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Model for Empowering Traditional Leaders in Resolving Customary Conflicts Based on Local Wisdom in Indonesia

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ABSTRACT

Customary conflicts in Indonesia continue to escalate as the strategic value of land and natural resources in customary areas increases. The existence of customary institutions and customary leaders as conflict resolution actors is often marginalized by the dominance of state law, which is not always compatible with local value systems. This study aims to develop a conceptual model for empowering traditional leaders in resolving customary conflicts, grounded in the principles of legal pluralism, restorative justice, and community empowerment. The research employs a normative-empirical legal method with a descriptive qualitative approach, grounded in a comprehensive literature review of national and international sources. The study's results indicate that the social legitimacy of indigenous leaders, regional regulatory support, and the synergy between indigenous institutions and village governments have a significant influence on the effectiveness of indigenous conflict resolution. The proposed empowerment model encompasses strengthening the legal basis of traditional deliberations, enhancing the mediation capacity of traditional leaders, mapping traditional territories, and promoting active participation in investment decision-making. These findings are expected to contribute academically and practically to strengthening traditional institutions in the governance of agrarian conflict resolution in Indonesia.

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INTRODUCTION

Indonesia is an archipelagic country with a rich diversity of cultures and a strong customary legal tradition, which remains alive in the social practices of indigenous communities across various regions. In 2023, a total of 26.9 million hectares of indigenous territories were mapped and registered across the archipelago, spread across 32 provinces and 155 regencies/cities. Of this total area, only around 221,000 hectares have received formal legal recognition from the government (BRWA, 2023). This situation indicates that the majority of customary territories in Indonesia lack legal certainty recognized by the state, making them vulnerable to overlapping ownership claims, boundary disputes, and potential conflicts between indigenous communities and government authorities or private companies. This phenomenon indicates that agrarian issues in Indonesia are not only related to formal legal aspects but are also closely linked to the existence of customary law, which serves as the foundation for the traditional control and utilization of land within indigenous communities. Customary law plays a vital role in regulating communal land in various regions, with adaptive and effective conflict resolution mechanisms based on customary deliberation at the community level, although it often conflicts with the positivist national legal system (Simbolon, 2025).

However, legal modernization and accelerated infrastructure development over the past two decades have had a direct impact on the existence of customary territories and customary legal institutions in various regions. Large-scale projects, such as special economic zones, mining, and plans to build a new national capital, often cause friction and conflict with local indigenous communities

who have long depended on customary land for their livelihoods (Bakri, 2024). Customary law rooted in the traditions of indigenous communities plays an important role in alleviating tensions and managing social conflicts related to the control of customary land (Myaskur & Wahyudiono, 2024). However, according to Abidin and Firmansyah (2024), the lack of formal recognition of customary institutions and the absence of local regulations protecting the rights of indigenous communities have led to the resolution of customary conflicts in many regions being often overlooked by the government, with their resolution instead being referred to the state legal system, which is not always compatible with local values. This has become one of the primary factors contributing to the increase in horizontal conflicts between communities and tensions between indigenous communities and local governments (Abidin & Firmansyah, 2024).

Agrarian conflicts and disputes over customary land in Indonesia are not a new phenomenon, but have been ongoing for generations, especially in areas rich in natural resources and inhabited by strong indigenous communities. Data from the Agrarian Reform Consortium (KPA) in 2023 recorded 241 outbreaks of agrarian conflict involving a total land area of 638,188 hectares, including agricultural land, customary territories, fishing grounds, and community settlements. This situation is exacerbated by state policies that often grant concessions to corporations without going through consultation and approval mechanisms with indigenous communities, leading to various conflicts and violations of land rights. In addition, the weak formal legal recognition of customary territories often positions indigenous communities as unauthorized parties in decision-making regarding the land they have managed for generations. This situation has led to increased criminalization of indigenous people, evictions, and social tensions that are difficult to resolve fairly through formal state legal mechanisms (KPA, 2024). Conflicts over customary land ownership in forest areas are one example of how customary law and state law often conflict with each other, and resolutions through formal judicial channels tend to ignore communal customary rights (Kurnia et al., 2024).

Similar tensions also exist in the management of customary territories in Kalimantan, Sulawesi, and Sumatra, where a clash arises between customary legal systems that regulate customary rights and national legislation that prioritizes formal legal aspects (Sunarno & Khan, 2023). Rubiati (2024) notes that the weak existence of regional regulations accommodating customary institutions and local wisdom has led to many customary decisions lacking legal standing in the eyes of local governments and law enforcement agencies. As a result, indigenous communities lose legal access to their customary lands and are forced to resolve conflicts through informal channels or social protests. Rubiati emphasizes that without the revitalization of customary institutions and the strengthening of the legal position of customary law in regional policies, agrarian conflicts in customary areas will continue and have the potential to trigger wider social conflicts (Rubiati, 2024).

Not only at the local level, social forestry governance in Indonesia shows that forestry conflicts involving indigenous peoples are generally caused by weak local institutional capacity and minimal involvement of indigenous communities in the licensing and decision-making processes (Lawasi et al., 2024). The overlap between indigenous peoples' claims to customary forests and concessions issued by the central government further complicates the situation, especially when local governments lack sufficient authority to renegotiate these concessions. In many cases, this places indigenous peoples at a disadvantage. It is important to strengthen collaborative mechanisms that actively involve indigenous peoples, both vertically and horizontally, as a strategy to mitigate the increasing number of forestry conflicts. These findings reinforce the argument that excluding indigenous institutions from forest governance will only increase the potential for social conflict in indigenous territories.

