Position of Customary Courts in Pancasila and the 1945 Constitution

Doris Rahmat[1], Rian Saputra[2]
doris_rahmat@yahoo.com[1], riansaputra@yahoo.com [2]

Faculty of Law, Universitas Slamet Riyadi, Indonesia

Article Info
Received: 11-09-2024
Revised: 11-11-2024
Accepted: 11-12-2024

Keywords:
Customary Justice; Customary Law; Pancasila; 1945 Constitution

Abstract

The purpose of this study is to examine the role of customary justice in Pancasila and the 1945 Constitution. The normative legal technique was employed in the research, which included numerous primary and secondary data sources such as the 1945 Constitution, regulations, legislation, court decisions, legal theories, and even scholarly opinions. The study's findings imply that Pancasila is necessary or coercive in nature. This means that anyone who is within the scope of the Unitary State of the Republic of Indonesia must respect Pancasila as a national outlook, including the State and the law itself. This means that the points of "Just and Civilized Humanity" and "social justice for all Indonesian people" which adhere to the principle of equal rights and justice must always be obeyed by all elements in the Republic of Indonesia. Pancasila is also a juridical-sociological basis, or in other words, it is the basis of norms and laws that live in society, and thus Pancasila has fulfilled the principles and basic values according to the development and needs of society and the State.

I. Introduction

One thing that is a special characteristic of Civil Courts in Indonesia is that even though in land disputes that have been submitted to general courts that are subject to regulations regarding property in general (Burns, 1981), in the panel of judges resolving the disputes being tried, the panel of judges will always pay attention to customary law that lives in the community, and will decide the case while still paying attention to customary law (Galanter, 1981). According to Kumurur & Kansil. (2022), states "law is a regulation that is mandatory, which determines human behavior in the community environment made by authorized official bodies, violations of which regulations result in action being taken, namely with certain penalties"

Customary Law can be said to be the civil law of Indonesian society (Buxbaum, 1968; Gauri, 2010; Joesoef, 2020). Customary justice has long historical roots in the life of Indonesian society (Lev, 2000; Henley, 2004; Azwar et al., 2019). As a traditional justice system, customary justice was born from the needs of indigenous people to resolve conflicts peacefully based on local norms, values, and customs passed down from generation to generation (Westra, 2012; Sheleff, 2013). In the context of Indonesia's diversity, customary justice is one manifestation of local wisdom that plays an important role in maintaining social harmony in various regions (Ufie et al., 2022; Sobaya et al., 2023; Gede Agung et al., 2024). However, the position of customary justice in the Indonesian legal system is often debated, especially when faced with a formal justice system based on positive law.

Pancasila and the 1945 Constitution, as the foundation of the state and the constitution of Indonesia, allow for the recognition and protection of customary law, as stated in Article 18B paragraph (2) of the 1945 Constitution, which stipulates that "The state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia." (Asfia et al., 2024).

However, the implementation of recognition of customary courts is often marked by various challenges, such as jurisdictional conflicts between customary law and national law, overlapping regulations, and differences in interpretation of the principles of justice. On the other hand, modernization and globalization have also brought significant changes to customary values, raising concerns about the erosion of local cultural identity (Stevenson, 1997; Turner, 2001; Chiu et al., 2011).

This study tries to delve deeper into the position of customary courts within the framework of Pancasila and the 1945 Constitution. By examining the aspects of legality, legitimacy, and its contribution to strengthening the national legal system, this study is expected to provide a comprehensive understanding of how

customary courts can continue to be relevant and function amidst the dynamics of modern law. This is important, not only to maintain the nation's cultural identity, but also to create an inclusive and just legal system for all Indonesian people.

2. Research Method

This study employs the normative legal research method, which focuses on the study of applicable legal norms, including those found in laws and regulations, doctrines, and court decisions (Van Hoecke & Warrington, 1998; Hutchinson & Duncan, 2012; Budianto, 2022). In the context of this research, the normative method is used to analyze the position of customary justice within the framework of Pancasila and the 1945 Constitution. This study analyzes various relevant laws and regulations, such as Article 18B paragraph (2) of the 1945 Constitution, Law No. 6 of 2014 concerning Villages, and various regional regulations governing customary justice.

