

Defending Customary Land Rights amid Extractive Industry Expansion: Indigenous Community Experiences

Abdul Kholik

Institut Pesantren Babakan Cirebon, Indonesia

ak9909335@gmail.com

Article Info

Article history:

Received 28-04-2026

Revised 24-05-2026

Accepted 17-06-2026

Keyword:

Indigenous Communities;
Customary Land Rights;
Extractive Industry; Lived
Experience; Legal Pluralism;
Justice

ABSTRACT

Indigenous law and customary rights policies have become central in socio-legal and human rights discourse, particularly where land governance intersects with cultural identity and economic development. While previous studies have focused primarily on legal frameworks and institutional mechanisms, limited attention has been given to how Indigenous communities themselves experience and interpret customary land conflicts. This study addresses this gap by examining the lived experiences of Indigenous communities in defending customary land rights amid extractive industry expansion. Using an interpretative phenomenological approach, data were collected through in-depth semi-structured interviews with Indigenous participants directly involved in customary land defense and analyzed using interpretative phenomenological analysis. The findings show that customary land is experienced not only as territory but also as a source of identity, spirituality, and collective continuity. Participants described land conflict as a multidimensional experience involving legal exclusion, emotional distress, cultural disruption, and collective resistance. In addition, justice was understood not merely as procedural fairness but as recognition, dignity, and meaningful participation within historical and cultural contexts. These findings contribute to socio-legal scholarship by providing a lived-experience perspective on Indigenous land struggles and demonstrating the value of phenomenological analysis in Indigenous rights research. The study also highlights the importance of culturally grounded and experience-based approaches for future policy and practice.



©2026 Authors. Published by PT Mukhlisina Revolution Center.. This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License. (<https://creativecommons.org/licenses/by/4.0/>)

INTRODUCTION

Indigenous law and customary rights policies have increasingly gained attention within the broader fields of socio-legal studies, legal anthropology, and human rights discourse, particularly in relation to land governance and resource management (Abdul Rahman et al., 2025). Across many regions, Indigenous communities maintain longstanding relationships with land that are governed not only by formal legal recognition but also by deeply rooted customary systems, cultural values, and ancestral traditions. However, these systems often intersect with state-centered legal frameworks and global economic interests, especially in contexts where extractive industries expand into territories historically inhabited and managed by Indigenous populations (Acharibasam et al., 2024). This intersection has generated complex dynamics involving legal pluralism, competing claims over land, and tensions between development policies and Indigenous rights.

The relevance of this phenomenon extends beyond institutional or legal considerations, as it is closely tied to the lived realities and subjective experiences of Indigenous peoples. For many communities, land is not merely a physical or economic resource but a foundational element of identity, spirituality, and social continuity (Mukhlis, Suradi, et al., 2023; Mukhlis, 2025b). The disruption or threat to customary land therefore carries profound implications that affect not only material well-being but also cultural integrity, emotional stability, and collective belonging. Existing scholarship has highlighted the structural and legal dimensions of these conflicts; however, the experiential aspect how

individuals and communities perceive, interpret, and emotionally engage with these processes remains less visible within dominant academic narratives.

In this context, there is a growing need to move beyond descriptive accounts of legal frameworks and policy mechanisms toward a deeper exploration of meaning as constructed through lived experience (Albuquerque et al., 2025). A phenomenological approach offers a valuable lens to examine how Indigenous communities make sense of their interactions with legal systems, extractive pressures, and socio-political marginalization. By focusing on subjective experience, such an approach enables a more nuanced understanding of how concepts such as land, justice, resistance, and identity are embodied and negotiated in everyday life (Anbleyth-Evans et al., 2025). This orientation is essential for capturing the complexity of Indigenous realities and for informing more context-sensitive and experience-based policy responses.

Within the existing body of literature, studies on Indigenous land rights have predominantly focused on legal recognition, institutional frameworks, and policy implementation. Much of this research has examined how states regulate land ownership, how legal pluralism is managed, and how conflicts between Indigenous communities and corporate actors unfold within formal judicial or administrative systems (Azimi et al., 2022). While these contributions have provided important insights into the structural and normative dimensions of land governance, they often privilege external perspectives and institutional analyses over the voices and lived experiences of Indigenous communities themselves.

More recent works in Indigenous methodologies and qualitative inquiry have begun to acknowledge the importance of incorporating Indigenous perspectives and epistemologies into research practices. These studies emphasize the need to understand Indigenous knowledge systems, relational worldviews, and culturally embedded meanings of land and community (Basuki et al., 2023). Nevertheless, even within this emerging scholarship, there remains a limited number of studies that explicitly employ phenomenological approaches to explore the lived experiences of Indigenous peoples in the context of land-related conflicts. In particular, the subjective dimensions of how communities experience dispossession, negotiate identity, and construct meanings of justice in the face of extractive industry expansion are still underexplored.

This gap becomes especially significant in contexts where extractive industries operate within or adjacent to customary territories, often supported by state policies that prioritize economic development (Burgess et al., 2023). In such settings, Indigenous communities are not only confronted with legal and institutional challenges but also with existential questions regarding identity, continuity, and belonging. Their experiences encompass emotional responses, spiritual interpretations, and collective strategies of resistance that are not easily captured through conventional legal or policy analysis (Mukhlis, Arifin, Ridwan, & Zulfaidah, 2025; Mukhlis, Arifin, Ridwan, Zulfaidah, et al., 2025). As a result, there is a pressing need for research that foregrounds these lived experiences and examines how Indigenous communities interpret and respond to the transformations imposed upon their customary landscapes.

