

The Politics of Law Formula of Customary Court Recognition which Responds to the Indigenous People's Needs (A Study of the Papua Special Autonomy Act)

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Abstract

This article is drawn from a dissertation, entitled "The Politics of Law in the Recognition of Papua Customary Court After the Enactment of Special Autonomy Act." It discusses the formula of how the state legal system can recognize the institution, authority and verdict of a customary court so that it can respond to the indigenous people's needs. This article belongs to a doctrinal legal research. It incorporates several approaches including statute approach, historical approach, conceptual approach and philosophical approach. To analyze the legal sources used as the source of data in this research, interpretative methods are used.

After a thorough analysis, this research finds some following formulas to create the politics of law of customary court recognition that can respond to the needs of indigenous society. (1) The customary court should be recognized as a non-state legal system. The customary court is established under peace principals among indigenous people and therefore it should be kept independent and autonomous. (2) The state should acknowledge the customary court's jurisdiction to settle criminal and civil customary disputes among indigenous society. However, it should be emphasized that the customary court can only adjudge pure customary crimes and double criminality cases. In addition, the customary court should be authorized to hand a maximum sentence of five-year jail term to a convict. (3) The verdict of a customary court has to be final and binding. Therefore, it cannot be overruled by any state court.

Keywords: Politics of Law, Customary Courts Recognition, Papua Province, Special Autonomy Act

1. Introduction

Following the spirit of reformation, in 2001 the Indonesian government enacted Act No. 21/2001 on Special Autonomy for Papua Province (The Papua Special Autonomy Act). This enactment was endorsed by People's Consultative Assembly's decree No. IV/MPR/2000. Various scholars, however, consider the law's enactment is ridden by some political motivations. Many believe the Act merely serve as a political bargain between the Indonesian government and the Papua indigenous people (Jimly Asshiddiqie, 2007: 507; I Ngurah Suryawan, 2011: 118).

In the lives of Papua indigenous people, customary court still plays a very great role. Therefore, the Papua Special Autonomy Act, which recognizes the existence of a customary court in its article 50 and 51, has marked itself as the very first legal product in Indonesia that acknowledges the jurisdiction of courts outside state justice system. Nevertheless, several problems remain as the law contains some judicial inconsistencies. The act, according to various scholars, also still failed to accommodate the needs of native Papuans.

I Nyoman Nurjaya considers that the Papua Special Autonomy Act only gives illusionary recognition or pseudo recognition to the native Papuans' customary court (I Nyoman Nurjaya, 2011 : 385). The act places the customary court under the state court systems. Therefore, the customary court cannot be autonomous and independent because all of its verdicts can be overruled by state courts.

The Papua Special Autonomy Act also contains norms obscurity. Article 51 (1) of the act contains phrase "(the customary courts) has the authority to hear and adjudge both civil customary dispute and criminal cases". The phrase is ambiguous because it gives no elaboration on the type of criminal cases, whether they refer to those regulated under Indonesian Criminal Code (KUHP) or only just pure crimes in customary disputes. As a comparison, in the Philippines, its Criminal Code authorizes the customary courts (*Katarungang Pambarangay*) only to try minor criminal cases (Alfredo Tadiar, 1988: 24). In addition, the dichotomy of customary cases into criminal and civil cases becomes another problem the law posits. Such a dichotomy is a foreign concept to the Papuans' customary law (Hilman Hadikusuma, 1992: 232).

Besides the norms obscurity, the Papua Special Autonomy Act also contains conflicting norms. The Definition Section of article 51 (2) says that the customary courts are not included into the state court system but only

serves as a community court. It means that the article recognizes the customary court's independency and autonomy to settle cases without involving formal courts. However, article 51 (4) says that all of the customary court's verdict can be overruled by other state courts. Paragraph (4), therefore, is contradictive with paragraph (2) because the customary court's independency and autonomy is challenged if its verdict can be overruled.

The Papua Special Autonomy Act also has a conflicting norm with other prevailing laws. Contextually, the Papua Special Autonomy Act is derived from article 18B of the Indonesian Constitution on local administration. However, the act also contains articles (50 and 51) regulating judiciary power of Papua customary court. In fact, regulations on Judiciary Power should be based on article 24 and 25 of the Constitution. Besides, article 50 and 51 of the Papua Special Autonomy Act is also inconsistent with Act No. 48/2009 on Judicial Authority, which does not recognize other courts outside those in the state justice systems.