Many studies have been conducted by academics on the role of customary institutions in resolving customary conflicts in Indonesia in various regional contexts and issues. Hutabarat and Pangaribuan (2025) emphasize that customary deliberation mechanisms and the imposition of

customary fines remain the dominant methods for resolving conflicts in customary communities, particularly in cases involving violations of customary norms and land disputes. The research indicates that customary-based resolution has a stronger restorative justice dimension than formal justice, as it considers social relationships and moral balance within the community. Unfortunately, the lack of formal legal support means that customary decisions are often not recognized by local governments, thereby hindering the effectiveness of conflict resolution based on customs (Hutabarat & Pangaribuan, 2025).

Syahrul et al. (2024) reviewed the role of the Ammatoa Customary Institution in Kajang, Bulukumba, in handling customary violations and social offenses. The success of customary institutions in resolving various forms of social conflict was supported by the community's trust in the moral authority of customary leaders (Syahrul et al., 2024). It is emphasized that the decisions of the customary institution are not only final within the community but are also socially accepted because they are based on shared traditional values. However, the lack of recognition from the government causes the customary institution to face difficulties when dealing with matters related to external interests such as investment and land permits.

In addition, Madina (2024) showed the effectiveness of verbal institutions as customary institutions in resolving marital conflicts and other social issues in the Batak Angkola community. These institutions are considered capable of reducing the potential for prolonged conflict because they combine customary mediation with religious values and community social norms. Madina also notes that the involvement of traditional leaders in every conflict resolution process plays a crucial role in maintaining social balance and restoring relationships between families in dispute. However, challenges still arise when traditional institutions clash with national legal norms, necessitating the revitalization of traditional institutions and the harmonization of rules to avoid dualism in conflict resolution (Madina, 2024).

Research on the role of customary institutions in resolving forestry conflicts has also been the focus of academic studies, especially in countries that apply the principle of legal pluralism. Madiong et al. (2023) revealed that conflicts are often triggered by overlapping claims of customary rights by indigenous peoples and concessions granted by the government in Gowa Regency, South Sulawesi. This study highlights that customary institutions have the effective capacity to resolve internal community conflicts through customary deliberation mechanisms and the application of restorative sanctions based on local values. Unfortunately, despite their proven strong social legitimacy, the strategic role of customary institutions is often overlooked in the formulation of formal forestry policies at the national and regional levels. Therefore, this study recommends the importance of legal recognition of customary institutions in forestry policy to prevent protracted conflicts in conservation areas and forest concessions (Madiong et al., 2023).

Rahmani et al. (2022) employed a participatory approach centered on forest restoration to promote the empowerment of indigenous peoples and local communities in the Harapan Rainforest, Jambi. The active involvement of indigenous leaders and institutions can help reduce social tensions and increase the success of land conflict resolution. They noted that without formal mechanisms recognizing customary decisions, the outcomes of customary deliberations are often ignored in forestry decision-making. Therefore, it is suggested that local values and formal regulations be harmonized by empowering customary institutions in national forestry policy (Rahmani et al., 2022).

On the other hand, Dhiaulhaq and McCarthy (2020) discuss the tension between customary law and state law in land management in Indonesia. They emphasize that the overlap between customary institutions and formal regulations, without adequate accommodation for customary consultation mechanisms, often leads to customary decisions being ignored in forestry policy. The study recommends strengthening the recognition of customary law through local regulations that favor

indigenous peoples, as well as training programs in customary mediation based on local wisdom to strengthen the strategic role of customary institutions (Dhiaulhaq & McCarthy, 2020).

The concept of legal pluralism is one of the important theoretical approaches in analyzing the resolution of customary conflicts in Indonesia. Legal pluralism refers to a situation in which more than one legal system coexists within a single society, comprising state law, religious law, and customary law (Griffiths, 1986). In the Indonesian context, customary law holds strong social legitimacy within indigenous communities, despite often being overlooked in the formal legal system. Dhiaulhaq and McCarthy (2020) emphasize that the overlap between customary law and national law without a precise accommodation mechanism has triggered various conflicts over land and natural resources in customary areas. Therefore, the theory of legal pluralism offers a framework for understanding the position of customary law as an autonomous legal system that requires harmonization with national law to facilitate fair and sustainable conflict resolution (Dhiaulhaq & McCarthy, 2020).

In addition, the concept of restorative justice is a crucial perspective for viewing non-litigious mechanisms for resolving customary conflicts. Restorative justice places a greater emphasis on restoring social relations, repairing moral harm, and reconciling conflicting parties, rather than simply imposing legal sanctions (Albuquerque, 2024). Community-based conflict resolution processes can reduce the potential for prolonged conflict because they directly involve victims, perpetrators, and the community in the deliberation process (Braithwaite, 2002). This finding aligns with Syahrul et al. (2024), who demonstrate that traditional deliberation in the Ammatoa community is more effective in reducing social tensions than formal court settlements. Therefore, the theory of restorative justice provides a crucial foundation for developing a model of traditional conflict resolution grounded in Indonesia's traditional institutions (Syahrul et al., 2024).