In addition, a conceptual approach is also used to understand the concept of customary justice, its position in the national legal system, and how Pancasila becomes a philosophical foundation to accommodate the existence of customary justice (Ismantara, 2023; Setyawan, 2023). Then, to strengthen the historical basis, a historical approach is used to trace the history and development of customary justice in the lives of Indonesian society, as well as how it evolved to become part of the modern legal system. Finally, in an effort to explore the values of Pancasila that underlie the recognition of customary justice, such as the principles of social justice, just and civilized humanity, and the unity of Indonesia, a philosophical approach is used (Fathoni & Vasalo, 2023).

In normative legal research, data sources consist of the following: Primary Legal sources consist of the Constitution (UUD 1945), laws, government regulations, and regional regulations that regulate the existence of customary justice. Then the Secondary Legal sources, namely, Books, journals, scientific articles, and opinions of legal experts that discuss customary justice and its relevance to Pancasila and the 1945 UUD. And finally, Tertiary Legal sources such as Encyclopedias, legal dictionaries, and other documents that support the understanding of related basic concepts.

The data collection technique is carried out through document studies (library research), namely the collection of legal materials from various sources such as legal archives, libraries, and regulatory documents (du Plessis & du Toit, 2006; Lopatin, 2006). This aims to understand the legal norms that regulate customary justice and analyze their relationship to the state philosophy of Pancasila.

Furthermore, examining the suitability and consistency between higher regulations (the 1945 Constitution) and lower regulations (laws and regional

regulations). And finally, drawing conclusions based on the results of the normative analysis to determine how customary courts can contribute to strengthening the national legal system without conflicting with the values of Pancasila. By using this normative legal method, the study is expected to be able to provide a comprehensive study related to the position of customary courts within the framework of Pancasila and the 1945 Constitution. This also emphasizes the importance of customary courts in maintaining justice, social harmony, and legal diversity in Indonesia.

3. Results and Discussion

In the laws and regulations in Indonesia, customary rights and customary justice are recognized, respected and protected, meaning that the existence of customary justice and customary rights are recognized and protected from all disturbing actions by anyone (Bedner & Huis, 2008; Zurnetti & Muliati, 2022). In Pancasila, there is actually a principle of equality and protection for all citizens of Indonesia (Iskandar, 2016). As the philosophical basis of the State, Pancasila has an imperative or coercive nature. This means that anyone who is within the scope of the Unitary State of the Republic of Indonesia must respect Pancasila as a national outlook, including the State and the law itself. This means that the points of "Just and Civilized Humanity" and "social justice for all Indonesian people" which adhere to the principle of equal rights and justice must always be obeyed by all elements in the Republic of Indonesia (Nugroho, 2022).

Pancasila is also a juridical-sociological basis, or in other words, it is the basis of norms and laws that live in society (Pasamai & Aswari, 2023), and thus Pancasila has fulfilled the principles and basic values according to the development and needs of society and the State. Therefore, the Pancasila points that regulate equal rights and justice also apply to Indigenous communities, and must also be perceived through philosophical, legal and sociological perspectives (Siregar, 2024). Indigenous communities according to Merlan (2009) are a group of citizens who have genealogically the same ancestors, live in a place, have the same life goals within the framework of values and norms, still apply a binding Customary system, are led by a Customary chief, coordinate the administration of power and the existence of dispute resolution institutions in their communities.

Indigenous communities are also philosophically recognized and considered equal as citizens and at the same time independent communities based on historical and cultural existence. The legal answer for this subject is found in the second amendment to the 1945 Constitution (second amendment), which contains two paragraphs that recognize and respect the rights of Indigenous legal communities, specifically Article 18 B paragraph (2) and Article 28 I paragraph (3). Article 18 of the 1945 constitution, which originally only consisted of one paragraph, was changed to 7 paragraphs plus Article 18 A consisting of two paragraphs and Article

18 B also consisting of two paragraphs. Article 18 B paragraph (2) of the 1945 Constitution (Riqiey & Huda, 2024), for example, contains provisions on the recognition and respect of customary rights which read as follows: "

> The State recognizes and respects customary law community units along with their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are regulated by law."

