



## Application of Customary Law in The Justice System in Indonesia

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**Abstract:** Customary law is the original law of the Indonesian nation which originates from unwritten legal rules that grow and develop and are maintained by the community. Its unwritten nature is a weakness in its position as one of the laws in Indonesia. In practice, customary law does indeed have a place in the administration of justice. Therefore it is necessary to know how the application of customary law in the justice system in Indonesia. The purpose of this study is to determine the application of customary law in the justice system in Indonesia. The research method used in this study is normative juridical research as well as a conceptual approach. The data collection method used is the library study method. With a qualitative analysis method. The results of the research show that the application of customary law in the justice system is very important. Customary justice has become a place for solving problems faced by people in remote villages. In addition, most poor people prefer to settle their cases in customary courts rather than taking state law. However, in implementing this, there are not a few challenges faced, due to the fact that the role of customary justice has not been properly recognized. The unclear recognition of customary justice in laws and regulations has an impact on the existence of customary justice. The government needs to provide a clear position of customary law so that it can carry out its function as one of the laws in Indonesia.

**Keywords :** Customary Law, Justice System, Role of Customary Law

### Introduction

The State of Indonesia, which asserts itself as a state of law as stated in Article 1 paragraph (3) of the Constitution of the Republic of Indonesia Year 1945, also has a legal system. Interestingly, Indonesia adheres to three legal systems at once that live and develop in public and constitutional life, namely the civil law system, customary law system, and Islamic legal system. The civil law system that has the character of

"written law" developed in Indonesia during the Dutch colonial period and has survived to this day influencing legal products today. <sup>1</sup>

The existence of indigenous peoples has been the subject of widespread debate and attracted attention, including among experts. Efforts to explore and show the rise of customary law communities will depart from customary law itself which in its development as one of the legal systems in Indonesia is faced with severe challenges. The existence of customary law has long been marginalized by various government policies, including in laws and regulations as positive law today, even in the 1945 Constitution of the Republic of Indonesia. <sup>2</sup>

Customary law is a legal system that is known in the social environment of life in Indonesia and countries. Other Asians such as Japan, India, and China. The customs owned by the regions are different, although the basis and nature of one is Indonesia. Therefore, the custom of the Indonesian nation is said to be *Bhinneka Tunggal Ika*, which means different, but still one. These customs are always evolving and always follow the development of society and are closely related to folk traditions. <sup>3</sup>

The Indonesian Constitution expressly recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia as stipulated in the Law. Customary law as unwritten law is part of the law in force in Indonesia so that the existence of customary law is concrete evidence that in Indonesia recognizes legal pluralism. <sup>4</sup>

Customary law is the original law of the Indonesian nation which originates from unwritten legal rules that grow and develop and are maintained by the community. Because these rules are unwritten and grow and develop, customary law has the ability to adapt and be elastic. In addition, customary law communities are also known, which

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<sup>1</sup> Zaka Firma Aditya, "Romantisme Sistem Hukum Di Indonesia : Kajian Atas Kontribusi Hukum Adat Dan Hukum Islam Terhadap Pembangunan Hukum Di Indonesia," *Jurnal Rechts Vinding* 8, no. 1 (2019): 39, <https://doi.org/10.33331/rechtsvinding.v8i1.305>.

<sup>2</sup> Nur Apri Ramadan L. Usman, "Eksistensi Masyarakat Hukum Adat Dalam Penguatan Desa Adat Di Desa Bentenan Kabupaten Minahasa Tenggara," *Lex et Societatis* III, no. 7 (2015): 121.

<sup>3</sup> Eka Susylawati, "Eksistensi Hukum Adat Dalam Sistem Hukum Di Indonesia," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 4, no. 1 (2013): 125.

<sup>4</sup> Sulastriyono and Sandra Dini Febri Aristya, "Penerapan Norma Dan Asas-Asas Hukum Adat Dalam Praktik Peradilan Perdata," *Mimbar Hukum* 24, no. 1 (2012): 26.

are groups of people who are bound by their customary law order as citizens with a legal alliance because of the similarity of residence or on the basis of descent.<sup>5</sup>

After the amendment of the constitution, customary law is recognized as stated in the 1945 Constitution Article 18B paragraph (2) which states: The State recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are stipulated in law.<sup>6</sup>

Facts on the ground are often found that customary court jurisdiction has its own characteristics that distinguish it from national courts, because customary courts can include public, private, and or a combination of both in one trial. In practice, it can take place very informally, simply by mediation mechanisms, with the possibility of negotiation room over the process. That is because, defining or even determining the jurisdiction of customary courts, especially regarding whether private or public affairs, is not only an uneasy thing, or even impossible or dangerous in the sense that it can bury the existence of customary courts themselves. Customary justice, which utilizes the law and/or customary law system, actually has its own system logic and principles.