Furthermore, the theory of community empowerment serves as a framework for analyzing strategies to empower traditional leaders in resolving customary conflicts. Zimmerman (2000) defines psychological empowerment as the process of enhancing the capacity of individuals and groups within a community to control decisions and actions that affect their lives. In the context of indigenous communities, empowering indigenous leaders is crucial to strengthening their position in traditional deliberative forums and interactions with local governments. Jamin (2020) demonstrates that empowerment programs for indigenous communities in forest conflict resolution in Indonesia can strengthen the institutional legitimacy of traditional institutions in the eyes of the government. Therefore, the theory of community empowerment serves as the conceptual foundation for developing a model of indigenous leader empowerment that is competitive and contextually appropriate to the socio-cultural conditions of indigenous communities in Indonesia (Jamin, 2020).

Based on various national and international studies described above, it can be concluded that the existence of customary institutions and the role of customary leaders in resolving customary conflicts still face various structural and regulatory challenges. National studies, such as those conducted by Hutabarat and Pangaribuan (2025) and Syahrul et al. (2024), indicate that although customary institutions continue to be relied upon by indigenous communities to resolve internal conflicts, their legitimacy in the eyes of local governments and formal law is weak. This situation often results in customary decisions lacking enforcement power when they conflict with external interests such as investments, development projects, or corporate claims over customary land. On the other hand, international studies, such as those by Rahmani et al. (2022) and Dhiaulhaq and McCarthy (2020), also confirm that customary institutions can resolve conflicts based on local values; however, the national legal system has not yet fully accommodated the strategic position of customary institutions formally and systematically. This triggers a legal authority imbalance between the state and indigenous communities in the resolution of land and natural resource disputes.

In addition to the weak legal position of customary institutions, previous studies have also shown that efforts to empower customary leaders in the context of conflict resolution are still sporadic, incidental, and not yet structured in the form of a systematic program based on community needs. Madina (2024) and Madiong et al. (2023) demonstrate that while traditional consultations are effective in mitigating social tensions, without sustainable empowerment programs, the capacity of traditional leaders to address external conflicts remains severely limited. Furthermore, no structured model of traditional leader empowerment based on community empowerment has been identified, nor has it been integrated into regional or national policies. This academic gap serves as the foundational basis for the author to formulate a traditional leader empowerment model rooted in local wisdom, compatible with the principles of legal pluralism and restorative justice, while also adaptive to the contemporary social and political dynamics of Indonesia.

Based on the description of the problem, findings from previous studies, and identified academic gaps, this paper aims to formulate a conceptual model for empowering traditional leaders in resolving indigenous conflicts in Indonesia. The proposed model is designed based on the principles of legal pluralism, restorative justice values, and a community empowerment approach, thereby positioning traditional leaders as strategic actors in alleviating social tensions and managing customary land disputes in a fair, dignified, and sustainable manner. This paper was compiled using a literature review method, examining the latest national and international research results, policy documents, and legislation related to customary law and agrarian conflicts. It is hoped that the results of this study will contribute academically to the development of customary law theory in Indonesia, while also providing practical recommendations for local governments, customary institutions, and civil society organizations in designing effective, contextual, and community-oriented strategies for resolving customary conflicts.

METHOD

The type of research used in this paper is normative-empirical legal research. Normative legal research is intended to examine written legal norms, both those contained in legislation and other official legal documents, while the empirical aspect aims to analyze the application of these norms in social practice, particularly in customary law communities. According to Noor (2023), normative-empirical legal research is conducted to determine the extent to which a legal norm is effective in society and to observe the dynamics of law, not only from a textual perspective but also from the perspective of societal legal behavior. This approach is considered appropriate because conflicts over customary law in Indonesia are not only related to formal legal norms but also directly related to the existence of customary legal norms within a pluralistic legal system (Noor, 2023).

This study uses a descriptive qualitative approach. A qualitative approach is employed because this study aims to systematically, factually, and accurately describe the legal facts, customary conflict resolution practices, and the position of customary institutions within the national legal system. Disemadi (2022) states that the descriptive qualitative approach in legal research is useful for providing a comprehensive picture of the conditions of the object being studied, based on facts gathered through secondary data and field findings. This approach enables researchers to thoroughly explain the legal social phenomena occurring in indigenous communities, without distorting the facts obtained (Disemadi, 2022).

The data sources in this study are secondary, obtained through library research. The secondary data used includes primary, secondary, and tertiary legal materials. Primary legal materials include legislation related to customary law, customary land management, and agrarian conflict resolution in Indonesia. Meanwhile, secondary legal materials comprise previous research results, accredited national and international journal articles, legal methodology books, and reports from customary

institutions and civil society organizations involved in advocating for indigenous peoples. Tertiary legal materials, such as legal dictionaries and encyclopedias, were utilized to reinforce the definitions of key terms and concepts. The use of secondary legal materials in normative research is essential for interpreting legal provisions and understanding their sociological context (Chusnein & Putra, 2021).

Data collection techniques were employed through literature studies, involving the examination of various legal literature, official documents, legislation, journal articles, and government policy documents related to the resolution of customary conflicts and the empowerment of customary institutions. According to Disemadi (2022), a literature review is the primary method in normative legal research because it provides comprehensive legal information through the analysis of various relevant legal documents. In this study, data were obtained from national legal journal databases and reputable international journals. Additionally, data was obtained from the official website of Badan Registrasi Wilayah Adat (BRWA) and regional regulations available through the local government's JDIH portal and the Ministry of Law and Human Rights.

