International Journal of Innovation, Creativity and Change. www.ijicc.net
Volume 10, Issue 3, 2019

The Practice of Dispute Resolution in Aceh's Traditional Justice

Hazar Kusmayanti[a], Efa Laela Fakhriah[b], [a,b]Faculty of Law, Padjadjaran University, Bandung, Indonesia, email: [a]hazar.kusmayanti@unpad.ac.id, [b]efa@unpad.ac.id

Most of the people of Aceh seek and obtain justice through traditional problem solving. The basic characteristics of customary law are dynamic, verbal and unstructured (uncodified). They are associated with the development of law in Aceh and the enactment of the formal legal system (District Court and Sharia Court). This leads to a variety of understandings regarding both traditional institutions and general procedures for dispute resolution processes. The normative juridical approach is carried out by examining and interpreting theoretical matters concerning the principles, conceptions, doctrines and legal norms that practice law in customary courts. The empirical juridical approach is carried out with field research aimed at the customary justice practice in Aceh. The conclusions obtained are that the Aceh customary court has guidelines for this procedure. These explain the actual role of court administrators and provide a set of procedural standards to be applied to all adat cases. By increasing awareness of these standards, customary justice in Aceh can run smoothly in the settlement of customary disputes. In doing so, the community feels justice. With the existence of customary justice in Aceh, the local community does not need to submit a case to the litigation track, which is known to be a very long process and requires no small cost.

Key words: *Aceh, customary Law, traditional justice.*

Introduction

Indonesia is a plural country that is rich in various types of diversity. The Diversity here includes the diversity of various types of people gathered in an institutional indigenous communities. The existence of an indigenous tribunal is recognised in an Article of the 1945 Constitution of the Republic of Indonesia, which has governed the Indonesian judicial system. It reads as follows:

(1). Judicial power is an independent power to administer justice to uphold law and justice.
(2). Judicial power is exercised by a Supreme Court and the judiciary below it within the general court, religious court, military court, state administrative court and by a constitutional court.
(3). Other bodies, whose functions are related to judicial authority, are regulated by law.

Customary Law, also known as Adat Law in Indonesia, has a very important position in regulating society. Although the law is not written, it prevails and becomes the foundation in which people consider and determine their actions. Adat law reflects the collective personality of society (Sonny Dewi Judiasih and Efa laela Fakhriah, 2018, p. 3). Based on the provisions of article 24, paragraph (3) of the 1945 Constitution of the Republic of Indonesia, there are opportunities for other courts, whose functions are related to judicial authority in addition to the Supreme Court and its subordinate bodies. These include the General Courts, Religious Courts, Courts of the Military, the State Administrative Court and a Constitutional Court as mentioned in article 24 paragraph (2) of the 1945 Constitution of the Republic of Indonesia. This shows that the state has genuine recognition of indigenous peoples and therefore the state is obliged to protect and guarantee the existence of indigenous peoples. Recognition includes recognition related to juridical matters, such as customary law.

According to John Griffits, legal pluralism occurs when there exists more than one law in a society. Uncodified law in the community of people contributes to everyday life. At the institutional level, there are various dispute settlement forums besides national courts. Dispute settlement institutions' authority is derived from customs, religions or other social customs. (John Griffits, 2005, p. 69)

We must identify that the philosophy behind the settlement of disputes is the effort to restore the relationship of the parties in the dispute to the originating condition. The parties will carry out a positive relationship as a social relationship or a legal relationship between one another. (Salim HS, 2013, p. 135).

The logical consequence of the presence of this reality is the emergence of various values and rules that develop in society. In other words, the more diverse a country is regarding its indigenous peoples, the more diverse the existing customary law in a country. This is unique to plural countries, like Indonesia. The existence of article 18 B paragraph (2), 23 I (3) and also in the sectoral Act (Law Number 5 of 1960 concerning Agrarian Principles; Law Number 4 2009 concerning Mining, Minerals and Coal; Law Number 7 of 2004 about Water Resources; and other related laws) have sought to provide recognition and respect for the Unity of Customary Law Communities (KMA). The central government is obliged to implement a system of prosperous government by striving for its achievement in the fulfillment of constitutional rights and traditional rights (Pusat penelitian dan pengkajian

perkara pengelolaan teknologi informasi dan komunikasi kepaniteraan dan sekertariat jenderal mahkamah konstitusi Republik Indonesia, 2012, p. 3).