By situating the study within an interpretative phenomenological framework, the present research seeks to address this gap by exploring the meanings that Indigenous participants attribute to their experiences of defending customary land rights (Doerksen et al., 2025). This approach allows for an in-depth understanding of how legal exclusion, emotional burden, and collective resistance are experienced and interpreted within specific socio-cultural contexts (Gil Ortega et al., 2025). In doing so, the study contributes to a more holistic understanding of Indigenous land struggles, bridging the gap between structural analysis and experiential insight, and providing a foundation for more inclusive and contextually grounded policy development.

Existing approaches to understanding Indigenous land conflicts, particularly in the context of extractive industry expansion, have largely relied on legal analysis, policy evaluation, and institutional frameworks (Guttman, 2023). These approaches commonly emphasize regulatory compliance, land titling systems, dispute resolution mechanisms, and governance structures as primary tools for addressing conflicts over customary land. While such practical and policy-oriented strategies have contributed significantly to identifying structural inequalities and legal inconsistencies, they tend to

frame the issue within formal systems of recognition and control (Mukhlis et al., 2024; Mukhlis, Maryam, et al., 2023). As a result, the complexity of Indigenous realities is often reduced to administrative or juridical categories, overlooking the deeper experiential dimensions that shape how these conflicts are actually lived and understood by Indigenous communities.

However, these dominant approaches reveal important limitations when examined from the perspective of lived experience. Legal and policy analyses, while valuable, are not designed to capture how individuals and communities interpret loss, negotiate identity, or experience justice and injustice in their daily lives (Harris et al., 2025). They often fail to account for the emotional, spiritual, and cultural meanings attached to land, as well as the ways in which these meanings influence resistance, resilience, and collective action. Consequently, current knowledge remains fragmented, with a strong emphasis on external structures but insufficient attention to the subjective realities of those most directly affected. This gap results in a partial understanding of Indigenous land struggles, where the voices of communities are acknowledged but not fully explored in terms of their experiential depth.

In response to these limitations, there is a clear need for an alternative approach that can illuminate the essence of the phenomenon from within the perspective of Indigenous participants themselves. A phenomenological approach offers such a possibility by focusing on how experiences are perceived, interpreted, and given meaning in specific socio-cultural contexts (Hati, 2025). Through this lens, the phenomenon of defending customary land rights can be understood not only as a legal or political issue, but as a lived reality shaped by identity, memory, spirituality, and relational belonging. By adopting an interpretative phenomenological framework, this study seeks to address the existing knowledge gap by providing a more holistic and nuanced understanding of Indigenous experiences, thereby complementing and extending the insights generated by existing legal and policy-oriented research.

Recent studies on Indigenous land rights have highlighted the importance of legal recognition, institutional frameworks, and policy interventions in addressing land-related conflicts. Scholars have examined how Indigenous communities engage with state law, corporate actors, and governance systems in the context of extractive industries. At the same time, emerging research in Indigenous methodologies has emphasized the need to center Indigenous voices, knowledge systems, and relational worldviews in academic inquiry (Mukhlis, Janwari, et al., 2023; Mukhlis & Abdullah, 2025). Qualitative studies have begun to explore aspects of lived experience, yet many remain focused on descriptive accounts rather than deep interpretative meaning. As a result, there is still limited understanding of how Indigenous communities themselves experience, interpret, and give meaning to their struggles over customary land.

To address this gap, the present study adopts an interpretative phenomenological approach to explore the lived experiences of Indigenous participants. This method is chosen because it allows for a deeper understanding of how individuals perceive and interpret their experiences within specific socio-cultural contexts. It responds directly to the limitations identified in previous research by focusing on subjective meaning rather than external structures alone (Hatzaw, 2021). Through in-depth interviews and interpretative analysis, the study seeks to uncover how participants understand land, justice, identity, and resistance in their daily lives. In doing so, it provides a more holistic answer to the need for experience-based insight into Indigenous land struggles.

This article is structured to guide the reader through a clear and coherent narrative of the research process and findings. The introduction presents the general and specific background, followed by the identification of the knowledge gap and the purpose of the study. The method section explains the phenomenological approach, participant selection, data collection, and analysis procedures. The results section presents the key themes derived from participants' lived experiences in a structured and narrative form (Mukhlis, 2025a; Mukhlis & Saidah, 2025). The discussion section interprets these findings in relation to existing literature and theoretical perspectives, and the conclusion highlights the implications for policy, research, and Indigenous rights advocacy.

RESEARCH METHODS

Study Design

This study employed an interpretative phenomenological design to explore the lived experiences of Indigenous communities in defending customary land rights amid the expansion of extractive industries. Phenomenology was selected because the research question centered on how participants experienced, understood, and gave meaning to land, justice, exclusion, and resistance within their everyday lives. This design is particularly appropriate when the aim is to move beyond legal or policy abstraction and toward the subjective dimensions of a phenomenon as it is perceived and lived by those directly affected.

An interpretative phenomenological orientation, informed by Heideggerian philosophy, was adopted in order to capture not only descriptions of experience but also the meanings attached to those experiences within their socio-cultural and historical contexts (Lutz & Knox, 2014; McNabb, 2015). Unlike descriptive phenomenology, which primarily seeks to bracket interpretation and portray the essential structure of experience, interpretative phenomenology acknowledges that meaning is always embedded in language, culture, memory, and social relations. This approach was therefore well suited to the present study, in which customary land was understood not merely as a territorial resource, but as a locus of identity, ancestry, spirituality, and collective continuity. The design enabled an in-depth examination of how participants interpreted legal marginalization, emotional burden, and collective resistance within the broader context of Indigenous law and customary rights policies.

Participants

Participants consisted of members of Indigenous communities who had direct experience with the defense, negotiation, or preservation of customary land rights in areas affected by extractive industry expansion. Participants were selected using purposive sampling in order to ensure that the data were obtained from individuals who possessed substantial experiential knowledge of the phenomenon under investigation. This sampling strategy was considered appropriate because phenomenological inquiry requires information-rich participants who are able to articulate the meanings of their lived experiences in depth.