The word "respect" in Article 18 of the 1945 Constitution is less clear. According to the Great Dictionary of the Indonesian Language, the meaning of respect includes: recognizing and obeying (regarding rules, agreements): we will agree and the agreements we have made. Based on the word respect, the Republic of Indonesia must respect (meaning recognizing and obeying), the existence of customary law communities and their customary government, and customary rights to land owned by customary law communities (customary rights) and individual rights to land regulated in customary land law. Article 28, which originally also only consisted of one paragraph, has changed to Article 28 A to Article 28 paragraph (1). Article 28 paragraph (1) consists of (5) paragraphs, paragraph (3) contains provisions on recognition and respect for customary rights as follows: "Cultural identity and the rights of traditional communities are respected in line with the development of the times and civilization". The rights of traditional communities include customary rights. Based on Article 18 B paragraph (2) and Article 28 I paragraph (3) of the 1945 Constitution (Eddyono, 2017). Customary rights are the collective rights of indigenous peoples over certain areas that include land, water, and natural resources. This right is recognized as part of the traditional rights protected by Article 18B paragraph (2) and Article 28I paragraph (3). What is often forgotten is that the relationship between indigenous peoples and the environment is not only physical, but also spiritual and cultural, so they have a responsibility to preserve nature.

Constitutionally, indigenous peoples receive recognition. However, at the implementation level, there are still various obstacles such as agrarian conflicts, criminalization of indigenous peoples, and weak law enforcement. Infrastructure development and exploitation of natural resources often sacrifice customary rights. For example, the case of the development of national strategic projects (PSN) which did not involve indigenous communities in the consultation process. Recognition of customary rights not only protects indigenous communities but also supports environmental sustainability. Customary law often includes ecological principles that are relevant to nature conservation.

Recognition and protection of indigenous peoples' rights, especially customary rights, are important elements in realizing social justice and environmental sustainability. Although Article 18B paragraph (2) and Article 28I paragraph (3) of the 1945 Constitution provide a strong constitutional foundation, implementation

in the field requires clearer regulations, consistent law enforcement, and greater respect for indigenous communities. Therefore, synergy between indigenous communities, the government, and other stakeholders is the main key to ensuring that these rights are effectively protected.

Customary justice is constitutionally legitimate, as stated in Article 18B paragraph (2) of the 1945 Constitution, which provides that the state recognizes and protects customary law communities and traditional rights. Several laws incorporate customary justice, including: 1) Law No. 6 of 2014 on Villages, which recognizes customary law communities as part of village government (Antlöv et al., 2016); 2) Law No. 48 of 2009 on Judicial Power, which stipulates that formal courts must pay attention to customary law in the law enforcement process (Hidayat et al., 2018). Customary justice is a manifestation of the implementation of Pancasila values, especially: 1) The Third Principle (Unity of Indonesia): Customary justice contributes to maintaining social harmony through a consensus-based dispute resolution mechanism; 2) The Second Principle (Just and Civilized Humanity): Customary dispute resolution is oriented towards restorative justice, which prioritizes the restoration of social relations rather than punishment alone; 3) The Fifth Principle (Social Justice for All Indonesians): Customary justice provides access to justice for people in remote areas who have difficulty reaching the formal justice system.

In the era of modernization, customary justice remains relevant as a means of resolving disputes that is fast, efficient, and rooted in local values. However, the main challenge is the harmonization between customary law and national law, which often results in overlapping or conflicting jurisdictions. Recognition of customary justice shows that the Indonesian legal system is not only based on positive law, but also accommodates the diversity of local norms and values. This recognition is in line with the values of Pancasila which uphold legal and cultural pluralism.

Article 18B paragraph (2) of the 1945 Constitution serves as the constitutional foundation for customary justice (Jusdin, 2019), which provides space for indigenous peoples to maintain their traditional justice system. However, this recognition is conditional, namely that customary law must remain relevant, develop according to the needs of the times, and not conflict with national legal principles.

Socially, customary justice is an important mechanism in resolving local conflicts with an approach based on cultural wisdom (Eko & Putranto, 2021). Dispute resolution through customary justice is often more acceptable to local communities because of its participatory, informal nature, and orientation towards restoring relationships. From a philosophical perspective, customary justice reflects the noble values of Pancasila, especially in terms of social justice. In customary justice, conflict resolution not only considers the perpetrators and victims, but also the impact on

the community. This is different from the positive legal approach which tends to be more formal and repressive.