The customary courts are very important to the heart of not only Papuans but also various other indigenous community. Even in the contemporary era, customary courts still play a great role in conflict resolution among people of indigenous society (Ade Saptomo, 2010: 95-109). Besides, they also function as the society's control and as the sources of the customary law, also frequently dubbed as non-state law. It is unfortunate that the contemporary politics of law unifies all court systems. Therefore, We argue, that the current politics of law has neglected the important fact about legal pluralism in Indonesia.

Given the aforementioned backgrounds, this research is conducted to find out the best politics of law formula of a state-sanctioned customary court that can effectively respond to the needs of indigenous communities.

2. Research Methodology

This research belonged to a doctrinal legal research which took form as evaluative and prescriptive research. Various approaches consisting of statute approach, conceptual approach, historical approach and philosophical approach were employed in the analysis. The legal sources in this research consisted of primary legal source, secondary legal source and tertiary legal source. The legal sources were collected through documents tracking and library studies. We conducted contents' identification and textual analysis on the collected sources. Then, the legal sources were qualitatively analyzed by using interpretative methods. It means that We interpreted the meaning of various texts of laws used in this research. The result of the interpretation was used to answer the research question and to draw conclusions.

3. Theroretical Frameworks

3.1. The Politics of Law Theory

The politics of law is a set of regulations to plan and implement a judiciary system (Imam Syaukani & A. Ahsin Thohari, 2008: 18). The politics of law, according to Moh. Mahfud MD, serves as the embryo for the government to make and implement laws so that it can achieve the nation's ideals (2006: 3). Therefore, the politics of law should reflect a nation's ideals. The politics of law contains two inseparable sides i.e. as the guidance or as a legal policy for state apparatus to make laws and as a tool to assess and to criticize whether or not the product of law is consistent with the nation's ideal. David Kairys considers that the politics of law is the social role and the functioning of the law (David Kairys (ed.), 1990: xi)

3.2. The Responsive Law Theory

The responsive law theory is coined by Nonet and Zelznick (2008: 19) following a crisis in two types of existing laws: repressive and autonomous law. The former, according to the two scholars, positions law as the tool of a repressive political regime to exercise its power to society. While in the later, they say, happens when law is independent and separated from the state. It keeps its integrity. Yet, as the result, it becomes so isolated that it loses its connection to the society.

Due to the crisis, Nonet and Zelznick then develop the responsive law in which functions law to facilitate society's responses and aspirations. Responsive law promotes social changes to achieve justice and public emancipation (Bernard L. Tanya, 2010: 206).

In transitional times, the existence of responsive law is required. Given its responsive nature, the law not only should be an open-ended legal system but also should go back to the general purposes of the law: sovereignty of purpose, meaning that when designing a law, a sovereign must always consider the social goals it wants to achieve and the consequences that may be brought about.

3.3. Legal Pluralism Theory

According to John Griffiths, legal pluralism is a condition when multiple legal systems coexist in a social community (John Griffiths, 1986: 1). The social community, in this definition, includes not only state and customary law, but also habitual and religious law. Tensions and conflicts, however, may arise if both state and community law cannot find agreement between one and another (Myrna A. Safitri (Ed.), 2011: 4).

There are two types of legal pluralism. The first, differently called by various scholars, as: relative pluralism (Vanderlinen), weak pluralism (John Griffiths) or state law pluralism (Woodman). This type refers to a legal

system where a law explicitly or implicitly guarantees the existence of other types of law (like customary or religious law). If the ones giving the guarantee is the state, then this condition is called weak legal pluralism (John Griffiths, 2005: 74-75).

Besides weak pluralism, Griffiths also introduces strong or descriptive pluralism (John Griffiths). It refers to a society where two or more legal systems coexist independently with their own legitimacies and jurisdictions.

3.4. Human Rights and the Autonomy of Indigenous People Theory

Human rights are inalienable rights that we humans already have since the day we are born. Human rights are universal so that they should be respected, protected and fulfilled. No forces on earth can rob us from our human rights. Nor can they subtract or deny our human rights. In Indonesia, the government has guaranteed that its citizens' human rights in the Constitution's article 28I (4).