The inclusion criteria covered adults aged 18 years or older who identified as members of an Indigenous or customary community, had lived experience related to disputes, threats, negotiations, or resistance involving customary land, and were willing to participate in an in-depth interview. Individuals who held customary leadership roles, community advocacy roles, or intergenerational knowledge of land-related practices were considered particularly relevant because of their close engagement with the phenomenon (Hillman & Radel, 2018; Migdal, 2018). The exclusion criteria included individuals who had no direct experiential connection to customary land conflicts, were unable to provide informed consent, or could not participate in a sustained reflective interview. Where relevant to contextual understanding, variation in gender, age, community role, and degree of involvement in land-related struggles was considered to enrich the interpretative depth of the findings. In phenomenological research, sample adequacy is determined by depth and richness rather than statistical representativeness; accordingly, participation was continued until thematic depth and experiential saturation were sufficiently achieved.

Data Collection

Data were collected through in-depth semi-structured interviews, supported where appropriate by contextual field notes and observational reflections. A semi-structured interview guide was used to maintain consistency across interviews while still allowing participants to narrate their experiences in their own terms (Carreiras & Castro, 2012; Iosifides, 2016). The interview guide was developed in line with the study objectives and focused on participants' meanings of customary land, experiences of legal or institutional engagement, emotional responses to extractive encroachment, forms of collective resistance, and understandings of justice. Open-ended questions were prioritized in order to encourage reflective narration and to preserve the phenomenological emphasis on subjective experience.

Interviews were conducted in settings that were familiar, safe, and comfortable for participants, such as community spaces, private meeting areas, or other mutually agreed locations. Where necessary, culturally appropriate adjustments were made to accommodate local communication norms and to foster trust. Each interview was conducted face-to-face whenever feasible, although alternative arrangements could be used if required by access or safety considerations. The duration of each interview generally ranged from 45 to 90 minutes, depending on the depth of participants' accounts and the flow of the conversation. With participants' consent, interviews were audio-recorded and subsequently transcribed verbatim. Field notes were prepared to document contextual details, non-verbal cues, and immediate reflections that supported later interpretation of the data.

A flexible and respectful interview atmosphere was maintained throughout the data collection process to minimize participant discomfort and to support authentic narration. Participants were given sufficient time to reflect, pause, and elaborate on emotionally significant experiences (Daly, 2007; Longhofer et al., 2012). In cases where discussions involved sensitive memories related to dispossession, conflict, or community distress, the pace of the interview was adjusted according to participants' readiness and comfort. This approach was intended to preserve both methodological rigor and ethical sensitivity.

Data Analysis

Data were analyzed using interpretative phenomenological analysis, with attention to the socio-cultural and legal meanings embedded in participants' narratives. This analytic strategy was selected because it is designed to examine how individuals make sense of significant lived experiences, especially those involving identity, vulnerability, conflict, and meaning-making. The analysis proceeded through a series of systematic stages that moved from detailed engagement with individual accounts to the development of convergent thematic structures across participants.

First, each interview transcript was read repeatedly to achieve immersion in the data and to preserve the integrity of each participant's account. Initial noting was then conducted to identify significant statements, experiential expressions, linguistic patterns, and contextually meaningful passages. These notes were used to generate preliminary meaning units and emergent codes grounded in participants' own descriptions (Fife, 2020; Kawamura, 2020). The coding process remained attentive to legal, emotional, social, cultural, and spiritual dimensions of the phenomenon. Related codes were subsequently clustered into conceptual categories and then refined into superordinate themes that captured shared structures of experience across the dataset.

Throughout this process, interpretation was guided by the premise that lived experience is never detached from cultural context, collective memory, or systems of power. As a result, thematic development did not stop at surface description but sought to illuminate how participants understood and interpreted their experiences of customary land defense in relation to ancestral continuity, structural exclusion, emotional endurance, collective resistance, and justice. The final themes were generated through iterative comparison across transcripts and were retained only when supported by consistent narrative evidence. Where useful for data organization and retrieval, qualitative data management software such as NVivo may be used to support coding consistency; however, the interpretative process remained grounded in close reading and conceptual engagement rather than software-driven categorization.

The analytic process was intended to yield essential findings that reflected both the particularity of individual experience and the broader phenomenological structure of the shared phenomenon. Direct quotations were retained as evidentiary anchors in order to preserve participants' voices and to demonstrate the interpretative basis of each theme.

