Kambiyain and Auh Villages remains intact. Cooperative practices—such as joint agricultural work, religious activities, mutual aid, and communal events—continue uninterrupted.

Boundary disputes affect administrative caution rather than social cohesion. Residents consciously distinguish structural uncertainty from interpersonal relations, reinforcing everyday coexistence. This sustained harmony represents a form of socially embedded conflict management rather than the resolution of disagreement.

7. Separation of Roles and Actor Authority

Boundary governance operates through a clear functional separation of authority. Customary leaders serve as custodians of historical memory and social legitimacy. Village heads act as administrative executors and intermediaries. The regency government functions as the sole legal authority for final boundary determination. This layered mediation system—social, administrative, and legal—creates stability despite the absence of formal resolution. Coexistence is maintained through complementary, rather than hierarchical, authority structures.

Table 1. Numerical Summary of Good Governance and Coexistence Indicators

Indicator	Informants Confirming (n=8)	Empirical Strength
Legal Certainty (Rule of Law)	8	High (dual legal perception: formal–customary)
Community Participation	8	High (substantive, consultative)
Recognition (Customary Boundary)	7	Medium–High (socially strong, formally limited)
Tolerance	8	Very High
Dialogue Communication	8	High
Social Harmony	8	Very High

Source: Processed by Researchers (2026)

The numerical summary presented in Table 1 indicates that governance dynamics in village boundary management are characterized by a strong empirical foundation across both Good Governance and Coexistence indicators. Legal certainty appears consistently acknowledged by all informants; however, its dual nature—formal and customary—suggests a layered understanding rather than a fully integrated system. Community participation demonstrates a high level of engagement, yet remains predominantly consultative, reflecting limited decisional authority at the local level. Recognition of customary boundaries shows slightly lower confirmation, indicating a gap between strong social legitimacy and weaker formal acknowledgment. Meanwhile, tolerance, dialogue, and social harmony emerge as the most robust dimensions, with unanimous confirmation among informants. These findings suggest that social and cultural mechanisms function as

key stabilizing forces, compensating for formal institutional limitations and enabling governance to remain effective despite unresolved legal conditions.

The findings of this study demonstrate that village boundary governance in plural legal contexts cannot be adequately interpreted through a purely formalistic legal framework. In the case of Kambiyain and Auh Villages, legal clarity does not operate as a singular, uniform condition, but rather as a layered and negotiated reality shaped by the interaction between administrative legality and customary legitimacy. Although formal legal clarity remains incomplete due to the absence of a definitive Regent Regulation, the empirical evidence shows that governance practices continue to function through socially recognized boundaries rooted in historical memory, customary authority, and shared norms. This confirms that legality in rural governance is not solely derived from written regulations but is also embedded in lived social practices and collective recognition (Berenschot, 2024; Sulistyowati & Fauzan, 2024).

From a good governance perspective, the persistence of regulatory ambiguity would conventionally be interpreted as a governance deficit. However, the findings complicate this assumption by revealing that formal legal assurance is partially substituted by customary certainty that is deeply internalized by the Dayak Pitap community. For them, customary boundaries are perceived as fixed, legitimate, and non-negotiable, derived from ancestral markers and collective narratives rather than technical coordinates. This duality produces a situation in which administrative legality is formally weak but socially stabilized, indicating that governance effectiveness may persist even when formal legal instruments lag behind social realities (Kridasakti & Mulyadi, 2025; Tamu et al., 2023).

Community participation emerges as one of the strongest governance dimensions in this study. Participation is not merely procedural but substantive, manifested through customary deliberations, inter-village consultations, field verifications, and repeated mediation forums facilitated by the regency government. Customary leaders, village officials, and community representatives are actively involved in articulating boundary claims and negotiating differences. Nevertheless, the findings also reveal that participation remains consultative rather than decisional, as ultimate authority over boundary determination is retained by higher levels of government. This confirms broader critiques within Good Governance literature that participation does not automatically translate into shared decision-making power (Neonbeni et al., 2025; Choiriyah & Pratama, 2021).

The limited decisional impact of participation highlights a structural tension between inclusivity and centralization in village governance. While communities are invited to contribute knowledge, history, and local perspectives, these inputs are institutionally framed as supporting data rather than as binding determinants. This arrangement reinforces administrative hierarchy while simultaneously risking

symbolic marginalization of customary authority (Husen et al., 2022; Hutagalung & Zulkarnain, 2023).

Recognition of customary boundaries represents the most contested dimension of governance in this case. Empirically, recognition operates asymmetrically: it is strong at the social and cultural level but weak within formal legal structures. Customary boundaries are acknowledged by village governments and the regency administration, yet they are positioned as supplementary rather than constitutive elements in boundary determination. This partial recognition generates a sense of ontological insecurity among the Dayak Pitap community, who perceive boundaries not merely as spatial demarcations but as integral to identity, dignity, and intergenerational continuity (Burhanuddin et al., 2025; Usman & Djafar, 2023).