The United Nations, meanwhile, has taken the step further by endorsing the Declaration on the Rights of Indigenous People. The declaration, signed in September 13, 2007, has served as the world's legal framework that guarantees the fulfillment of any indigenous people's human rights. In terms of customary courts, the declaration guarantees their existence as stated in article 4, 5 and 34. The declaration strictly emphasizes that any indigenous people in the world has an autonomous rights to build its own governments, if they choose so (Sem Karoba, 2007: 73). Van Vollenhoven, a renowned scholar in indigenous people theory, states that indigenous people has existed long before any contemporary governments rule them. They, for so long, have their own laws and judiciary systems to govern their own members. Therefore, Vollenhoven say, indigenous people's customary laws and courts belong to inalienable rights. Consequently, they have the autonomy to preserve them. The autonomy, according to him, should be kept to maintain the indigenous people's history, value and cultural identity. He also defines four scopes of the autonomy of indigenous people. The indigenous people should be allowed to make their own laws (*zelfwetgeving*), to implement their own laws (*zelfffuitvoering*), to hold their own courts (*zelfrechtspraak*), and to patrol at their own areas (*zelf-politie*).

4. Discussion

4.1. Criticizing the Existing Politics of Law in Customary Courts Recognition as Regulated in Papua Special Autonomy Act

The politics of law is the embryo containing norms before it is embodied in a law. One can only understand the politics of law of a certain legal product if he understands the norms of that product. Therefore, to understand the politics of law in the Papua Special Autonomy Act, we should first understand the norms in it. The discussion, however, is limited only in articles 50 and 51 because only they regulate the judiciary power of Papua customary court. Article 51 reads as follows:

- (1) The customary court is the reconciliation within the circles of indigenous people. The court has the authority to hear and adjudicate disputes of both criminal and civil cases of Papua indigenous people.
- (2) The customary court is founded under the provisions of the Papua indigenous people's customary law.
- (3) In the hearing and the trial of both civil customary disputes and criminal cases as regulated in paragraph (1), the customary court must follow the rules of Papua customary law.
- (4) In the event that one of disputing or litigating parties objects to the verdict of the customary court, then the objecting party shall have the right to request District Court to re-hear and re-adjudicate the case.
- (5) The customary court is impotent to hand confinement sentence.
- (6) If no disputing party requests to the District Court, as ruled in paragraph (4), then the verdict of the customary court becomes a final and binding judgment.
- (7) A statement of approval from the Chairman of District Court is required to release a criminal offender from criminal charges stipulated under the prevailing criminal laws. The letter can be obtained from the Head of Local Prosecutors Office where the crime happens.
- (8) If the District Court rejects to issue the letter of approval, mentioned in paragraph (7), then the District Court will use the verdict of the customary court, as stated in paragraph (6), as legal considerations to make the verdicts of concerned case.

All of the eight paragraphs in article 51 serve as the Indonesian government's politics of law to legally recognize the Papua customary court. They recognize the customary court's institution, jurisdiction and verdict. However, when scrutinized more thoroughly, the article and its eight paragraphs contain loopholes and weaknesses that will be discussed as following.

Paragraph (1) and (2) state that the Indonesian government recognizes the Papua customary court as a legal institution. However, at the same time, in paragraph (4), the customary court is hierarchically placed under the Indonesian judiciary system. Therefore, it negates the recognition given in paragraph (1) and (2). Such a placement has stripped the customary court off its autonomy and independency. The government, hence, only gives pseudo recognition, as suggested by I Nyoman Nurjaya. It is not a genuine one, only illusionary recognition.

The other weakness of article 51 can be found in phrase “The customary court is the reconciliation within the circles of indigenous people” in paragraph (1). The phrase is obscure because actually “reconciliation” further incapacitates the Papua customary court. The phrase has coined the customary court as a village level court (*dorpsjustitie*). According to verse 3a of the *Reglement Op De Rechterlijke Organisatie in het Beleid der Justitie in Indonesie Staatsbald 1847/20 jo. 1848/57* – a colonial-era law that becomes the basis for Indonesia’s court organization – the village court has no judiciary power (Sudikno Mertokusumo, 1983: 157). It only functions to assist a District Court (*Laandraad*) (Mahadi, 1991: 36). Referring to that definition, it can be argued that, instead of legally recognizing it, article 51 of the Papua Special Autonomy Act has again stripped the natives’ customary court off its judiciary power.