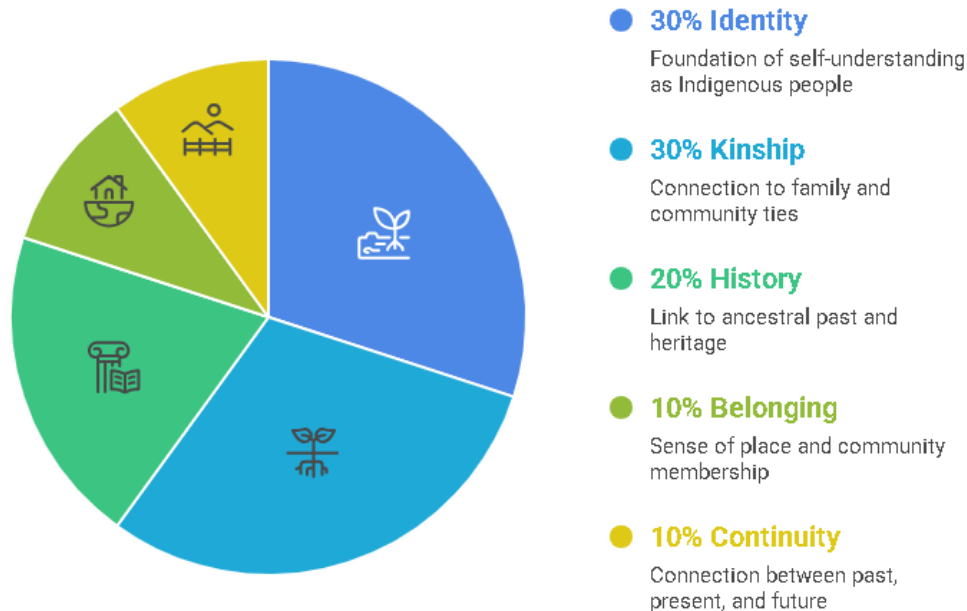
RESULTS

Customary Land as Lived Identity and Ancestral Continuity

Participants did not describe land as an economic asset in the narrow sense. Rather, land emerged in their narratives as the living foundation of identity, kinship, history, and belonging. For

many participants, customary land represented a continuity between the living community, their ancestors, and future generations. This relationship gave land a meaning that exceeded state-based property classifications or development-oriented policy language. Participants emphasized that losing land would mean losing the basis upon which they understood themselves as an Indigenous people.

Meanings of Land for Indigenous Participants



One participant expressed this relationship with striking clarity: “This land is not just where we live. It is where our grandparents are remembered, where our customs are practiced, and where we know who we are” (P3). This statement illustrates that land was experienced not as an external possession, but as an internal part of collective being. Another participant similarly noted, “If the land is taken, it is not only the soil that disappears. Our story, our name, and our place in this world disappear with it” (P7). Such accounts indicate that customary land was phenomenologically lived as identity-bearing space.

Participants also linked land to everyday cultural reproduction. Agricultural practices, ritual gatherings, burial sites, sacred forests, and intergenerational teaching were repeatedly described as grounded in particular places. Therefore, the threat posed by extractive expansion was not interpreted merely as economic displacement, but as a rupture in the continuity of customary life. The findings show that customary land functioned as an existential anchor, shaping the moral and cultural architecture of community life.

Encounters with Structural Exclusion and Legal Invisibility

A second major theme concerned participants’ repeated experiences of exclusion within formal legal and administrative processes. Although participants were deeply knowledgeable about their own customary boundaries, histories, and institutions, they often felt that these forms of knowledge were rendered invisible by state procedures and corporate documentation. Their accounts suggested that they were not only fighting for land, but also struggling to have their existence recognized within dominant legal frameworks.

Participants frequently described formal procedures related to land permits, licensing, consultation, and recognition as inaccessible, opaque, and structurally unequal. One participant explained, “They came with maps, permits, and official documents, but nobody asked us how we had lived on this land for generations” (P2). This quotation reflects a recurrent pattern in the data: the authority of written legal instruments was experienced as displacing customary memory and collective testimony. Another participant stated, “In their system, we are told to prove what has always been ours. It is as if our history does not count unless it is written in their language” (P5).

These narratives reveal that legal invisibility was not experienced as an abstract policy problem, but as a form of everyday marginalization. Participants felt that the burden of proof was unfairly transferred onto Indigenous communities, while state and corporate actors were presumed legitimate through bureaucratic formality alone. The experience of exclusion was intensified by asymmetries in education, institutional access, and political influence. Several participants described meetings in which they were physically present but substantively unheard. As one participant put it, “We were invited, but only to witness decisions that had already been made” (P8).

Taken together, these accounts demonstrate that legal pluralism in practice was experienced less as coexistence and more as hierarchy. Customary law remained morally authoritative within the community, yet institutionally fragile when confronted by state-centered systems of recognition and extraction.

The Emotional Weight of Dispossession and Uncertainty

Beyond legal conflict, participants’ narratives disclosed a strong emotional dimension to the struggle over customary land. Feelings of grief, fear, anger, helplessness, and exhaustion were consistently present in their accounts. The threat of dispossession was not described as a single event, but as a prolonged condition of uncertainty that affected emotional well-being, family relationships, and the capacity to imagine a secure future.

One participant reflected, “Every time we heard that new machines were coming, it felt like a warning that our lives could be erased little by little” (P4). This statement captures the anticipatory nature of distress: the suffering did not arise only from actual land loss, but also from the continuous possibility of encroachment. Another participant described the emotional strain in intergenerational terms: “The most painful thing is not only what we may lose now, but what our children may never be able to inherit not just land, but the way of life tied to it” (P6).

Participants also described emotional fatigue caused by repeated negotiations, broken promises, and unfulfilled recognition efforts. In several accounts, exhaustion coexisted with determination. One participant stated, “We are tired, yes, but we cannot stop. If we stop, then everything our elders protected will end with us” (P1). This quote reveals how emotional burden and moral obligation were deeply intertwined. Participants’ suffering was not passive; it was embedded in a continuing struggle to protect what they considered sacred, rightful, and non-substitutable.

Importantly, emotional responses were also shaped by the social and spiritual meanings attached to land. Participants did not separate material insecurity from cultural loss. Fear was linked not only to displacement, but also to the potential destruction of ritual space, ancestral traces, and customary authority. The findings therefore show that emotional distress was a central, not peripheral, dimension of the lived experience of extractive expansion.

Collective Resistance as Cultural Survival

Although participants narrated pain and exclusion, their accounts were not defined solely by victimhood. A strong theme of collective resistance emerged across interviews, indicating that defending customary land was simultaneously a legal, cultural, and existential act. Resistance was expressed through meetings, customary deliberation, ritual reaffirmation, boundary marking, community advocacy, alliance-building, and the transmission of customary knowledge to younger generations.