Despite its many advantages, the integration of customary justice into the national legal system faces several challenges: 1) Jurisdictional Conflict. Customary justice often clashes with formal justice in handling certain cases, such as agrarian disputes or criminal cases; 2) Consistency of Recognition. Not all regions have the same policies in recognizing and empowering customary justice, so there are disparities in implementation in various regions; 3) Modernization and Globalization. Rapid social change often erodes customary values that are the basis of customary justice, thus potentially weakening its existence. Customary justice is an integral part of the Indonesian legal system which has a strong position in Pancasila and the 1945 Constitution. However, in order for customary justice to continue to be relevant and contribute to the national legal system, it is necessary to harmonize regulations, empower indigenous communities, and strengthen recognition of its existence. Through these steps, customary justice will not only become a symbol of legal diversity, but also a real solution in creating justice and social harmony in Indonesia. Customary law has long been established and applied even before the existence of modern states and laws. Society and customary law are the foundation of a system that has been running for hundreds of years. Changes in the world system such as the concept of a modern state in the early 20th century in Asian and African countries have raised a discourse of doubt in indigenous communities that are considered backward and far from the category of modern life. Is this the influence of Capitalism as conveyed by Antonio Gramsci regarding cultural hegemony. Therefore, this needs to be studied further with the approach and analysis of Antoni Gramsci's cultural hegemony theory.

4. Conclusion

Indigenous Peoples are also philosophically recognized and considered equal as citizens and at the same time independent communities based on historical and cultural existence. Customary justice is one of the important elements of the legal system in Indonesia, which reflects the cultural diversity and local wisdom of indigenous peoples. As part of the national identity, customary justice has a significant position within the framework of Pancasila and the 1945 Constitution. Pancasila, as the foundation of the state and the nation's outlook on life, provides a philosophical basis for the recognition of customary justice. The values of Pancasila, such as social justice (Fifth Principle), just and civilized humanity (Second Principle), and Indonesian unity (Third Principle), encourage respect for the existence of customary justice as a means of resolving disputes in society. Customary justice reflects the application of justice values based on consensus and social harmony, which are consistent with the great objectives of Pancasila. This shows that customary justice has constitutional legitimacy as part of the national legal system.

Customary justice plays a role in strengthening the national legal system by

providing a dispute resolution mechanism based on local values and cultural wisdom. This role is especially important in areas that are far from access to the formal justice system. In addition, customary justice also supports the creation of inclusivity and diversity in the application of law in Indonesia, so that national law becomes more responsive to the needs of customary communities.

In the era of modernization and globalization, customary justice remains relevant as part of a legal solution based on a cultural approach. By following the values of Pancasila and the 1945 Constitution, customary justice can contribute to the development of fair, inclusive law rooted in the identity of the Indonesian nation. Thus, the place of customary justice in Pancasila and the 1945 Constitution not only shows appreciation of Indonesia's legal variety, but also shows the state's commitment to maintaining social harmony, justice, and the nation's cultural identity. Customary justice, with all its potential, must continue to be empowered and protected so that it remains an integral part of the Indonesian legal system that is just and has personality.

References

Antlöv, H., Wetterberg, A., & Dharmawan, L. (2016). Village Governance, Community Life, and the 2014 Village Law in Indonesia. *Bulletin of Indonesian Economic Studies*, *52*(2), 161–183. https://doi.org/10.1080/00074918.2015.1129047

Asfia, H., Wijaya, A., D. Bangas, K., & Milionhart, B. (2024). The Effectiveness of Recognizing the Existence of Traditional Institutions in Indonesia Based on The Constitution. *Advances In Social Humanities Research*, *2*(9), 1126–1135. https://doi.org/10.46799/adv.v2i9.285

Azwar, W., Muliono, M., Permatasari, Y., Akmal, H., Ibrar, S., & Melisa, M. (2019). Nagari Customary Justice System in West Sumatra. *Jurnal Bina Praja*, 53–62. https://doi.org/10.21787/jbp.11.2019.53-62

Bedner, A., & Huis, S. van. (2008). The return of the native in Indonesian law: Indigenous communities in Indonesian legislation. *Bijdragen Tot de Taal-, Land- En Volkenkunde / Journal of the Humanities and Social Sciences of Southeast Asia*, *164*(2), 165–193. https://doi.org/10.1163/22134379-90003655

Budianto, A. (2022). Legal Research Methodology Reposition in Research on Social Science. *International Journal of Criminology and Sociology*, *9*, 1339–1346. https://doi.org/10.6000/1929-4409.2020.09.154