Despite this limitation, the absence of full legal recognition does not translate into social confrontation. From a Coexistence perspective, this outcome can be explained by the presence of strong tolerance norms that regulate intergroup relations between Dayak and Banjar communities. The findings consistently show that boundary differences are not framed as ethnic antagonism, but as divergent systems of spatial reasoning. Tolerance is actively maintained through cultural values emphasizing restraint, respect, and avoidance of escalation, thereby preventing administrative disputes from transforming into social conflict (Borry et al., 2023; Kaposy, 2021).

Dialogue and communication further reinforce this stabilizing effect. Governance processes in Kambiyain and Auh operate through multi-layered communication channels, including customary forums, village-level coordination, and formal mediation facilitated by the DPMD. Importantly, informal dialogue precedes formal intervention, reflecting a preference for resolving tensions within socially trusted spaces before escalating to bureaucratic mechanisms. This sequencing aligns with conflict transformation theory, which emphasizes the importance of local dialogue in sustaining long-term peace and cooperation (Rosenberg, 2024).

Social harmony emerges as a critical outcome of these interactional mechanisms. The persistence of joint economic activities, mutual assistance, religious participation, and everyday social interaction indicates that administrative boundary disputes have not undermined communal cohesion. Instead, boundary ambiguity produces behavioral caution—particularly regarding land administration—rather than social fragmentation. This finding challenges dominant assumptions in boundary governance literature that unresolved territorial disputes inevitably lead to social instability or violence (Sari & Kustiawan, 2023; Warman & Dewi, 2023).

The interplay between Good Governance and harmonious coexistence revealed in this study suggests a compensatory governance model. While formal legal clarity and institutional recognition remain incomplete, tolerance, dialogue, and social

harmony function as informal stabilizers that sustain governance functionality. In this model, coexistence does not replace Good Governance but temporarily compensates for its institutional gaps (Ningrum et al., 2024).

Ultimately, this case contributes to governance theory by demonstrating that village boundary management in plural legal settings is neither linear nor deterministic. Unresolved boundaries do not automatically generate conflict; instead, outcomes depend on the strength of social capital, cultural norms, and mediation capacity across governance levels. The findings underscore the need for integrative governance approaches that formally recognize customary legitimacy while maintaining administrative coherence (Afriani & Febriani, 2022; Ramadhani et al., 2023).

Conclusion

This study concludes that the governance of customary and administrative village boundaries in Kambiyain and Auh Villages represents a multidimensional and negotiated form of governance shaped by legal pluralism. The research answers the main research question by demonstrating that boundary management does not unfold through open conflict but through a pattern of functional coexistence, in which state law and customary law operate in parallel with different sources of legitimacy. Formal legal certainty remains incomplete due to the absence of a final Regent Regulation, yet social and cultural certainty is firmly established through the Dayak Pitap customary system. Community participation is substantively present through customary leaders, village authorities, and deliberative forums, but it has not been fully institutionalized within formal administrative decision-making. Meanwhile, tolerance, recognition, dialogue, and social harmony between Dayak and Banjar communities act as stabilizing forces that prevent legal ambiguity from escalating into horizontal conflict. These findings confirm that village boundary governance cannot be reduced to a technical cartographic issue, but must be understood as a social– institutional process requiring the integration of legal certainty, meaningful participation, and intercultural recognition.

Despite its contributions, this study has several limitations. First, it relies on qualitative data from a limited number of informants and focuses on a single intervillage case, which restricts broader generalization. Second, the absence of finalized legal outcomes during the research period limits the ability to assess post-regulation impacts on governance dynamics. Future research is therefore recommended to adopt comparative or longitudinal designs to examine how different regions integrate customary and administrative boundaries over time, particularly after formal legal decisions are enacted. From a practical perspective, the findings suggest that local governments should accelerate boundary legalization through participatory and integrative approaches that formally accommodate customary boundaries as sources of social legitimacy. Strengthening co-production

mechanisms, institutionalizing local dialogue and mediation, and clarifying the legal position of customary data within administrative processes are essential to achieving sustainable, just, and inclusive village boundary governance in plural societies.

This can be operationalized through a hybrid governance model that integrates customary boundary mapping into formal cartometric procedures and formalizes multi-stakeholder boundary committees involving customary leaders and local government actors. In addition, local regulations should explicitly recognize customary spatial data as legally valid inputs in boundary determination processes to ensure both administrative clarity and socio-cultural legitimacy.

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