One participant explained, “When we gather to speak about the land, it is not only a meeting. It is how we remind ourselves that we still belong to each other and to our ancestors” (P9). This quote indicates that resistance was experienced as relational and restorative. Another participant stated, “Our struggle is not only to reject the company. It is to make sure our children still understand the meaning of this land and the law of our people” (P10). Such narratives suggest that resistance operated as a form of cultural continuity rather than a purely reactive political stance.

Participants also described customary institutions as sources of resilience. Elders, traditional leaders, and collective decision-making processes were frequently mentioned as guiding forces during times of external pressure. Even when formal legal systems appeared dismissive, customary forums

remained meaningful sites for reaffirming legitimacy and shared responsibility. One participant remarked, “The state may not fully recognize us, but among ourselves, we know the rules, the boundaries, and the obligations we must uphold” (P11).

This theme shows that resistance was not only strategic but also ontological. By defending land, participants were defending the conditions under which Indigenous law, identity, memory, and communal belonging could continue to exist. Collective action thus emerged as an expression of survivance, rooted in both cultural memory and future-oriented responsibility.

Justice as Recognition, Restoration, and Dignity

The final theme concerns how participants understood justice. Their narratives showed that justice was not confined to court rulings, compensation schemes, or administrative recognition. Instead, justice was described as a multidimensional condition in which Indigenous existence, customary authority, and ancestral relationships with land were genuinely acknowledged and protected. Participants consistently framed justice as something deeper than procedural inclusion.

One participant stated, “Justice is not when they offer money after the damage is done. Justice is when they recognize from the beginning that this land has an owner, a history, and a law” (P12). This quotation captures the rejection of compensatory logic as an adequate substitute for recognition. Another participant emphasized dignity: “We want to be treated not as obstacles to development, but as people whose rights and ways of life matter” (P13). Here, justice is articulated as moral recognition rather than mere conflict management.

Participants also connected justice with restoration. For some, justice meant the return or protection of customary land. For others, it meant the restoration of voice, participation, and equal standing in decision-making processes. One participant explained, “Justice means being heard before decisions are made, not after everything is already decided” (P5). This statement highlights a procedural dimension, yet within the broader context of dignity and historical acknowledgment.

Overall, participants’ accounts suggest that justice was understood as the convergence of legal recognition, cultural respect, territorial protection, and human dignity. Their narratives challenge narrow policy definitions and indicate that any meaningful response to customary land conflict must attend to the lived, relational, and historical dimensions of Indigenous claims.

DISCUSSION

The findings indicate that the lived experience of defending customary land rights is not limited to a legal struggle over territory, but is experienced as a profound effort to protect identity, ancestral continuity, dignity, and collective existence. In relation to the central question raised in the introduction, this study shows that Indigenous communities interpret the defense of customary land as an existential, emotional, cultural, and justice-oriented experience rather than as a purely administrative or regulatory dispute.

These findings provide a direct answer to the broader research question by showing that the meaning of customary land is constructed through lived relations between people, ancestry, memory, spirituality, and community continuity (Harris et al., 2025). The study demonstrates that when extractive expansion enters customary territory, the resulting conflict is experienced not only through institutional exclusion but also through emotional distress, moral disruption, and a heightened awareness of collective vulnerability. In this sense, the present research contributes a deeper understanding of the phenomenon by moving beyond the formal language of land rights and exposing how such rights are lived, felt, and defended in everyday life. The findings also clarify that participants’ understandings of justice extend beyond legal recognition alone. Justice is interpreted as recognition of historical presence, respect for customary authority, meaningful participation in decisions, and the protection of dignity. This contribution is important because it helps explain why policy or legal solutions that rely only on procedural compliance often fail to address the full meaning of Indigenous land struggles.

A further contribution of the study lies in its ability to connect subjective experience with broader socio-legal realities without reducing one to the other. The results suggest that legal invisibility is not experienced simply as a technical failure of state systems, but as a form of symbolic erasure in which Indigenous history, knowledge, and authority are treated as secondary to bureaucratic documentation (Hatzaw, 2021). This insight adds depth to the existing literature on customary rights by showing that exclusion is not only institutional but also experiential. The emotional burden expressed by participants, including fear, grief, exhaustion, and uncertainty, further reveals that land conflict is lived as an ongoing condition rather than as a single event. At the same time, the emergence of collective resistance as a central theme shows that participants do not experience themselves only as victims of dispossession. Instead, they understand resistance as a way to preserve cultural continuity, intergenerational responsibility, and communal dignity. This deepens current knowledge by showing that the defense of land is simultaneously a struggle for survival, memory, and meaning.

The findings are consistent with the broader direction of socio-legal and Indigenous scholarship that has emphasized the inadequacy of purely formal legal frameworks in understanding Indigenous realities. Smith (2018) highlighted the importance of Indigenous land struggles as more than disputes over ownership, and the present study strengthens that view by showing how land is experienced as an identity-bearing and meaning-laden space. The findings also resonate with Kovach (2021), who emphasized that Indigenous knowledge and relational worldviews are central to understanding Indigenous experience. In the present study, that relational worldview is clearly visible in participants' descriptions of land as inseparable from ancestors, customary norms, and communal belonging. Thus, the study supports the argument that Indigenous realities cannot be adequately interpreted through detached institutional categories alone.

The present findings also complement qualitative work that calls for greater attention to meaning, context, and lived experience in human research. Creswell (2017) argued that qualitative inquiry is particularly useful when the goal is to understand how individuals make sense of a phenomenon within their natural setting. This study confirms that position by showing that customary land conflict gains its full meaning only when examined through participants' own accounts of loss, resistance, and justice. Likewise, Braun and Clarke (2020) emphasized that thematic interpretation can illuminate patterned meaning across narratives, and the themes identified here reveal a coherent experiential structure that links legal exclusion, emotional burden, cultural continuity, and dignity. However, the present study extends these methodological insights into a more specific socio-legal context by demonstrating how phenomenological interpretation can enrich debates that are often dominated by policy analysis and legal doctrine.