The growing discourse on strengthening customary courts boils down to two broad concepts of how customary courts should stand in relation to established national justice systems. The first option is to integrate customary courts institutionally to become part of the national justice system. This proposal was put forward to provide stronger binding force for decisions made by customary courts. The second option is a substantial strengthening of customary courts without the need for institutional integration as the first option. The goal to be achieved is the deconcentration of the caseload that accumulates in state courts, so that what is needed is the availability of various options for dispute resolution in the community.<sup>7</sup>

Various constitutional and statutory rules affirm that customary law as an unwritten law reflected in the value of justice and norms that live and grow in society

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<sup>5</sup> Fatahuddin Aziz Siregar, "Ciri Hukum Adat Dan Karakteristiknya," *Jurnal Al-Maqasid* 4, no. 2 (2018): 1, file:///C:/Users/HP/Downloads/Hukum adat 2.pdf.

<sup>6</sup> Marco Manarisip, "Eksistensi Pidana Adat Dalam Hukum Nasional," *Lex Crimen* 1, no. 4 (2012): 39.

<sup>7</sup> Tody Sasmita Jiwa Utama and and Sandra Dini Febri Aristya, "Kajian Tentang Relevansi Peradilan Adat Terhadap Sistem Peradilan Perdata Indonesia," *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada* 27, no. 1 (2015): 58.

(the *living law*) is one of the sources of law that must be explored, considered and respected, especially in law enforcement practice. In practice, customary law does have a place in the administration of justice. At least this is reflected in some of the jurisprudence generated by the Supreme Court and the judiciary below it.<sup>8</sup> Therefore, it is necessary to study various perspectives from the legal-normative side regarding the existence of customary courts and empirically study the implementation of these rules in the Indonesian civil justice system.

Based on this, it is necessary to know how customary law is applied in the justice system in Indonesia. The purpose of this study is to determine the application of customary law in the justice system in Indonesia.

## **RESEARCH METHODS**

This research is a normative juridical research that focuses on examining the application of rules or norms in positive law, especially related to legal synchronization. In addition, to clarify the analysis, another approach is also used, namely the conceptual approach (*conceptual approach*), an approach that focuses more on views, doctrines in legal science. This study is a look at customary law in the justice system in Indonesia. In this study, data collection was carried out by literature study with sources of legal materials in the form of primary legal materials, namely authoritative legal materials such as laws and regulations on the judiciary. Various legal materials with issues that have been obtained are then collected and then elaborated systematically according to their classification and carried out qualitative analysis considering the nature of the data (legal materials) obtained are qualitative.

## **DISCUSSION**

### **1. History of the Development of Customary Law in Indonesia**

Customary law is an unwritten law that has not been established by the ruler, but includes rules of life that people follow in the belief that these rules have legal consequences. Adat or tradition is the oldest source of law, known or can be

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<sup>8</sup> Ibid.

partially collected from law outside the law, where we can discover and investigate the law.<sup>9</sup>

Kusumadi Pudjosewojo defines customary law as "the entirety of unwritten legal rules". This understanding is almost the same as the understanding put forward by Soepomo which states "customary law is a synonym of "unwritten law" Unwritten law means law that is not formed by the legislature". Furthermore, Kusumadi explained that customary law is not a stand-alone legal discipline, but includes all legal disciplines. Therefore, there are constitutional customary law, civil customary law, commercial customary law, criminal customary law, and others. Based on the above understanding or definition, there are three characteristics that distinguish common law from other laws. That is, customary law applies to Indonesians, has not been written, and has not been made by lawmakers.<sup>10</sup>

The term customary law was first introduced by Snouck Hurgronje in 1983 in his book *De Atjehnese*. In the book he introduced the term *Adatrecht* (customary law), which is a law that applies to bumi putra (native Indonesians) and foreign easterners during the Dutch East Indies era. Customary law only had a juridical technical understanding after C. Van Vollenhoven published his book entitled *Adatrecht*. He was the first to declare that customary law is a law that applies to the indigenous Indonesian people and made it an object of positive legal science and used as a separate course. He was also the one who raised customary law as a law that must be applied by the gubernemen judge.