There is no universally accepted definition of customary law. Nevertheless, it may be regarded as:

'…an established system of immemorial rules, which had evolved from the way of life and natural wants of the people, the general context of which was a matter of common knowledge, coupled with precedents applying to a special case, which were retained in the memories of the chief and his counsellors, their sons and their sons, until they became part of the immemorial rules...'

Many customary laws of today are not ancient, nor are all customary laws administered by chiefs. Nevertheless, the definition provides a basic idea of what is generally understood by customary law, especially from the perspective of non-indigenous legal scholars. (Raja Devasish Roy, 2005, p. 6).

In Most Asian countries, unless formal legislative or judicial recognition is already established, the existence of customary law needs to be proved by the person that applies it. The nature and extent of the burden and standard of proof may vary from the situation. Customary law is administered by indigenous people's institutions, and the validity of such laws and their contents, including the related procedures, is generally known, at least by the older members of the community. The formal status of customary law in most Asian countries is usually subordinate to written laws. Customary law usually has to give way if it comes into conflict with written legislation, especially constitutional legal provisions. There are, however, a few notable exceptions. Foremost among these are the customary laws of the indigenous Naga and Mizo peoples of the Nagaland and Mizomaram states in north-eastern India. Measures to safeguard against interference with the people's customary law, procedures and land related matters are firmly entrenched in the Constitution of India. Making amendments to or doing away with the relevant constitutional provisions requires not only a special majority of the country's bicameral houses of parliament but also the consent of the state assembly concerned. The latter is now controlled by the indigenous peoples of the states (Roy, R.D, 2003, p. 7).

Indigenous Law inheritance is a form of local wisdom. In the philosophical dimension, local wisdom can be interpreted as an empirical and pragmatic system of knowledge of indigenous people. Sunarmi mentions that local wisdom is knowledge developed by the ancestors by observing the environment around them. (Sunarmi, 2012, p. 28-29)

Various studies that discuss adat justice in various contexts have shown the importance of the practice of dispute resolution, which is carried out by the community by making peace. Some of the writings could have discussed and revealed the reality of the important position of customary justice that is present in indigenous communities. Their existence is considered an alternative provider of justice in addition to formal justice institutions. The existence of traditional justice is also considered relevant.

Christian Snouck Hurgronje is the first person to introduce the term of hukum adat or customary laws in his book De Atjehers (The People of Aceh) in 1894. It was written in Dutch, AdatRecht. The book is written based on the result of research that he conducted in Aceh from 1891 to 1892 for the benefits of Dutch colonials. The term of customary law was then popularised by Cornelis Van Vollenhoven in his book 'Het Adat-Recht van Nederlandsche Indie' (The Customs of Indonesia). According to Cornelis Van Vollenhoven, the definition of customary law proposed by the scholars is a 'compilation of regulations related to behaviour and attitude that indigenous people and foreigners should follow in a community, because in one hand it entails sanction or penalty, it consists of local laws, and in other hand it is not a subject of codification because it is tradition'. (Datu Bua Napoh, 2015, p. 3)

This is so in the justice system in Indonesia, both in the civil and criminal domains. Formal justice for village communities is still considered difficult to reach, not only because of access to justice that is far from the village community but also because of the high costs that incurred. In addition, the complexity of the administration of justice that must be met by the community is in fact still alive and utilised by the community. This is a sociological fact that unfortunately does not get recognition in the law of politics and judicial power (Nanda Amalia, Mukhlis, Yusrizal 2018, p. 2)

Almost in line with the results of the above research, Asep Yunan Firdaus was pessimistic about seeing the existence of customary law in communities. This can be seen in his work called 'Still Exist the Customary Law in Indonesia?' On the one hand, the government has issued various laws and regulations which recognise the existence of customary law communities and customary forests, but it does not formulate short and simple terms and procedures for the recognition of the existence of local community rights. On the other hand, the Ministry of Forestry always argues that the recognition of the existence of customary forests must be preceded by recognition of the existence of indigenous and tribal peoples by the Regional Government. Asep 'saw the regulatory model in the effects of the application of regulations in the forestry sector, it was clear that the existence of customary communities and their customary rights had been castrated (Asep Yunan Firdaus, 2007).