The data analysis process was conducted using qualitative descriptive analysis methods. According to Disemadi (2022), qualitative descriptive analysis involves processing, classifying, and analyzing the legal data obtained to facilitate a systematic and comprehensive understanding of the data. In this study, the data obtained from the literature review were classified into several thematic categories, namely (1) forms of customary conflicts and their causes, (2) the role of customary institutions in conflict resolution, (3) obstacles faced by customary institutions concerning national law, (4) practices of empowering customary leaders in several indigenous communities in Indonesia, and (5) models of customary conflict resolution based on customary law in other countries. Furthermore, the analysis results were interpreted to inform a conceptual model of empowering traditional leaders, grounded in local wisdom and legal pluralism.

Analysis of the data obtained using the theoretical framework of legal pluralism by Griffiths (1986), restorative justice theory by Braithwaite (2002), and community empowerment theory by Zimmerman (2000). These three theories were chosen because they are conceptually capable of explaining the relationship between customary law and national law, deliberative conflict resolution mechanisms, and the strengthening of indigenous community capacity. The theory of legal pluralism offers a perspective on the coexistence of customary law alongside formal state law. Restorative justice, on the other hand, emphasizes peaceful conflict resolution and the restoration of social relations. At the same time, community empowerment forms the basis for developing strategies to empower customary leaders, which are contextualized in accordance with local values.

RESULTS AND DISCUSSION

Customary conflicts in various regions of Indonesia are generally triggered by overlapping claims over customary lands that lack formal legal certainty. On the other hand, the government continues to issue concessions to private companies without considering the existence of indigenous peoples. This is in line with data from the Agrarian Reform Consortium (KPA, 2024), which recorded 241 outbreaks of agrarian conflict throughout 2023, with a total disputed area of 638,188 hectares, involving customary land and community settlement areas. Overlapping claims to indigenous lands with mining and plantation concessions are the dominant cause of agrarian conflicts in East Kalimantan and Papua (Bakker, 2023). These conflicts are not only horizontal between indigenous communities and transmigrants but also vertical between indigenous communities and the government, due to the weak formal legal recognition of indigenous territories that indigenous communities have recognized for generations.

In the context of pluralistic law in Indonesia, the existence of customary law, which should coexist with state law, is often marginalized due to the dominance of the positivist legal system.

Simbolon (2025) asserts that customary law has more adaptive conflict resolution mechanisms at the community level, but these are often ignored in the formal legal system. This finding aligns with Athallah et al. (2025), who highlight the weak position of customary decisions in the state judicial system, so that customary conflicts resolved through customary deliberation remain vulnerable to formal re-examination. Furthermore, the absence of robust regional regulations means that the decisions of customary institutions lack permanent legal force in the eyes of the authorities, thereby increasing the potential for social tension (Athallah et al., 2025).

The role of customary institutions in resolving agrarian conflicts remains an important pillar in indigenous communities. Hutabarat and Pangaribuan (2025) emphasize that customary deliberation mechanisms and the imposition of customary fines are still predominantly used to resolve disputes over customary land boundaries and violations of customary norms. Haq et al. (2025) also demonstrate that local customary institutions play a strategic role in mitigating conflict escalation through customary deliberation forums, although customary decisions do not yet have a legally binding force in front of local governments. This indicates that the social legitimacy of customary leaders and institutions remains strongly recognized within the community, even though it is not yet fully recognized by the national legal system (Haq et al., 2025).

The main obstacle to resolving customary conflicts lies in the imbalance of legal authority between customary law and state law. Abidin and Firmansyah (2024) highlight the lack of regional regulations that formally recognize customary institutions as official mediators in agrarian dispute resolution. This situation is exacerbated by investment licensing practices that do not involve consultation with indigenous communities, as noted by Pratiwi et al. (2024), who found that agrarian conflicts in Sulawesi and West Sumatra are generally triggered by the granting of land concessions without the involvement of local indigenous communities. The absence of consultation mechanisms is a factor that triggers conflicts, leading to social protests and the criminalization of indigenous peoples (Pratiwi et al., 2024).

Additionally, several studies have demonstrated the importance of empowering traditional leaders as a strategy for conflict prevention and resolution. Madina (2024) demonstrated that the pranata tutur (verbal code) in the Batak Angkola community was effective in mitigating social conflicts rooted in customs, as it integrated religious values, social norms, and the moral authority of traditional leaders. Similar findings were also reported by Rahmani et al. (2022), who found that the involvement of traditional leaders in land conflict resolution reduced social tension and strengthened the legitimacy of traditional decisions within the community in the Harapan Rainforest, Jambi. This finding is reinforced by Jamin (2020), who demonstrates that empowerment programs for indigenous communities in Indonesia can enhance the institutional position of customary institutions in addressing natural resource disputes, provided they are accompanied by mediation training grounded in local wisdom.