By the Dutch colonial government, customary law is officially recognized as the law of the Indonesian nation and is in line with European law through Article 131 paragraph (6) of the IS which states "the law of the Indonesian nation is a positive law for the Indonesian nation". The definition of Indonesian law in the article is customary law. Article 131 paragraph (6) is the legal basis for the recognition of the Government of the Dutch East Indies on customary law and at the same time the recognition of customary law as positive law for the Indonesian nation. With the recognition of customary law as positive law, during the Dutch East Indies

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<sup>9</sup> Sudikno Mertokusumo, *Mengenal Hukum* (Yogyakarta: Liberty Yogyakarta, 2007), 104.

<sup>10</sup> Mahdi Syahbandir, "Kedudukan Hukum Adat Dalam Sistem Hukum (The Structure of Customary Law In Indonesia's Legal System)," *Jurnal Kanun* 4, no. 50 (2010): 4.

Government there were two legal systems that applied, namely the Dutch legal system for Europeans and for foreign Easterners and Indonesians who submitted to it European law (Article 131 paragraph (2) IS) and customary law for Indonesians and foreign easterners who were familiar in Indonesia (Article 136 paragraph (6) IS).<sup>11</sup>

Over time, the thinking of Dutch jurists and indigenous scholars at the time resulted in the strengthening of customary law in various colonial legal policies, albeit little by little. During the struggle for independence, the use of the term customary law specifically was initially pioneered by the youth in 1928 at a youth congress. They agreed to include customary law as a unifier of the Indonesian nation and pledged customary law as the principles of Indonesian law in the future. This pledge is one of the obvious indicators of the modernization movement among the indigenous scholars, while retaining the cultural heritage of the earth itself as its main substance. At the congress, Moh. Koesnoe asserts that customary law has become the soul and content of the national legal order. As a precursor to the creation of an understanding of customary law belonging to the Indonesian nation that is different from *adatrecht* as given by Western academics, customary law experts made the decision of the congress a monumental event. In 1948, Soepomo academically used the term customary law in his dies speech at Gadjah Mada University. Since then, the term customary law has become more prevalent. However, the term *adatrecht* among academics is still used officially in several law faculties, for example at the Faculty of Law and Society of the University of Indonesia. The ideals and hopes of the Indonesian people who want customary law as a means of unifying the nation have given hope for the development of Indonesian customary law in the future. Amendments to the articles of the 1945 Constitution of the Republic of Indonesia (hereinafter: the 1945 Constitution) are now relevant to be used as a subject of discussion on the design of Indonesian national law.<sup>12</sup>

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<sup>11</sup> Ibid., h. 2.

<sup>12</sup> Yanis Maladi, "Eksistensi Hukum Adat Dalam Konstitusi Negara Pasca Amandemen," *Mimbar Hukum* 22, no. 3 (2010): 452.

## 2. The Role of Customary Law in the National Justice System

A legal system always has three elements or components according to Lawrence M. Friedman, namely elements of legal structure, legal substance and legal culture. In Customary Law, parts of its legal substance such as the abolition of customary courts and thus the abolition of its legal structure, have taken place post-independence Indonesia. In fact, customary court rulings are part of supporting the existence of Customary Law. When the enactment of Law No. 14 of 1970 concerning the Principles of Judicial Power, it was determined that the abolition of customary courts in Article 39, and based on the explanation of Article 39, it was stated that based on Law No. 1 Drt. of 1961 concerning temporary measures to Organize Unity, Structure, Power and Procedure of the Judiciary, Civil, in Article 1 paragraph (2) by the Minister of Justice has gradually abolished Customary Courts / Swapraja throughout Bali, Sulawesi, Lombok, Sumbawa, Timor, Kalimantan and Jambi. With Presidential Regulation No. 6 of 1966 concerning the Abolition of Customary Courts / Swapraja and the Establishment of State Courts in West Irian. The Presidential Regulation based on Law No. 5 of 1969 has been upgraded to Law.<sup>13</sup>