The findings also refine existing understanding by suggesting that justice, in this context, is not adequately captured by compensation, procedural consultation, or partial administrative recognition. Prior literature has often treated justice in land conflicts through institutional measures, but the present study shows that participants define justice in more relational and historical terms. Justice is connected to being seen, heard, respected, and recognized as a people with law, memory, and legitimate belonging. This does not contradict previous legal or policy studies, but it does reveal the limits of frameworks that treat land disputes as problems of governance alone. In this way, the study complements earlier scholarship by showing that justice must be understood as both institutional and experiential if it is to reflect Indigenous perspectives meaningfully.

Taken together, the discussion suggests that the phenomenon explored in this study should be understood as a layered human experience situated at the intersection of law, culture, memory, and power. Existing literature has provided important structural explanations, but the present findings show that those explanations become more complete when interpreted alongside lived experience. By foregrounding the meanings that participants attribute to land, exclusion, resistance, and justice, this study contributes to a richer and more human-centered understanding of Indigenous customary rights struggles. This contribution is especially relevant for future scholarship seeking to bridge legal analysis with the social and experiential realities of Indigenous communities.

The implications of these findings are both scientific and practical. Scientifically, the study strengthens the argument that Indigenous land conflict cannot be adequately understood through legal

and policy categories alone, because the phenomenon is lived through identity, memory, spirituality, and collective continuity. The findings therefore reinforce the value of phenomenological inquiry in socio-legal studies, particularly when the issue under examination involves human meaning rather than only institutional procedure (Juskus, 2023). They also extend existing discussions in Indigenous scholarship by showing that customary land is experienced not simply as a territorial claim, but as a moral and relational space that sustains community life. In practical terms, the findings suggest that policies addressing customary land disputes should move beyond procedural consultation and formal recognition toward approaches that genuinely acknowledge Indigenous meanings of land, dignity, and justice. This implication is consistent with prior calls to center Indigenous knowledge and relational worldviews in research and governance contexts. It also supports the broader qualitative view that understanding lived experience is essential when institutions seek to respond to socially embedded forms of vulnerability and resistance.

The social and cultural implications are equally important. The participants' accounts show that the defense of customary land is deeply tied to the preservation of community memory, intergenerational responsibility, and cultural legitimacy. This means that land conflict should not be interpreted only as a matter of development tension or legal recognition, but also as a struggle over the continuity of Indigenous life itself. The findings are relevant to wider contexts in which communities face displacement, institutional marginalization, or competing forms of authority over land and resources. Although the study is grounded in a specific Indigenous setting, the meanings identified here may illuminate similar struggles in other customary or community-based contexts where land carries cultural and spiritual significance. In this way, the study contributes to a broader understanding of how law, power, and identity intersect in lived experience. It also suggests that more responsive governance requires an interpretative understanding of how affected communities define harm, justice, and belonging, rather than relying exclusively on external legal or administrative criteria.

Several limitations should be acknowledged. First, as with phenomenological research more generally, the aim of the study was not statistical generalization but deep contextual understanding. The findings therefore should be interpreted as experiential insights grounded in a particular social and cultural setting rather than as universal claims applicable to all Indigenous communities. Second, the meanings presented in this study emerged from participants who had direct experience with customary land defense, which enriched the depth of the data but also located the findings within a specific range of perspectives. Indigenous communities are internally diverse, and experiences may differ according to local history, community structure, gender, generation, and the intensity of extractive pressure (Kamorudeen, 2024). Third, the interpretative phenomenological approach provides depth in meaning but may not capture the broader institutional variation that could be identified through comparative multi-site designs. These limitations do not weaken the value of the findings; rather, they clarify their scope and encourage careful contextual reading. Consistent with qualitative scholarship, such limitations are best understood as boundaries of interpretation that also open space for future inquiry.

Future research may build on these findings in several important ways. Comparative phenomenological studies across different Indigenous communities could deepen understanding of how land, justice, and resistance are experienced under varying legal and political conditions. Longitudinal inquiry may also help explain how meanings of customary land defense evolve over time, especially as communities move through different stages of conflict, negotiation, recognition, or recovery. Further research could also explore the experiences of particular groups within Indigenous communities, such as women, elders, or younger generations, whose voices may reveal additional dimensions of continuity, vulnerability, and responsibility. In addition, phenomenological findings such as those presented here may be productively connected with socio-legal or policy analysis in order to develop more experience-sensitive frameworks for customary rights protection. This would not replace legal analysis, but would enrich it by grounding institutional debates in human meaning and lived reality. In this sense, the study offers a foundation for future scholarship that seeks to bridge Indigenous experience, legal understanding, and policy development in a more holistic and contextually grounded manner.

CONCLUSION

This study examines the lived experiences of Indigenous communities in defending customary land rights in the context of extractive industry expansion, addressing the need to understand the phenomenon beyond formal legal and policy frameworks. The findings reveal that customary land is experienced as a foundation of identity, ancestry, spirituality, and collective continuity, rather than merely a physical or economic resource. The study also shows that participants interpret land conflict as a multidimensional experience involving legal exclusion, emotional burden, cultural disruption, and collective resistance, while redefining justice as recognition, dignity, and meaningful participation. By adopting an interpretative phenomenological approach, this research fills a critical gap in previous studies that have largely focused on structural and institutional dimensions without capturing the depth of lived experience. These insights provide a more holistic understanding of Indigenous land struggles and offer valuable implications for developing more context-sensitive and experience-based policies.