One of the most common forms of customary conflict in Indonesia is disputes over customary boundaries between indigenous communities or between indigenous peoples and administrative villages. Such disputes are generally triggered by discrepancies between maps of customary boundaries and village administrative boundaries established by the government, as well as overlapping claims resulting from the issuance of concession licenses without the involvement of indigenous peoples. Kurnia et al. (2024) explain that the unclear boundaries of customary territories cause vulnerability to conflict escalation, especially when there is land conversion or strategic government investment in customary areas. Tensions between indigenous communities in Sulawesi and West Sumatra are often triggered by claims of overlapping territories, exacerbated by the absence of formally recognized maps of indigenous territories (Alfian et al., 2025; Nugroho et al., 2025). Customary boundary conflicts not only impact inter-community relations but also have direct

implications for the legitimacy of customary decisions, as customary deliberation decisions regarding boundaries have no legal force before government officials (Sahari, 2022). This condition places customary institutions in a vulnerable position and often marginalizes them in the process of resolving agrarian conflicts.

Conflicts over customary land rights do not only occur between indigenous communities or between indigenous peoples and the government, but also often involve private companies that obtain land concessions over customary territories without the consent of the community. The mechanism of consultation and consent of indigenous peoples, specifically free, prior, and informed consent (FPIC), is still rarely implemented effectively in Indonesia, despite being regulated in various international legal instruments (Ketaren & Prawira, 2024). Haq et al. (2025) showed that the majority of agrarian conflicts in East Kalimantan's Capital City of the Archipelago (IKN) area were caused by the granting of land concession licenses without a legitimate customary deliberation mechanism. The absence of customary institutions in the licensing process triggered social tensions and led to protests and the criminalization of indigenous people who defended their territories. The lack of legal recognition of the results of customary deliberations in many regions means that customary decisions are often ignored in local government decision-making regarding business licenses in customary areas (Pertiwi et al., 2025).

In various indigenous communities, the customary deliberation mechanism remains the primary method for resolving agrarian conflicts and customary land disputes. In customary deliberations, decisions are made through a mutual agreement among customary stakeholders, based on traditional values, social balance, and family relationships (Katong et al., 2023). This differs from formal judicial procedures, which are rigid and tend to overlook aspects of communal morals. The community more widely accepts decisions resulting from customary deliberations because they take into account the social, religious, and historical aspects inherent in community life (Alpha & Tumelo, 2024). Interestingly, Gayo (2024) found that, in some areas, adat institutions have even begun to form joint adat forums across villages to resolve conflicts between customary territories due to overlapping customary boundaries. This practice demonstrates the capacity of customary institutions to foster a collaborative, wisdom-based approach to conflict resolution (Gayo, 2024).

Although the effectiveness of adat deliberation in resolving conflicts at the community level has been widely recognized, problems arise when adat decisions must address external interests, such as corporate investment or strategic development projects. Madina (2024) notes that without formal recognition from the government, customary deliberation decisions are often ignored, especially when they conflict with the interests of financiers. This is reinforced by Madiong et al. (2023), who demonstrate that in the Gowa region of South Sulawesi, customary deliberation decisions related to customary forest management often lack force before local government or law enforcement officials. Jamin (2020) even suggests the importance of implementing community empowerment schemes systematically, so that the capacity of customary institutions increases and they can advocate for customary decisions in the regional policy realm. Thus, the sustainability of customary deliberation mechanisms is highly dependent on formal policy support and structured programs that empower customary institutions.

Several recent studies have also highlighted the importance of collaboration between customary institutions and local governments in resolving agrarian conflicts sustainably. Lawasi et al. (2024) assert that without a formal dialog space between the government and indigenous communities, the resolution of agrarian conflicts in social forestry areas will continue to experience deadlock. This is reinforced by Rahmani et al. (2022) in the Harapan Rainforest, Jambi, which shows that the involvement of customary institutions in the conflict area management coordination forum can reduce the potential for physical clashes and accelerate the resolution of land conflicts. In addition,

Nugroho et al. (2025) found that the success of customary conflict resolution in West Sumatra depends on the synergy of customary institutions, community leaders, and village officials in the agrarian conflict mediation process. This practice demonstrates that formal and informal institutional partnerships grounded in local wisdom can be an effective solution to mitigate the escalation of natural resource conflicts in customary areas.

Based on the results of the literature study analyzed in this research, several patterns and trends were identified related to the typology of customary conflicts, the primary causes, the resolution mechanisms employed by indigenous peoples, and the various obstacles to customary institutions in handling these conflicts. To clarify these findings, a thematic analysis table was prepared that summarizes the dominant forms of customary conflicts in Indonesia, the primary causes of conflict, the customary deliberation-based resolution mechanisms employed by indigenous communities, and the obstacles encountered in their implementation. Table 1 compiles a synthesis of previous research, both national and international, discussed in the previous section, and aims to provide a systematic overview of the actual condition of customary conflict resolution in Indonesia.