Aceh, as a research location, seems to have a special attraction for researchers from within and outside the country who study it in various ways. Aceh is often cited as a model for various government policies. Examples include peace over ongoing conflict, the application of Islamic law, the making of regional regulations (Qanun) and even the election of regional heads. In the area of adat justice, Aceh is also noted to be a model for other provinces on how adat justice mechanisms can complement the function of formal justice in providing access to justice, especially for the poor, vulnerable and marginalised. (Baddruzzaman Ismail, 2015, p. 24).

Law No. 44/1999, concerning the implementation of Aceh specialties in Nanggroe, Aceh Province, Aceh Qanun and Law No. 11/2006, concerning the Government of Aceh, Aceh Qanun, No. 9/2008 concerning the development of customary indigenous and traditional life and Aceh Qanun No. 10/2008 on adat institutions, state that the resolution of cases in the lives of the Aceh community must be resolved through the Customary Courts. These rules and regulations expressly state the words 'adat court' but only use the phrase 'institution customary'. This traditional institution can be realised in social institutions as '*pageu gampong*' (village fence). Therefore, the implementation of this customary court is ex officio attached to the Customary institution. (Mahdi 2011, p. 4)

This research is interesting. It is done to find the practice of the implementation of Aceh's customary justice in resolving village cases and apparatuses, in addition to finding who plays a role in the structure of Aceh's customary justice.

Discussion

The character of Customary Law itself is still felt to be very necessary and important. It is maintained in public and government policies, even though it only exists in an intermediate position between the applicable Dutch laws. According to Soepomo, there are at least 4 reasons for this, namely because customary law (a) has a strong communal nature; (b) has a religious/magical style in its view of life; (c) is covered by the mind and is completely concrete, meaning that it is very much concerned with repeated concrete relationships of life; (d) has a visual nature, which in legal relations is considered to only occur because it is determined by a bond of signs that can be seen. According to Soepomo, in the position of the Indonesian population, there are difficulties all-round in the development of one direction of uniform law. Moreover, uniformity is not necessarily based on a Western/Dutch legal system. In addition, according to Soepomo, values universal traditional customary law include (1) mutual cooperation principles; (2) social functions of people and property in society; (3) principles of approval as the basis of general power; (4) principles of representation and deliberation in a government system. (Nikolas Simanjuntak, 2013, p. 38)

Snouck Hurgronje first used the term adatrecht to refer to adat, which has legal consequences (die rechtsgevolgen hebben). The term indigenous comes from the Arabic, meaning 'which always returns or is customary' (Snouck Hurgronye, De Atjehers, vol. I dan II, Leiden, 1893–1894, h. 16, 357 dan 386.)

Van Vollenhoven argues that customary law is adat that has sanctions. The understanding of the term adat is the implementation of a customary court's decision, in an adat session, with the agreement of the parties. According to Van Vollenhoven, it is a religious and communal habit. These habits consist of behaviours and actions that are appropriate for the community to do (Van Vollenhoven and Otje Salman Soemadiningratp, p. 109-118)

Friedrich Carlvon Savigny explained that the codification of the law always brings with it negative effects, which inhibits the development of law. History continues, but the law has been established, so it is relatively difficult to stop history at a certain time. Moreover, to formulate a law in accordance with the soul of the nation (*volksgeist*/inner order), it needs to be investigated first. This is the spirit of the nation's soul, which are the beliefs of the nation that can be used as a basis for adequate legal order. If this is neglected, there is a danger that there will be a gap between the soul of the nation and the law contained in the laws of the state. In the construction of the Indonesian legal system, Pancasila animates. (Lilik Mulyadi 2019:6).

Customary justice is inseparable in the Indonesian legal system. Customary law and its institutions function properly without being separated from the progress of recognition of the constitution, particularly in Article 18 B, paragraph (1) and paragraph (2) and Article 28 I, paragraph (3) of the State Constitution Republic of Indonesia 1945 (NRI 1945 Constitution). Article 18 B, paragraph (2) of the 1945 Constitution of the Republic of Indonesia states:

'The state recognises and respects special local government units that are regulated by law. The state recognises and respects the customary law community units along with their traditional rights, as long as they are still alive and in accordance with the development of the community and the principles of the Unitary State of the Republic of Indonesia, which are regulated in law.'