In focusing on the position of customary law in the Indonesian legal system, considering that customary law is a law that reflects the personality and soul of the nation, it is believed that some customary law institutions are certainly still relevant as material in shaping the Indonesian legal system.<sup>14</sup> Recognition of unwritten law was previously only explained or included in the General Explanation of the 1945 Constitution which in this case stipulates "... The Basic Law is a written basic law, while in addition to the Basic Law the enactment of an unwritten basic law, is the basic rules that arise and are maintained in the practice of state administration even though they are not written". In the sense that customary law which is generally unwritten has the same position as other laws in force in Indonesia considering the recognition of unwritten law in addition to the Basic Law itself.

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<sup>13</sup> Abdurrahman Konoras, "Eksistensi Hukum Islam Dan Hukum Adat Dalam Sistem Hukum Nasional," *Jurnal Ilmiah Al-Syir'ah* 14, no. 2 (2017): 10, <https://doi.org/10.30984/as.v14i2.370>.

<sup>14</sup> Lastuti Abubakar, "Revitalisasi Hukum Adat Sebagai Sumber Hukum Dalam Membangun Sistem Hukum Indonesia," *Jurnal Dinamika Hukum* 13, no. 2 (2013): 322.

The importance of strengthening customary justice has also received attention in the National Strategy on Access to Justice. The national strategy realizes that the role of customary courts at the village level has an important role and has become a place to solve problems faced by the community. Citing World Bank research, the national strategy shows that the biggest dispute resolution actors in poor communities are village governments (42%), indigenous leaders (35%) and police (27%).<sup>15</sup> This shows that poor people prefer to settle their cases in customary courts rather than take state legal routes. However, alternative solutions to cases in everyday life have been carried out for a long time through customary means or *community justice*. However, recognition of the existence of adat and *community justice* has not been explored much to resolve legal cases that occur in the community.

In its traditional form, customary law is characterized by its unwritten model of delivery in community life. The peculiarity of customary law lies in its oral tradition. It is through this oral tradition that the character of the custom is preserved and it is also through this tradition that the relationship between the past, present and future is maintained. Because information brought into communities is usually conveyed orally, customary laws are rarely codified. Customary law has never sought to be promulgated or codified systematically, as it is believed to be a direct manifestation of the sense of justice and propriety espoused by all members of the community. Hence, both the source and development of customary law are in the hands of the community and do not depend on the technical process of legislation.<sup>16</sup>

Meanwhile, in criminal justice practice, judges in examining, trying and deciding a case are bound by the principle of legality, which requires only the law or written law that can determine whether an act is a criminal act or not. Consequently, everything that a person can or cannot do must be enshrined in law.<sup>17</sup> However, the enactment of the principle of legality is not absolute, that is, it is still possible to be distorted as long as it does not reduce legal certainty. This happens because

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<sup>15</sup> Kelompok Kerja Akses terhadap Keadilan, *Strategi Nasional Akses Terhadap Keadilan* (Jakarta: Bappenas, 2009), 27.

<sup>16</sup> Ratno Lukito, *Hukum Sakral Dan Hukum Sekuler Studi Tentang Konflik Dan Resolusi Dalam Sistem Hukum Indonesia* (Jakarta: Pustaka Alvabet, 2008), 44.

<sup>17</sup> Pontang Moerad, *Pembentukan Hukum Melalui Putusan Pengadilan Dalam Perkara Pidana* (Bandung: Alumni, 2005), 8.



the issue of justice is taken into consideration and there are several regions in Indonesia that still treat customary criminal law. Moreover, some actions that according to people's legal awareness are reprehensible, the Criminal Code does not regulate them. In some regions in Indonesia, customary law and customary law are still obeyed by the community.

Within such a framework, customary law has an important role in the national justice system, because it performs functions that essentially complement the provisions of written law absorbed from unwritten law (customary law) as the living law of society. Customary law is one of the sources of law for court judges in deciding a case, through the process of law formation (*rechtvorming*) and legal discovery (*rechtvinding*).