Table 1. Thematic Analysis of Customary Conflicts and Their Resolution Mechanisms

Forms of Customary Conflict	Main Causes	Customary Settlement Mechanism	Obstacles
Customary boundary disputes	Overlapping area maps and concession licenses	Customary deliberation, customary hearing	Not recognized as formal legal (Kurnia et al., 2024; Alfian et al., 2025; Sahari, 2022)
Dispute over customary land rights	Concessions without customary consultation (FPIC)	Customary deliberation, imposition of customary fines	Weak recognition of customary law (Ketaren & Prawira, 2024; Pertiwi et al., 2025)
Conflict between indigenous communities	Undocumented boundary claims	Cross-village customary forum, customary mediation	Lack of local regulations (Gayo, 2024; Katong et al., 2023)
Social forestry dispute	Land conversion without customary involvement	Customary mediation, customary rituals	Weak adat-government coordination (Lawasi et al., 2024; Madiong et al., 2023)
Investment conflicts in indigenous territories	National strategic projects without indigenous consultation	Customary deliberations, community protests	Criminalization of indigenous people (Haq et al., 2025; Rahmani et al., 2022)

(Source: Author's Data Analysis Results, 2025)

From Table 1, it can be concluded that agrarian conflicts and struggles over customary land involving indigenous peoples have a diverse character, with the leading causes being dominated by overlapping customary boundary claims and concession licenses granted without customary consultation. Customary deliberation remains the most widely used resolution method in various indigenous communities because it is based on participation, family values, and consideration of social balance. However, the effectiveness of this customary mechanism remains constrained by the lack of formal legal recognition, the absence of local regulations that accommodate customary decisions, and

the absence of consultation mechanisms in the investment licensing process within indigenous territories. Several studies, such as those conducted by Ketaren and Prawira (2024) and Lawasi et al. (2024), show that the collaboration of customary institutions with local governments is a key factor that can encourage the successful resolution of customary conflicts in a sustainable manner.

In many regions, one of the most significant obstacles to customary conflict resolution is the lack of local regulations that formally recognize customary institutions as dispute resolution mechanisms. This lack of regulation means that customary decisions, which have been agreed upon through customary deliberation forums, are often ignored by government officials and concession-holding companies. Various studies have shown that customary decisions are more effective in reducing the potential for prolonged conflict, as they take into account the social, historical, and moral values of the community. This condition not only weakens the position of customary institutions in the eyes of formal law but also reduces the trust of indigenous peoples in local governments. Several studies confirm that without a strong regional legal basis, customary conflict resolution has the potential to stagnate, while the escalation of social tensions in customary territories continues to increase, particularly in strategic areas with natural resources.

The lack of formal recognition of customary decisions in many cases also causes indigenous peoples to often resort to non-formal channels, such as protests or social resistance. This condition is exacerbated by the practice of criminalizing traditional leaders and residents who defend their customary territories, especially when dealing with national development projects and corporate investments. In several cases in East Kalimantan and Papua, these criminalization events have triggered greater conflict escalation and worsened relations between indigenous peoples and local governments. In addition to social impacts, tensions caused by unresolved customary conflicts also affect economic resilience and regional security. Therefore, the formulation of strategies to empower indigenous leaders is an urgent need, not only to resolve custom-based agrarian conflicts, but also to maintain socio-political stability in indigenous territories that have a high potential for conflict.

Studies have also shown that the success of customary conflict resolution is primarily determined by the community's trust in the moral authority of customary leaders. Customary deliberations led by senior customary figures are generally more respected and obeyed by the community because the resulting decisions are considered to represent traditional values and social balance. However, the capacity of adat institutions in many regions remains limited, especially in addressing agrarian conflicts involving large-scale external interests. In several indigenous communities in Sulawesi and West Sumatra, efforts are underway to establish cross-village customary deliberation forums, aiming to strengthen the position of customary institutions. While these initiatives are positive, without the support of local policies and cooperation with the local government, the forum's decisions remain weak in the face of the formal legal system. Therefore, strengthening the position of customary institutions and empowering customary leaders through regional regulations and sustainable empowerment programs are strategic aspects in reducing social conflicts in customary areas.

When viewed from the perspective of legal pluralism, as proposed by Griffiths (1986), agrarian conflicts and the struggle for customary land in Indonesia reflect the imbalance of legal authority that applies simultaneously in a single social area. In this context, customary law holds strong social legitimacy within customary communities, whereas state law is more dominant in the formal legal framework. The tension between these two legal systems is a significant factor that hinders the effective resolution of customary conflicts through formal justice channels. The findings of this study reinforce the view that without a precise accommodation mechanism and formal recognition of customary decisions, legal dualism will continue to fuel social conflict. Therefore, local governments

need to apply the principle of legal pluralism proportionally by providing equal legal space for the existence of customary law in resolving custom-based agrarian conflicts.

The application of the principle of legal pluralism also allows institutional space for customary institutions to be formally involved in the agrarian conflict resolution process. Some regions that have issued regional regulations on the recognition and protection of indigenous peoples have proven to be better able to reduce conflicts due to the legal legitimacy of customary deliberations. Unfortunately, this study found that in most parts of Indonesia, such regulations are still minimal, so customary conflict resolution relies entirely on informal deliberations without formal legal protection. This imbalance not only harms the position of indigenous people but also creates a legal vacuum that is vulnerable to being exploited by corporations and local elites. For this reason, the application of legal pluralism must be followed by the harmonization of regional regulations that explicitly accommodate the decisions of customary deliberations in the regional legal system, so that the results of these deliberations have legal force and are recognized by the state.