Article 28 I, paragraph (3) of the 1945 Constitution states, 'Cultural identity and traditional community rights are respected in line with the times and civilisations.' The existence of customary justice in Indonesia can be seen in the history of the implementation of the justice system in Indonesia, starting from the pre-independence era until now, where Indonesia has adopted a modern justice system. Before Indonesia's independence, the Dutch colonialism of the kingdoms in the archipelago changed the justice system in the archipelago, which followed the formal laws brought by the Dutch. According to Daendels, using Article 86,

'charter' 1804 as a basis for justice for the son earth group. That is, 'the judicial structure for the nation of the sons and daughters will remain according to their laws and customs. (Teuku Muttaqin and Farida Jalil 2013, p. 65).

The origins of customary law in Indonesia were only clearly expressed in the Raffles Regulation of 1814. The regulation stated that residents (local heads) who knew the court were obliged to carry out existing laws and original ethics. Previously, the origin of customary law was not in conflict with 'the universal and acknowledged principles of natural justice'. This was stated in Article 11 AB, which was later changed to Article 75 RR. For the people of the earth, recognised justice is in accordance with Article 11 AB (Algemene Bepalingen, the provisions of the statutory laws applicable in Indonesia). It read '...then the law applicable and carried out by native judges (inlandse rechter), for them it is their religious law, institutions and habits of the people, as long as the principles of justice are generally recognised (Teuku Muttaqin and Farida Jalil, 2013, p. 69).