Based on these findings, policymakers should strengthen the legal recognition and registration of customary land territories, ensure the effective implementation of Free, Prior, and Informed Consent (FPIC) before approving extractive projects, and establish participatory decision-making mechanisms that meaningfully involve Indigenous communities throughout land governance processes. In addition, government agencies and industry actors should incorporate cultural and historical dimensions of land into environmental and social impact assessments, while providing accessible grievance and conflict-resolution mechanisms tailored to Indigenous contexts. These measures can contribute to reducing land-related conflicts and enhancing the protection of Indigenous rights in areas affected by extractive industry expansion.

Future research may expand this approach through comparative or longitudinal studies to further explore how meanings of land, justice, and resistance evolve across different Indigenous contexts and over time.

CONFLICT OF INTEREST

The authors declare that there is no conflict of interest regarding the publication of this article. The research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

REFERENCES

- Abdul Rahman, N., Rajaratnam, V., Abdullah, H., Zainal, N. Q., Mohd Azeli, M. A., Peters, R. M. H., Morgan, K., & Abdullah, M. R. (2025). Voices from the margins: A qualitative study on the lived experiences of leprosy-affected individuals from two diverse rural communities in Malaysia. *SSM - Qualitative Research in Health*, 8. Scopus. <https://doi.org/10.1016/j.ssmqr.2025.100637>
- Acharibasam, J. B., Datta, R., Hurlbert, M., Strongarm, E. S., Starblanket, E. E., McKenzie, E. D., Favel, E. V., Starr, R., & Starr, V. (2024). Community-led water governance: Meanings of drinking water governance within remote First Nations and Métis communities in Saskatchewan. *Environmental Science and Policy*, 157. Scopus. <https://doi.org/10.1016/j.envsci.2024.103790>
- Albuquerque, U. P., Alves, R. R. N., & Ferreira Júnior, W. S. (2025). The contemporary challenge for ethical research involving the knowledge of indigenous peoples and local communities and afro-descendants and other marginalized, minority, or minoritized groups. *Journal of Ethnobiology and Ethnomedicine*, 21(1). Scopus. <https://doi.org/10.1186/s13002-025-00774-4>
- Anbleyth-Evans, J., Hiriart-Bertrand, L., Araos Leiva, F., Yu Iwama, A., & Henriquez-Antipa, L. (2025). Enhancing Bio-Cultural Management in Indigenous Marine Areas in Chile. *Journal of*

- Environment and Development*, 34(2), 368–398. Scopus. <https://doi.org/10.1177/10704965241271302>
- Azimi, M., Sharifian, A., Riazinia, V., Arzani, H., & Abbaspour, K. C. (2022). Pastoral community's vulnerability under extreme floodings accelerated by rangeland degradation among Turkmen transhumant, Northern Iran. *Journal of Flood Risk Management*, 15(4). Scopus. <https://doi.org/10.1111/jfr3.12842>
- Basuki, R., Wonoseputro, C., & Tarigan, Z. J. H. (2023). The effect of tourism village development project on economic sustainability through tourism villages based on natural and cultural potentials. *Journal of Project Management (Canada)*, 8(2), 133–140. Scopus. <https://doi.org/10.5267/j.jpm.2022.11.001>
- Burgess, C., Fricker, A., & Weuffen, S. (2023). Lessons to learn, discourses to change, relationships to build: How Decolonising Race Theory can articulate the interface between school leadership and Aboriginal students' schooling experiences. *Australian Educational Researcher*, 50(1), 111–129. Scopus. <https://doi.org/10.1007/s13384-022-00546-z>
- Carreiras, H., & Castro, C. (2012). *Qualitative methods in military studies: Research experiences and challenges* (p. 194). Taylor and Francis. Scopus. <https://doi.org/10.4324/9780203099223>
- Daly, K. J. (2007). *Qualitative methods for family studies & human development* (p. 293). SAGE Publications Inc. Scopus. <https://doi.org/10.4135/9781452224800>
- Doerksen, E., Gunay, A. E., Neufeld, S. D., & Friesen, P. (2025). Community-led approaches to research governance: A scoping review of strategies. *Research Ethics*, 21(3), 519–545. Scopus. <https://doi.org/10.1177/17470161241269154>
- Fife, W. (2020). *Counting as a Qualitative Method: Grappling with the Reliability Issue in Ethnographic Research* (p. 140). Springer International Publishing. Scopus. <https://doi.org/10.1007/978-3-030-34803-8>
- Gil Ortega, M. C., Viramontez Anguiano, R. P., Martinez, M. A., Chávez, J. M., & Harrison, S. M. (2025). Voces: Understanding Latino-Centric Culturally Responsive Methodological Approaches With Rural Latino Families and Communities. *International Journal of Qualitative Methods*, 24. Scopus. <https://doi.org/10.1177/16094069251381705>
- Guttman, A. M. (2023). “Our Brother’s Blood” Interreligious Solidarity and Commensality in Indian Jewish Literature. *Prooftexts - Journal of Jewish Literature History*, 40(2), 71–93. Scopus. <https://doi.org/10.2979/prooftexts.40.2.03>
- Harris, A., Leenen-Young, M., Harrison, N., & Meihana, W. (2025). Whanaungatanga, teaching and connecting through responsibility and place. *AlterNative*, 21(3), 478–486. Scopus. <https://doi.org/10.1177/11771801251367818>
- Hati, B. (2025). Tales and plays in the flames: How stories and theatrics converge fire disaster knowledge and action in marginalized contexts. *International Journal of Disaster Risk Reduction*, 128. Scopus. <https://doi.org/10.1016/j.ijdrr.2025.105676>
- Hatzaw, C. S. S. (2021). Reading Esther as a Postcolonial Feminist Icon for Asian Women in Diaspora. *Open Theology*, 7(1), 001–034. Scopus. <https://doi.org/10.1515/opth-2020-0144>
- Hillman, W., & Radcl, K. (2018). *Qualitative methods in tourism research: Theory and practice* (p. 294). Channel View Publications. Scopus. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85050434848&partnerID=40&md5=7ea1e3f0b2027993b53f6a795804ee51>
- Iosifides, T. (2016). *Qualitative Methods in Migration Studies: A Critical Realist Perspective* (p. 266). Taylor and Francis. Scopus. <https://doi.org/10.4324/9781315603124>
- Juskus, R. (2023). Sacrifice Zones: A Genealogy and Analysis of an Environmental Justice Concept. *Environmental Humanities*, 15(1), 3–24. Scopus. <https://doi.org/10.1215/22011919-10216129>
- Kamorudeen, B. K. (2024). Arabic Manuscripts and Their Preservation in Yoruba Communities of Nigeria. *Islamic Quarterly*, 68(2), 207–220. Scopus.