In addition to these reasons, several other factors have paved the way for customary courts to continue functioning. First, national legal politics that do not absolutely reject the presence of forums or mechanisms for resolving cases or disputes outside the court. Second, there are still a number of acts that have not been determined as criminal acts in formal criminal law, but are regulated by the customary law system. Third, there are rules in state law that accept the binding nature of customary court decisions, using them as an excuse not to impose administrative sanctions on someone. Such provisions can be found in Law Number 11 of 2020 concerning Job Creation which states that a person who commits prohibited acts but has lived in or around a forest area for at least five years and has been given social sanctions or customary sanctions, will not be subject to administrative sanctions.<sup>18</sup>

Customary law is a living law, strong and active in the midst of society. The existence of customary law is in the form of values that live in the community even though it is not written, so that even though the customary law is not determined by the state (positivization), it still applies in the midst of society. Therefore, customary law as applicable law does not necessarily have to be seen from the application of sanctions, but customary law has been sufficiently declared applicable if there are statements expressed as statements of a sense of justice in the relationship of

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<sup>18</sup> Rikardo Simarmata, "Kedudukan Dan Peran Peradilan Adat Pasca-Unifikasi Sistem Peradilan Formal," *Jurnal Hukum* 4, no. 2 (2021): 283, <https://doi.org/10.22437/ujh.4.2.281-308>.

pamrih, which are declared to apply as uger-ugeran, so that customary law better guarantees the sense of justice needed by the community.<sup>19</sup>

### **3. Challenges in the Application of Customary Law as a Justice System in Indonesia**

The unique and diverse character of customary courts in various regions shows the side of legal pluralism which is both an opportunity and a challenge for efforts to resolve legal conflicts. This uniqueness can be read from, for example, the existence of customary courts that consider not only economic matters in legal conflicts, but also the issue of 'belief' (magical religio). In such a situation, there is a chance that customary courts will survive and be maintained for generations because they contain values and beliefs that are not easily replaced by formal legal logic. However, the challenge is not easy, because the existence of customary justice is so strong from various sides, politically and formally legally. This is related to the challenge of 'confession' which has not been resolved so far.

The debate on the recognition of the existence of customary courts is at least at three levels, namely:<sup>20</sup>

- a. Implicit recognition as a consequence of recognition of customary (legal) communities.

This implicit recognition is the most common form when the Constitution or Constitution of the Republic of Indonesia Year 1945 also recognizes the existence of customary law communities. This is also seen in a number of laws and regulations that provide recognition of the rights of indigenous peoples. Constitutional and legal recognition of the existence of indigenous peoples is also interpreted as 'automatic' recognition of the structural tools and laws that work within the customary law community. However, in practice, the rights of indigenous peoples born on the basis of customary law are often ignored by the state, as is the existence of customary judicial structures.

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<sup>19</sup> R Mayasari Eka, "Tantangan Hukum Adat Dalam Era Globalisasi Sebagai Living Law Dalam Sistem Hukum Nasional," *Journal Equitable* 2, no. 1 (2018): 112, <http://ejurnal.umri.ac.id/index.php/JEQ/article/view/819>.

<sup>20</sup> Pengkajian Hukum BPHN, "Peluang Dan Tantangan Peradilan Adat Dalam Sistem Hukum Indonesia Studi Kasus Peradilan Adat Yang 'Melibatkan Pihak Luar'" 3 (2013): 23.

b. Explicit recognition of the existence of customary courts

This explicit recognition can be seen from the many currently open recognitions through regional legal products, such as Regional Regulations (Perda), Governor Regulations (Pergub) or other legislation, which specifically recognize, 'establish' and 'regulate' the existence of customary courts. For example, Papua Special Region Regulation No. 20 of 2008 concerning Customary Courts in Papua.

c. Recognition of customary rulings

Recognition that does not place structural subordination to either the government structure or customary courts under the formal state power structure, is sufficient to recognize 'customary court rulings'. In practice, there has been no thought of speeding up such a formalization process, but experience in the judiciary shows that many formal judicial decisions have adopted customary law in determining or resolving disputes. The 'recording' model of customary decisions in public courts is a step, one of which emerged to read the relationship between customary courts and general courts. There is a fact of inconsistency, when there is recognition of indigenous peoples, but it is not followed by recognition of their customary courts and decisions, so that this raises a debate as to the extent of the constitutionalization of "recognition and respect for the rights of indigenous peoples/customary courts" stipulated in article 28I paragraphs 4 and 5 of the 1945 Constitution.