The Acehnese believe that order and peace in the community can be maintained by maintaining adat. This can be shown through the Narit Maja Aceh or adagium, which has been inherited and believed by Acehnese people. They stated *'Ta pageu lampoeh ngon wire, ta pageu nanggroe ngon adat'*. This proverb is interpreted as 'we secure the garden with wire, we secure country with customs'. To that end, in realising the enforcement of customary law in dealing with various cases and disputes that exist in the community at the level of Gampong and Mukim, the government, through Article 6 of Law Number 44 of 1999 and Article 98 of Law Number 11 of 2006, has provided reinforcement for the existence of adat institutions in Aceh. The two legal instruments state that adat institutions function and act as vehicles for community participation in the administration of Aceh and district/city governance in the fields of security, peace, harmony and public order. (Nanda Amalia, Mukhlis, & Yusrizal, 2018, p. 145).

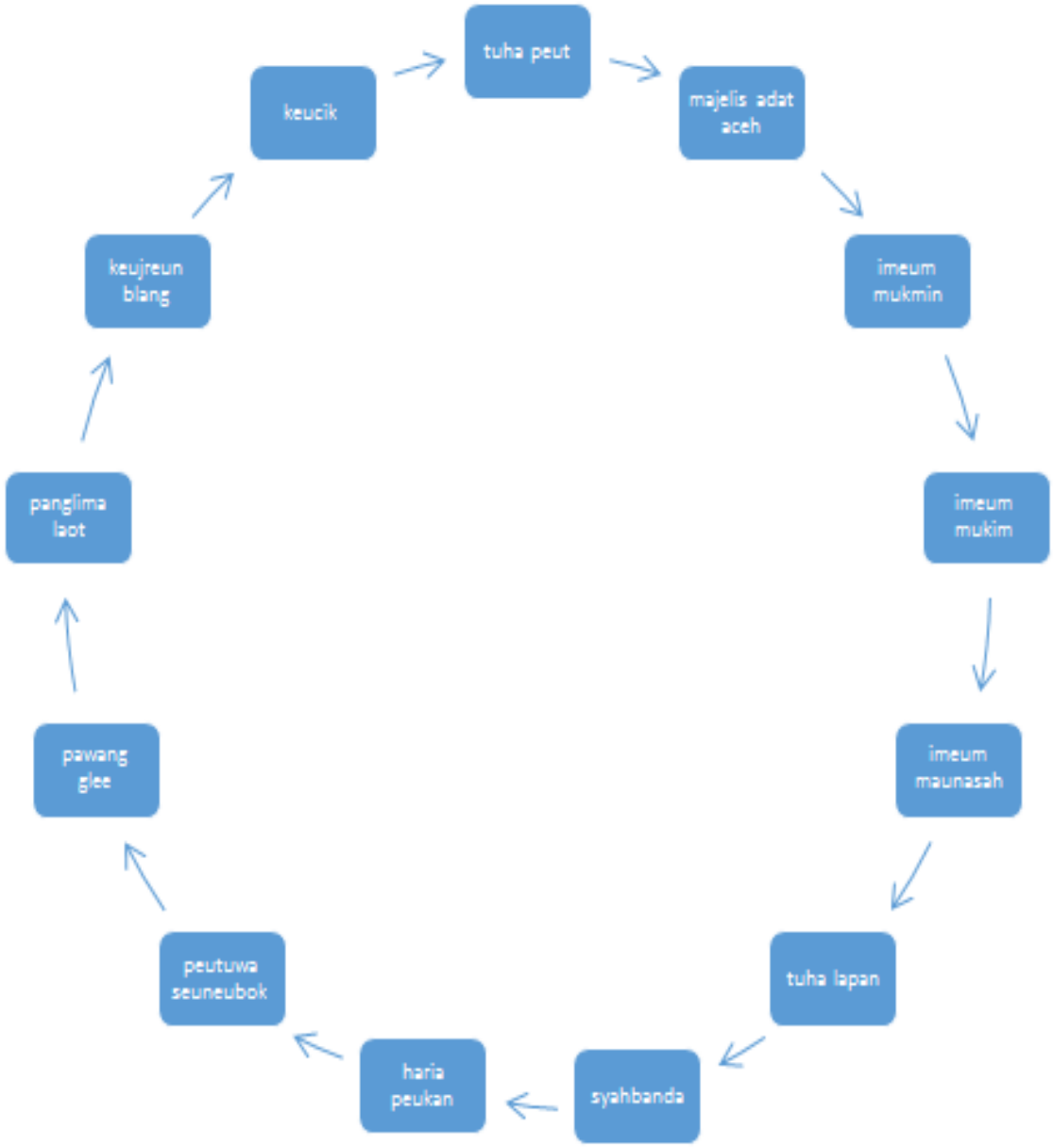
In general, the implementation of indigenous peacekeeping is carried out by the village and believers. The same thing applies to all of Aceh, it's just that in certain regions, such as Aceh Tengah and Aceh Tamiang, they use other terms. Even so, the function remains the same. It is a dispute resolution agency or customary case.