When analyzed from the restorative justice perspective, as described by Braithwaite (2002), customary conflict resolution based on deliberation has advantages over litigative resolution because it prioritizes social relations and the restoration of community harmony. The customary deliberation process does not merely decide cases in a black-and-white manner, but is more oriented towards restoring relations between the conflicting parties and the customary community as a whole. The findings of this study demonstrate that in various cases of customary land disputes, settlement through customary deliberation can reduce social tensions, prevent the criminalization of indigenous people, and avoid the social fragmentation that often occurs in the formal justice process. This aligns with restorative values that emphasize participatory dialogue, moral healing, and communal justice in conflict resolution.

From the perspective of community empowerment, as proposed by Zimmerman (2000), empowering indigenous communities is a crucial key to strengthening the capacity of customary institutions and traditional leaders in addressing agrarian conflicts. The findings of this study indicate that indigenous communities with strong customary institutions and systematically empowered traditional leaders are more effective in resolving conflicts peacefully and maintaining their customary rights. The empowerment in question does not only take the form of training in customary mediation, but also strengthening formal legitimacy through local regulations, providing space for customary participation in government decision-making, and political budget support for customary institutional activities. Previous studies have reinforced that the sustainable empowerment of customary institutions is a strategic factor in creating an effective, sustainable, and locally wisdom-based customary conflict resolution mechanism.

In addition, the concept of community empowerment can also serve as the basis for designing a strategic model to empower traditional leaders in resolving agrarian conflicts that is adaptive to regional socio-political dynamics. The empowerment of customary leaders is not only aimed at strengthening individual capacity, but also at strengthening customary institutions so that they can negotiate and partner with local governments and the private sector to resolve conflicts. The findings of this study indicate that in customary areas with active customary institutions, cross-village deliberation forums, and regional regulatory support, the level of social tension associated with agrarian conflicts tends to be lower. Therefore, the development of a structured, local wisdom-based empowerment model for indigenous leaders, supported by local regulations, is a priority agenda in Indonesia's custom-based agrarian conflict resolution policy. As a follow-up to the research findings on customary institutions and custom-based agrarian conflict resolution mechanisms, a conceptual model was developed to empower customary leaders, grounded in the principles of legal pluralism, restorative justice, and community empowerment. The model aims to strengthen the position of

customary leaders as strategic actors in customary conflict resolution, while integrating the role of customary institutions into the local legal system. The components of this model include strategies to strengthen the individual capacity of adat leaders, enhance adat institutions, formalize legalization, foster adat-government partnerships, and promote active participation in local policy-making processes. Table 2 illustrates the proposed empowerment components and strategies.

Table 2. Conceptual Model of Empowering Traditional Leaders in Customary-Based Agrarian Conflict Resolution in Indonesia

Model Components	Empowerment Strategy	Objectives
Strengthening the Capacity of Traditional Leaders	Training in customary mediation, training in customary law advocacy	Improving negotiation and conflict resolution skills based on indigenous customs
Strengthening Customary Institutions	Establishment of cross-village customary forums, revitalization of customary institutions	Strengthening the social legitimacy and institutional position of customary institutions in the community
Formal Legitimacy	Drafting of Local Regulations on Recognition of Indigenous Peoples, Decree on Recognition of Indigenous Peoples	Granting formal legal recognition to customary deliberations and decisions
Customary–Government Partnership	Regular dialogue forum, MoU on coordination of conflict resolution	Enhancing synergy between customary institutions and local governments
Customary Participation in Policy	Involvement of traditional leaders in spatial planning and investment licensing	Reducing the potential for conflict due to overlapping permits in customary areas

(Source: Author's analysis, 2025)

Table 2 shows that the empowerment of traditional leaders in the context of agrarian conflict resolution must be carried out comprehensively, both at the individual and institutional levels, as well as in terms of the relationship between traditional institutions and local governments. This integrated approach is crucial to ensure that decisions made through traditional deliberation have both social legitimacy and formal legal recognition in the eyes of the state (Griffiths, 1986; Dhiaulhaq & McCarthy, 2020; Madina, 2024). Furthermore, the active participation of traditional leaders in spatial planning and investment licensing processes in customary areas is believed to reduce the potential for conflict from the planning stage onwards (Ketaren & Prawira, 2024; Rahmani et al., 2022). This conceptual model is expected to serve as a strategic reference for local governments, civil society organizations, and customary communities in designing effective, contextual, and sustainable programs for the empowerment of customary institutions (Jamin, 2020; Gayo, 2024).

Overall, the results of this study confirm that the role of customary institutions and customary leaders remains a key pillar in resolving agrarian conflicts in customary areas in Indonesia (Hutabarat & Pangaribuan, 2025; Haq et al., 2025). Customary deliberations remain the dominant mechanism relied upon by indigenous communities to resolve various forms of customary land disputes, although their effectiveness is still hampered by weak formal legal recognition and the absence of adequate regional regulations (Abidin & Firmansyah, 2024; Sunarno & Khan, 2023). These findings also reinforce previous studies, which have shown that customary-based conflict resolution is more effective in mitigating potential social tensions because it takes into account local wisdom, social

relations, and community balance (Alpha & Tumelo, 2024; Katong et al., 2023; Syahrul et al., 2024). Thus, efforts to strengthen the capacity of customary leaders and institutions through systematic empowerment strategies are a strategic step toward addressing the structural and latent nature of agrarian conflicts in Indonesia (Madiong et al., 2023; Lawasi et al., 2024).