- <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85208982911&partnerID=40&md5=e85d933b48900767759e319f2d437fe9>
- Kawamura, Y. (2020). *DOING RESEARCH IN FASHION AND DRESS: An Introduction to Qualitative Methods*, 2nd edition (p. 166). Bloomsbury Publishing Plc. Scopus. <https://www.scopus.com/inward/record.uri?eid=2-s2.0-85188589040&partnerID=40&md5=b3db406659cd1ea5b20e05664bec39a3>
- Longhofer, J., Floersch, J., & Hoy, J. (2012). *Qualitative Methods for Practice Research* (p. 224). Oxford University Press. Scopus. <https://doi.org/10.1093/acprof:oso/9780195398472.001.0001>
- Lutz, W., & Knox, S. (2014). *Quantitative and qualitative methods in psychotherapy research* (p. 448). Taylor and Francis. Scopus. <https://doi.org/10.4324/9780203386071>
- McNabb, D. E. (2015). *Research methods for political science: Quantitative and qualitative methods: Second edition* (p. 426). Taylor and Francis. Scopus. <https://doi.org/10.4324/9781315701141>
- Migdal, A. B. (2018). *Qualitative Methods in Quantum Theory* (p. 460). CRC Press. Scopus. <https://doi.org/10.1201/9780429497940>
- Mukhlis, L. (2025a). A Phenomenological Study of Personal Spiritual Experiences in Navigating Religious Pluralism within Interfaith Communities. *Irfana: Journal of Religious Studies*, 1(6), 212–220.
- Mukhlis, L. (2025b). Spiritual Grounds for Economic Growth: A Qualitative Exploration of Rural Indonesian Women's Transformative Journeys Through Mosque-Led Empowerment Programs. *Servina: Jurnal Pengabdian Kepada Masyarakat*, 1(8), 289–298.
- Mukhlis, L., & Abdullah, M. N. (2025). *Hukum Keluarga Islam di Indonesia* (1st edn). Mukhlisina Revolution Center.
- Mukhlis, L., Arifin, T., Ridwan, A. H., & Zulfaidah. (2024). Integrating Artificial Intelligence and Maqāṣid al-Syarī'ah: Revolutionizing Indonesia's Sharia Online Trading System. *Computer Fraud and Security*, 2024(11), 301–309. <https://doi.org/10.52710/cfs.238>
- Mukhlis, L., Arifin, T., Ridwan, A. H., & Zulfaidah. (2025). Reorientation of Sharia Stock Regulations: Integrating Taṣarrufāt al-Rasūl and Maqāṣid al-Sharī'ah for Justice and Sustainability. *Journal of Information Systems Engineering and Management*, 10(10s), 58–66. <https://doi.org/10.52783/jisem.v10i10s.1341>
- Mukhlis, L., Arifin, T., Ridwan, A. H., Zulfaidah, Rosadi, A., & Solehudin, E. (2025). Reformulation of Islamic Stock Law: The Application of Taṣarrufāt al-Rasūl and Maqāṣid al-Syarī'ah to Develop a Dynamic and Sustainable Islamic Capital Market in Indonesia. *Journal of Posthumanism*, 5(3), 1–13. <https://doi.org/10.63332/joph.v5i3.913>
- Mukhlis, L., Janwari, Y., & Syafe'i, R. (2023). INDONESIA STOCK EXCHANGE: THEORETICAL AND PHILOSOPHICAL ANALYSIS OF MUDHARABAH AND MUSYARAKAH CONTRACTS. *Yurisprudencia: Jurnal Hukum Ekonomi*, 9(2), 243–264. <https://doi.org/10.24952/yurisprudencia.v9i2.8466>
- Mukhlis, L., Maryam, S., & Sormin, S. A. (2023). Model Pembelajaran Living History Berbasis PjBL Untuk Meningkatkan Keterampilan Histografi Mahasiswa. *Jurnal Educatio FKIP UNMA*, 9(4), 1800–1809. <https://doi.org/10.31949/educatio.v9i4.5595>
- Mukhlis, L., & Saidah, Y. (2025). Dynamics of Nature-Based learning in Developing Children's Motoric Skills: Teacher and Parent Perspectives. *HUMANISMA: Journal of Gender Studies*, 9(1), 64–79. <http://dx.doi.org/10.30983/humanisme.v4i2.9366>
- Mukhlis, L., Suradi, Janwari, Y., & Syafe'i, R. (2023). Sosialisasi Saham Syariah sebagai Instrumen Pengembangan Ekonomi Masyarakat di Badan Kontak Majelis Taklim (BKMT) Kabupaten Mandailing Natal. *Jurnal Pengabdian Multidisiplin*, 3(2), 2–9. <https://doi.org/10.51214/japamul.v3i2.604>