Major laws and regulations governing the implementation of adat in Aceh include

1. Law No. 44 of 1999 concerning the implementation of Aceh Privileges. Article 3 and 6 assert that
• Regions are given the authority to revive adat in accordance with Islamic Sharia.
2. Law No. 11 of 2006 concerning Aceh Government, Chapter XIII concerning customary institutions says that

• Settlement of traditional social problems is done through customary institutions [Article 98, Paragraph (2)].
• Customary institutions, as mentioned above, can be seen in Figure 1:

Figure 1



In the model of traditional justice in the *Gampong* community, there are 2 models of the implementation of traditional justice. Firstly, there is the simplest model or practice of dispute resolution. This practice is recognised as a hereditary tradition that continues to be

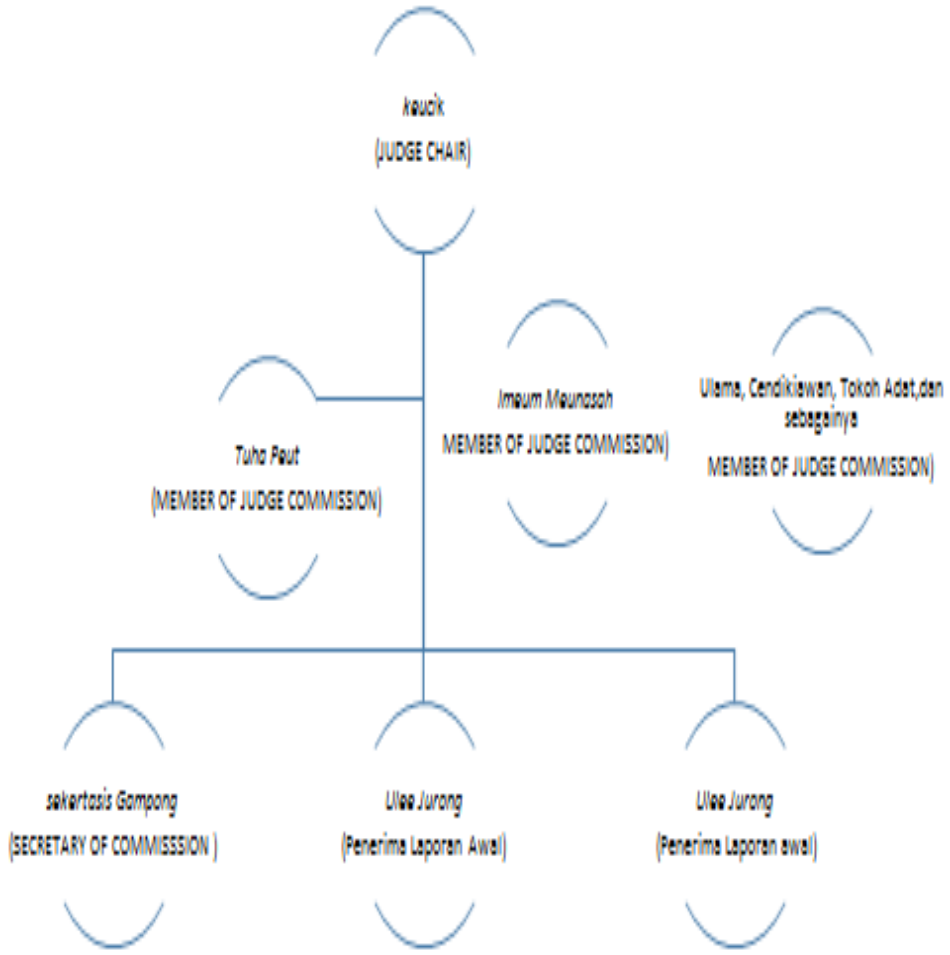
used by the community. The involvement of the parties is usually limited, namely the parties in the dispute and the *Geuchik* itself or in the case of a *Geuchik* required. For example, to explore references and legal considerations that must be taken, the *Geuchik* will involve Tengku Imuem (religious leaders) in a relatively short duration of time. The role of the *Geuchik* is as customary leader and village leader. It is more prominent and the activeness of the leader is also greater. Not infrequently, the *Geuchik* will make visits to the homes of each party of the dispute to find detailed information about the problems that exist. This action is an attempt made with a view to reducing the level of tension over disputes faced by the parties. It is also a form of negotiations that the *Geuchik* is trying to establish for a peace agreement. When the *Geuchik* has obtained information that is deemed sufficient from both parties on his or her case, then the parties will be invited to meet in person. The location of the meeting is flexible, and it is not uncommon for the *Geuchik's* house to be chosen as the most neutral place. The meunasah and mosque in Gampong is the main alternative. (Nanda Amalia, Mukhlis, & Yusrizal, 2018, p. 168).

The second model is the implementation of traditional justice that 'resembles' a formal trial. The implementation is considered to be more systematic and refers to the Adat Judicial Guidelines issued by the Aceh Traditional Council. (Majelis Adat Aceh (MAA), 2008, p. 5-6).

In addition to the parties in the dispute, the judicial system has a certain structure. The existence of the *Geuchik* as chair of the judicial assembly and *Tuha Peut Gampong, Imuem Meunasah,* Ulama, scholars and other indigenous leaders are members. This formation is completed by the registrar who is held by the Secretary of the Gampong. They have the role of the registrar at the trial and record the proceedings of the session in the minutes of the trial. In settling cases that are considered heavy and involve more people, for example disputes between citizens or disputes in the market, the judicial process will take place at the Geuchik office or at Meunasah. Usually, the trial agenda will be officially opened by the Geuchik and is often attended by the surrounding community. (Nanda Amalia, Mukhlis, & Yusrizal, 2018, p. 172).

Figure 2

Table structure and the role of traditional judicial administrators at the village level:



The customary court's verdict is the result of deliberation in order to achieve peace between the two parties. Therefore, the verdict takes the form of sanctions. They may be very sweaty, such as when advising removal from the village. When reaching a decision, it is important that both parties must agree freely and independently with sanctions or penalties to be given. Soekanto states that the adat law is a complex unwritten custom. It is uncodified and does not have a binding power, but it has legal consequences. (Soelam Biasane Taneko, Dasar-dasar Hukum Adat dan Ilmu Hukum Adat, 1981, p. 20). In this definition, the primary characteristic of the Adat Law is sanction and legal consequences (I Dewa Made Suartha, 2015, p. 2).