Burns, J. J. (1981). Civil Courts and the Development of Commercial Relations: The Case of North Sumatra. *Law & Society Review*, *15*(2), 347–368. https://doi.org/10.2307/3053609

Buxbaum, D. C. (1968). Customary Law and Modernization in Indonesia. In *Family Law and Customary Law in Asia* (pp. 3–16). Springer Netherlands. https://doi.org/10.1007/978-94-017-6216-8_1

Chiu, C., Gries, P., Torelli, C. J., & Cheng, S. Y. Y. (2011). Toward a Social Psychology of Globalization. *Journal of Social Issues*, *67*(4), 663–676. https://doi.org/10.1111/j.1540-4560.2011.01721.x

du Plessis, T., & du Toit, A. S. A. (2006). Knowledge management and legal practice. *International Journal of Information Management*, *26*(5), 360–371. https://doi.org/10.1016/j.ijinfomgt.2006.06.003

Eddyono, L. W. (2017). The Unamendable Articles of the 1945 Constitution. *Constitutional*

Review, *2*(2), 252. https://doi.org/10.31078/consrev225

Eko, B. S., & Putranto, H. (2021). Face Negotiation Strategy Based on Local Wisdom and Intercultural Competence to Promote Inter-ethnic Conflict Resolution: Case Study of Balinuraga, Lampung. *Journal of Intercultural Communication Research*, *50*(5), 506–540. https://doi.org/10.1080/17475759.2021.1898450

Fathoni, M. Y., & Vasalo, A. F. (2023). Establishment of Land Court in Indonesia: an effort to realise justice based on Pancasila. *Journal of Law, Environmental and Justice*, *1*(2), 86–104. https://doi.org/10.62264/jlej.v1i2.6

Galanter, M. (1981). Justice in many Rooms: Courts, Private Ordering, and Indigenous Law. *The Journal of Legal Pluralism and Unofficial Law*, *13*(19), 1–47. https://doi.org/10.1080/07329113.1981.10756257

Gauri, V. (2010). Customary Law and Economic Outcomes in Indonesia. *Hague Journal on the Rule of Law*, *2*(01), 75–94. https://doi.org/10.1017/S1876404510100049

Gede Agung, D. A., Nasih, A. M., Sumarmi, Idris, & Kurniawan, B. (2024). Local wisdom as a model of interfaith communication in creating religious harmony in Indonesia. *Social Sciences & Humanities Open*, *9*, 100827. https://doi.org/10.1016/j.ssaho.2024.100827

Henley, D. (2004). Conflict, Justice, and the Stranger-King Indigenous Roots of Colonial Rule in Indonesia and Elsewhere. *Modern Asian Studies*, *38*(1), 85–144. https://doi.org/10.1017/S0026749X04001039

Hidayat, H., Yogaswara, H., Herawati, T., Blazey, P., Wyatt, S., & Howitt, R. (2018). Forests, law and customary rights in Indonesia: Implications of a decision of the Indonesian Constitutional Court in 2012. *Asia Pacific Viewpoint*, *59*(3), 293–308. https://doi.org/10.1111/apv.12207

Hutchinson, T., & Duncan, N. (2012). Defining and describing what we do : doctrinal legal research. *Deakin Law Review*, *17*(1), 83–119. https://search.informit.org/doi/10.3316/agis_archive.20125043

Iskandar, P. (2016). The Pancasila Delusion. *Journal of Contemporary Asia*, *46*(4), 723–735. https://doi.org/10.1080/00472336.2016.1195430

Ismantara, S. (2023). The Urgency of Reconstructing Indonesia's Justice System Towards Recognition of Customary Justice Institutions. *West Science Law and Human Rights*, *1*(04), 225–234. https://doi.org/10.58812/wslhr.v1i04.318

Joesoef, I. E. (2020). The Idea of Customary Law Community Representation in the Regional Representative Council. *Unnes Law Journal*, *6*(1), 119–142. https://doi.org/10.15294/ulj.v5i2.26984

Jusdin, S. Z. K. (2019). The Position Of The Right To Residence Of The Indigenous People Of Torsiaje Is Seen From Article 18B Of The 1945 Constitution. *Estudiante Law Journal*, *1*(2), 458–473. https://doi.org/10.33756/eslaj.v1i2.13036