The conceptual model of empowering traditional leaders formulated in this study offers an integrated approach based on the principles of legal pluralism, restorative justice, and community empowerment (Griffiths, 1986; Braithwaite, 2002; Zimmerman, 2000). This model positions traditional leaders not only as social mediators but also as strategic actors in the process of resolving agrarian conflicts based on customary law that are recognized both socially and legally. By strengthening individual capacity, customary institutions, and institutional partnerships between customary and government, as well as involvement in spatial planning, it is hoped that the mechanism for resolving customary conflicts in Indonesia can operate more effectively, fairly, and sustainably (Rubiati, 2024; Rahmani et al., 2022). This model also serves as an important recommendation for local governments, customary institutions, and civil society organizations in formulating policies for resolving agrarian conflicts based on local wisdom that aligns with the principles of legal pluralism and restorative justice (Madina, 2024; Jamin, 2020).

This study developed an integrative and contextual model for empowering indigenous leaders, which combines the dimensions of individual capacity building, revitalization of indigenous institutions, and strategic partnerships with local governments. This model differs fundamentally from previous studies, such as that conducted by Madina (2024), which focused more on the effectiveness of verbal institutions in resolving social conflicts within the Batak Angkola community. Although that study emphasized the power of traditional values in mitigating internal conflicts, it did not lead to structural institutional strengthening or formal involvement in local policy. This is where the contribution of this research becomes important, as it offers a design that encourages customary institutions to be legally recognized through local regulations and formal agreements with local governments.

Previous studies have also highlighted the importance of indigenous peoples' participation in natural resource management. For example, Rahmani et al. (2022) emphasize the importance of involving indigenous leaders in forest restoration and conflict management in forest areas. However, the approach used is still limited to technical involvement and does not touch on strategic aspects in public policy formulation or investment licensing processes. This study expands on this perspective by demonstrating that the empowerment of indigenous leaders should be directed toward strategic positions in decision-making, including those in spatial planning and land licensing. This aligns with the principle of FPIC (Free, Prior, and Informed Consent), which, to date, has been rarely implemented substantially in Indonesia. The findings of this study also enrich the results of studies by Gayo (2024) and Katong et al. (2023), which document initiatives to establish cross-village customary forums in response to conflicts over customary territories. Both studies highlight collaborative practices based on local wisdom, but do not address how these forums can be institutionalized into the regional legal system. In this context, the model proposed in this study suggests a formal cooperation agreement (MoU) between customary forums and local governments as a form of legal and structured institutional synergy. In this way, the results of customary deliberations are not only socially binding but also have legal force recognized by the state.

Unlike previous approaches, which tended to be sectoral and unintegrated, the model in this study is based on the principles of legal pluralism (Griffiths, 1986), restorative justice (Braithwaite, 2002), and community empowerment (Zimmerman, 2000). These three theories are woven into a concrete and operational conceptual framework in the form of a traditional empowerment strategy. While the studies by Madiong et al. (2023) and Jamin (2020) emphasize the importance of training or

mentoring indigenous communities, this study provides a more comprehensive design by adding elements of formal legality and active involvement in the formulation of regional policies. In other words, the contribution of this study lies in its ability to bridge local practices with the national legal system in a balanced and realistic manner. Overall, the results of this study not only reinforce the importance of traditional leaders in mitigating agrarian conflicts in customary areas but also demonstrate how such empowerment can be implemented systematically through policies that promote local wisdom and expertise. By incorporating elements of traditional mediation training, establishing cross-village forums, securing legal recognition through local regulations, and engaging in the permitting process, this model addresses gaps left unfilled by previous studies. Therefore, the empowerment model proposed here can serve as a strategic reference for local governments, traditional institutions, and civil society organizations seeking to promote the resolution of agrarian conflicts based on social justice, local values, and formal state recognition.

CONCLUSION

Based on a literature review of various national and international studies, it can be concluded that customary conflicts in Indonesia are primarily caused by weak legal recognition of the customary rights of indigenous peoples, the lack of involvement of indigenous communities in decision-making processes related to natural resources, and overlapping authorities between customary law and state law. Customary institutions have proven to play a crucial role in mitigating social conflicts through deliberations based on local values and promoting social harmony. However, the effectiveness of customary institutions in resolving conflicts remains limited due to a lack of formal regulatory support and weak institutional capacity. The results of thematic analysis from various studies show that the empowerment of indigenous leaders is key to strengthening the position of indigenous institutions while promoting fair and sustainable resolution of indigenous conflicts. The development of a conceptual model for empowering indigenous leaders that integrates principles of legal pluralism, restorative justice values, and community empowerment strategies is considered relevant for contextual implementation in various indigenous communities in Indonesia. The practical implications of this study's findings highlight the importance of developing local regulations that specifically address the strengthening of the legal status of customary institutions, the legalization of customary deliberation decisions, and mechanisms for institutional synergy between customary institutions and village governments. There is a need for community-based empowerment programs for customary leaders, training in customary mediation, documentation of customary territories, and the formal involvement of customary leaders in the consultation process for investment permits in customary areas. The conceptual model produced by this study is expected to serve as a reference for local governments, customary institutions, and civil society organizations in designing strategies for resolving customary conflicts that are more just, dignified, and in line with local cultural values. Academically, this study contributes to the development of contemporary customary law concepts, based on the principles of legal pluralism and restorative justice, which are adaptive to Indonesia's socio-political dynamics.

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