Table 1

PENALTIES OR SANCTIONS THAT ARE STILL VALID IN ACEH tradional CUSTOMARY LAW ACCORDING TO ACEH QANUN	penalties pr sanctions that do not apply in tradional customary law *
• Advice • warning • apologize in public • compensation • evicted from village • revocation of customary title • association • boycotted	• Bathed with dirty water Drowned in the river Beaten / persecuted Flogged Beaten up * because it is considered contrary to human rights, Islamic law and national law

The implementation of customary sanctions is carried out immediately after the verdict is delivered by the *Keuchik*, especially against customary sanctions in the form of advice, warnings and apologies. For compensation sanctions, the implementation of the award is more lenient, that is, it depends on the economic ability of the offender to provide the compensation. Likewise, in the case of adat sanctions in the form of evictions from the *Gampong*, the implementation is not carried out immediately after the verdict is read, but the violator of the customary norm is still given sufficient time to prepare to leave his hometown.

The overflow of cases can not only be done by the adat justice but by formal justice. The opposite is also possible (from formal justice to traditional justice). The delegation can occur due to several things:

1. no competence and customary jurisdiction;
2. the parties do not want to solve it through adat justice; and
3. customary Law is unable to solve it.

Cases that are not the authority (competency) of traditional justice, even though it occurs in customary jurisdictions, include murder, adultery, rape, drug use, cannabis use and the like,

theft (gross theft, e.g. buffalo, motorized vehicle, etc.), subversiveness, contempt of legitimate government (presidents and governors), serious traffic accidents (deaths), abductions and armed robberies. In this case, the Keuchik immediately notifies the police at the district level (at the police station). The notice can be made orally and in writing.

In the event that the parties do not want to settle their case through the Gampong traditional court, the person concerned can bring the case to the formal court. This is followed by a letter of release of the case from the *Keuchik*. The certificate of release of the case is very important as a basis for formal justice to examine the case. This is in accordance with Regional Regulation No. 7 of 2000 which confirms that: Law enforcement officials first give the Keuchik an opportunity and to resolve disputes in the respective Gampong/Mukim (Article 10).

If customary justice both at the level of *Gampong* and mukim feels that there is a criminal case and the weight is impossible for them to resolve, it will be resolved by the state judiciary in accordance with applicable laws and regulations. (Article 1, 2007 MoU draft).

Summary

The conclusions obtained are that the Aceh customary court has Guidelines for this procedure by explaining the actual role of court administrators and by providing a set of procedural standards to be applied to all adat cases. This is done by increasing awareness of these standards. Customary justice in Aceh can run smoothly in the settlement of customary disputes so that the community feels justice. With the existence of customary justice in Aceh, the local community does not need to submit a case to the litigation track, which is known to have a very long process and requires no small cost.

BIBLIOGRAPHY

Book's

Baddruzzaman Ismail, *Peradilan Adat sebagai Peradilan Alternatif dalam Sistem Peradilan di Indonesia (Peradilan Adat di Aceh).* Edisi ke-2. Majelis Adat Aceh, Banda Aceh, 2015.

I Dewa Made Suartha, Hukum Adat dan Sanksi Adat Perspektif Pembaharuan Hukum Pidana, Malang, Setara Press, 2015

John Griffits, *Memahami Pluralisme Hukum, Sebuah Deskripsi Konseptual,* diterjamahkan oleh Andi Akbar, Al Andang L. Binawan dan Birna Dinus Stenly, Kumpulan Karya Ilmiah Dalam: *Pluralisme Hukum Sebuah Pendekatan Intradisiplin,* (Jakarta: Huma, 2005)

R Soepomo, Sejarah Politik Hukum Adat, 1, (Jakarta: Pradnya Paramita, 1982)

Salim HS dan Erlies Septiana Nurbani, *Penerapan Teori Hukum Pada Penelitian Tesis dan Disertasi,* (Jakarta: Rajawali Pers, 2013

Soelam Biasane Taneko, Dasar-dasar Hukum Adat dan Ilmu Hukum Adat, Bandung, Alumni, 1981

Snouck Hurgronye, De Atjehers, vol. I dan II, Leiden, 1893–1894, h. 16, 357 dan 386. Snouck Hurgronye, Verspreide Geschriften, Jilid IV, Bonn: Kurt Schroeder, 1924, h. 173.9 Otje Salman Soemadiningrat, Rekonseptualisasi Hukum Adat Kontemporer, Bandung: Alumni, 2002

Van Vollenhoven, Adatrecht v Ned. Indie, Jilid I, Leiden, 1918, h.14. dan Otje Salman Soemadiningrat

Journal's

Asep Yunan Firdaus. *'Hak-Hak Masyarakat Adat'* (*Indegeneous People's Rights*) Bagi Dosen Pengajar HAM di Indonesia. PUSHAM UII, kerjasama dengan Norsk Senter for Menneskerettigehetr Norwegian Centre for Human Rights. Yogyakarta, 21-24 Agustus 2007.