Kumurur, O. L., & Kansil., C. S. T. (2022). *Legal Protection of Consumer Rights Related to Misuse of Used Antigen Rapid Test Medical Devices Based on Law Number 8 of 1999 Concerning Consumer Protetion*. https://doi.org/10.2991/assehr.k.220404.081

Lev, D. S. (2000). Colonial Law and the Genesis of the Indonesian State. In *Legal Evolution and Political Authority in Indonesia* (pp. 13–31). Brill | Nijhoff. https://doi.org/10.1163/9789004478701_004

Lopatin, L. (2006). Library digitization projects, issues and guidelines. *Library Hi Tech*, *24*(2), 273–289. https://doi.org/10.1108/07378830610669637

Merlan, F. (2009). Indigeneity. *Current Anthropology*, *50*(3), 303–333. https://doi.org/10.1086/597667

Nugroho, A. F. (2022). LEGAL PROTECTION FOR VICTIMS OF FAIR TRIAL RIGHTS AS A FORM OF HUMAN RIGHTS PROTECTION IN THE INDONESIAN JUSTICE SYSTEM. *POLICY, LAW, NOTARY AND REGULATORY ISSUES (POLRI)*, *2*(1), 1–12. https://doi.org/10.55047/polri.v2i1.493

Pasamai, S., & Aswari, A. (2023). Sociology of Law Perspectives on Security, Population,

and Local Wisdom Issues. *Substantive Justice International Journal of Law*, *6*(1), 17. https://doi.org/10.56087/substantivejustice.v6i1.215

Riqiey, B., & Huda, M. A. (2024). Interpreting Article 22(2) of the 1945 Constitution of the Republic of Indonesia Post Constitutional Court Decision 54/PUU-XXI/2023. *Ikatan Penulis Mahasiswa Hukum Indonesia Law Journal*, *4*(1), 24–37. https://doi.org/10.15294/ipmhi.v4i1.76687

Setyawan, V. (2023). Pancasila As A Philosophical Basis Of Law Formation In Indonesia. *NUSANTARA: Journal Of Law Studies*, *2*(1 SE-Articles), 1–8. https://juna.nusantarajournal.com/index.php/juna/article/view/29

Sheleff, L. S. (2013). *The Future of Tradition*. Routledge. https://doi.org/10.4324/9780203044995

Siregar, I. (2024). Assessing Religious Obligations: A Phenomenological Approach to Value and Legal Perspectives. *Polit Journal Scientific Journal of Politics*, *4*(1), 1–14. https://doi.org/10.33258/polit.v4i1.1016

Sobaya, S., Pusparini, M. D., & Achiria, S. (2023). Javanese local wisdom values for development from an Islamic perspective. *Journal of Islamic Economics Lariba*, *9*(1), 57–78. https://doi.org/10.20885/jielariba.vol9.iss1.art4

Stevenson, N. (1997). Globalization, National Cultures and Cultural Citizenship. *The Sociological Quarterly*, *38*(1), 41–66. https://doi.org/10.1111/j.1533-8525.1997.tb02339.x

Turner, B. S. (2001). Cosmopolitan Virtue: On Religion in a Global Age. *European Journal of Social Theory*, *4*(2), 131–152. https://doi.org/10.1177/13684310122225046

Ufie, A., Oruh, S., & Agustang, A. (2022). Maintaining Social Harmony Through Historical Learning Based on Local Wisdom of Indigenous Peoples in Maluku. *Historia: Jurnal Pendidik Dan Peneliti Sejarah*, *5*(1), 27–36. https://doi.org/10.17509/historia.v5i1.39974

Van Hoecke, M., & Warrington, M. (1998). Legal Cultures, Legal Paradigms and Legal Doctrine: Towards a New Model for Comparative Law. *International and Comparative Law Quarterly*, *47*(3), 495–536. https://doi.org/10.1017/S0020589300062163

Westra, L. (2012). *Environmental Justice and the Rights of Indigenous Peoples*. Routledge. https://doi.org/10.4324/9781849771177

Zurnetti, A., & Muliati, N. (2022). Customary criminal law policy on domestic violence settlement through restorative justice. *Cogent Social Sciences*, *8*(1). https://doi.org/10.1080/23311886.2022.2090083