On this basis, the opportunity to strengthen customary justice has a strong foundation, as well as making it a counterweight in the Indonesian legal system, especially by prioritizing the work of customary justice in accordance with the principles of local wisdom, social justice and human rights.

The challenge is not small, due to the fact that the role of customary justice has not been well recognized, while on the other hand the role of customary justice is also found to be limited, such as the limited involvement of women. In certain cases, it is very likely that it will be felt unfair if customary courts do not adopt the principles of gender justice and human rights. It is a challenge and not an easy job to change the situation of a society that has traditionally maintained a customary law system that is often found contrary to human rights principles

(non-discrimination, equality, human dignity, universalism, etc.). Nevertheless, this study shows how important it is to encourage customary justice mechanisms that adopt human rights principles. It is inevitable and needs to be opened up in the discussion, that there are also customary courts in the context of decentralization contaminated with formalized power, tend to be used to care for the interests of certain local powers. Meanwhile, on the other hand, there are still a number of affirmations of the process and decision of settlement through customary courts using certain laws and policies. There is resistance to the enforceability of human rights principles in an indigenous community that affects the work of customary courts.<sup>21</sup>

Also, as revealed in this study, there is still the fact that customary court decisions are questioned again through state courts, or in a sense, outsiders undergo two trial forums (customary courts and state courts). Or even the resistance of customary justice processes by making counterpoints to the enforceability of formal law enforcement.

The unclear recognition of customary courts in laws and regulations has an impact on the existence of customary courts. The legal politics of judicial power that do not recognize judicial practices outside the state judiciary cause that models of peaceful case resolution that are commonly carried out by the community through customary courts are no longer easy to find space to implement. In addition, indigenous peoples began to be reluctant to use alternative cases through customary courts because of doubts about the prevailing power and coercive power of the customary court decisions themselves.<sup>22</sup>

In addition, until now there has been no guarantee of legal certainty regarding the management of customary rights of customary law communities. Where it must be made in more depth or detail the laws and regulations either can be in a Presidential Regulation or Government Regulation where it is clear under the law, whether it can be made in written form in terms of land rights or for its implementation. So that there is clarity on property rights from the customary law

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<sup>21</sup> Ibid., h. 25.

<sup>22</sup> I Ketut Sudantra, "Urgensi Dan Strategi Pemberdayaan Peradilan Adat Dalam Sistem Hukum Nasional," *Journal of Indonesian Adat Law (JIAL)* 2, no. 3 (2018): 136, <https://doi.org/10.46816/jial.v2i3.10>.

community in the future because so far customary law is known in the UUPA and also regulated in the 1945 Constitution, but the extent to which the existence of customary law can annul positive law is unclear.<sup>23</sup>

Solutions that can be done in improving the application of customary law in the justice system in force in Indonesia include: Revitalization of customary justice is also important to expand access to justice for the people, especially people in indigenous communities. With the strong and effective functioning of customary courts, the people can have other alternatives to obtain justice other than through state courts. In addition, there needs to be a clear recognition from the government written in writing about the position of customary law. So that existing problems can be resolved, and customary law can perform its functions properly.<sup>24</sup>

## Conclusion

The application of customary law in the justice system proved crucial. Customary courts have become a place to solve problems faced by communities in remote villages. In addition, most poor people prefer to settle their cases in customary courts rather than taking state legal routes. This shows that customary law still has an important position in the Indonesian justice system. However, in its implementation, the challenges faced are not small, due to the fact that the role of customary justice has not been well recognized. The unclear recognition of customary courts in laws and regulations has an impact on the existence of customary courts. Indigenous peoples began to be reluctant to use alternative cases through customary courts because of doubts about the prevailing power and coercive power of the customary court's own decisions. The government needs to provide a clear position of customary law in order to carry out its function as one of the laws in Indonesia.

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<sup>23</sup> Takwim Azami, "Dinamika Perkembangan Dan Tantangan Implementasi Hukum Adat Di Indonesia," *Qistie* 15, no. 1 (2022): 52, <https://doi.org/10.31942/jqi.v15i1.6487>.

<sup>24</sup> I Ketut Sudantra, "Urgensi Dan Strategi Pemberdayaan Peradilan Adat Dalam Sistem Hukum Nasional," 138.

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