Datu Bua Napoh, *Recognition Of The Customary Land Law In The Constitution Of Indonesia And Malaysia*, Brawijaya Law Journal, Vol 2, No. 2, 2015)

Kausarian, H., Sri Sumantyo, J. T., Kuze, H., Aminuddin, J., & Waqar, M. M. (2017). Analysis of polarimetric decomposition, backscattering coefficient, and sample properties for identification and layer thickness estimation of silica sand distribution using L-band synthetic aperture radar. *Canadian Journal of Remote Sensing*, *43*(2), 95-108.

Kausarian, H., Sumantyo, J. T. S., Kuze, H., Karya, D., & Panggabean, G. F. (2016). Silica Sand Identification using ALOS PALSAR Full Polarimetry on The Northern Coastline of Rupat Island, Indonesia. *International Journal on Advanced Science, Engineering and Information Technology*, *6*(5), 568-573.

Kausarian, H., Lei, S., Goh, T. L., & Cui, Y. (2019). A new geological map for formation distribution on southern part of south China sea: West Kalimantan, Indonesia. *International Journal of GEOMATE*, *17*(63), 249-254.

Lilik Mulyadi *Interpretation of Judges in Representing the Dynamics of Religion of Indigenous Legal Inheritance of Bali* Jurnal Hukum dan Peradilan – ISSN: 2303-3274 (p), 2528-1100 (e) Vol. 8, no. 2 (July),2019

Nanda Amalia, Mukhlis, dan Yusrizal, Model Penyelesaian Sengketa dan Peradilan Adat di Aceh, Jurnal Hukum IUS QUIA IUSTUM NO. 1 VOL. 25 JANUARI 2018

Nikolas Simanjuntak, Penguatan Lembaga Adat Sebagai Alternatif Penyelesaian Sengketanegara Hukum: *Vol. 4, No. 1, Juni 2013*

Roy, R.D, the discordant accord:challenges toward the implementation of the Chittagong Hill Tract Accord of 1997, in The Journal of Social Studies, 100th Issue; Perspective on Peace: Vission and Realities, Dhaka, Center for Social Studies April-June 2003.

Raja Devasish Roy, Traditional Customary Law and Indigenous People in Asia, 2005

Sunarmi, "Mengelola Kearifan Lokal: Menuju Hukum Yang Berkeadilan Dalam Putusan Lembaga Adat", in Spirit *Hukum Didedikasikan untuk Purna Bakti 70 Tahun Prof. HJ. Rehngena Purba, SH, MS Guru Besar Fakultas Hukum USU Hakim Agung Republik Indonesia* (Jakarta: PT RajaGrafindo Persada Teuku Muttaqin Mansur dan Faridah Jalil, Aspek Hukum Peradilan Adat Di Indonesia Periode 1602 – 2009, Jurnal : Kanun Jurnal Ilmu Hukum No. 59, Th. XV (April, 2013, 2012)

Sonny Dewi Judiasih and Efa laela Fakhriah, Inheritance Law System: Considering the Pluralism of Customary Law in Indonesia, Padjadjaran Journal of Law Volume 5 Number 2, 2018.

Majelis Adat Aceh (MAA), *Pedoman Peradilan Adat Aceh—Untuk Peradilan Adat yang Adil dan Kompatibel,* Nangroe Aceh Darussalam, 2000

Pusat penelitian dan pengkajian perkara pengelolaan teknologi informasi dan komunikasi kepaniteraan dan sekertariat jenderal mahkamah konstitusi Republik Indonesia, Aktualisasi Masyarakat Hukum Adat, Persfektif Hukum dan Keadilan terkait dengan status MHA dan hak-hak konstiusional, 2012

Teuku Muttaqin and Farida Jalil, Aspek Hukum Peradilan Adat di Indonesia Periode 1602 – 2009, jurnal unsyiah, 2013