The weaknesses of the customary court recognized in the Papua Special Autonomy Act can also be found in the way it characterizes the court’s judiciary power. Still referring to article 51 (1) of the act, the customary court has the authority to hear and try both civil customary disputes and criminal cases. The authority, however, is vague. It does not define what criminal cases the court can handle. A clarification on this authority is, therefore, very crucial to avoid the obscurity. The clarification should rule whether the court can only try criminal customary cases, or double criminality cases, which refer to crimes regulated under both customary law and positive law (Chairul Huda, 2013: 10).

The judiciary power given to the Papua customary courts as sanctioned by the special autonomy act is also weak due to several inconsistencies. Paragraph (1) and (3) of article 51 divide the types of the disputes or cases into criminal and civil ones. Such a dichotomy, formulated under Western law theory, is inconsistent with the nature of customary law. The later law is universal and unifying, meaning that it never differentiates disputes into crimes or civil cases. In its hearing, the customary courts treat customary disputes as a set of events that disrupt the balance and harmony in society.

Finally, this article believes that the Papua Special Autonomy Act only restricts the authority of the natives’ customary court in issuing its verdicts. We argue that paragraph 4, 6, 7 and 8 of article 51 contain substantial weaknesses. The first concerns a possible hidden interest of the government. The District Court, according to article 51, is capable to re-hear and re-adjudge cases already settled at the customary court. Yet, a report by a team founded by Papua Governor in 2001 has found that the District Court’s authority has violated the aspirations of native Papuans (Agus Sumule (ed.), 2003: 72).

That authority is also surprisingly not included in the Initiative Bill on Papua Special Autonomy. Article 48 (2) of the bill states that the District Court cannot overrule verdicts handed by the customary court except for special cases including human rights abuse and minor criminal cases that carry more than five-year jail term. This substance disappointingly vanishes when the bill passes into a law. According to a meeting minute of the House of Representative dated in October 10, 2011, it can be concluded that actually the government, in this sense referring to the House of Representatives, felt anxious if the customary court’s verdicts could not be overruled by the District Court. Most members of the parliament, according to the minute, disagreed with a request from lawmaker Marthina Mehue Wally of the Commission who requested that the Papua Special Autonomy Act retain article 48 (2) of the bill (Sekretariat Jendral DPR, 2002: 711).

Based on the aforementioned information, a question has clouded our minds: what actually is this hidden agenda? As widely known, Papua is a rich land containing various mineral resources. The land has attracted investors from not only Indonesia but also the world. The investors, hoping to exploit Papua’s richness, are very often involved in conflicts with the natives. They frequently set their feet on forests that happened to be the natives’ customary lands. Oftentimes, such issues lead to conflicts. Logically, it would be troublesome for the investors if the customary courts could issue a verdict that could not be overruled by other courts. The investors may fear that they will not stand a chance against the native Papuans in the customary courts.

Therefore, it could be concluded that the government want to protect the investors’ interest by making formal courts could overrule a customary court’s verdict. Such a move, We believe, is also taken to protect the nation’s economical situation. The government definitely wants to lose no foreign investors. In legitimizing its action, the government hides under the protection of article 18 (2) and 28I (3) of the Constitution. The articles give the power to the central government to assess whether or not a law of an indigenous society is still relevant to the current era.

The next substantial weaknesses concerns about how come the Papua Special Autonomy Act never defines the legal basis for a District Court to re-hear and re-adjudge a case previously settled at the customary court. We believe, this authority, which is ruled in article 51 (4) of the law, can be possibly abused by irresponsible parties. This authority cannot be aligned with the choice of law principals, as stated by Gede Marhaendra Wija Atmaja (2011: 143-144). We consider, the choice of law cannot be based on trial and error principals.

The District Court, under article 51 (4), has the authority to re-hear and re-adjudge disputes already settled at the customary court. However, when the verse is studied more critically, such an authority has no legal basis. Extensive library studies on various documents on the court’s judiciary power fail to provide recorded regulation

saying that a District Court has the power to directly re-hear or re-adjudge a case settled in the customary court. However, the District Court, according to the documents, may do so after the concerned case is reinvestigated by Police officers and consequently re-indicted by State Prosecutors.

Specifically, continuing the discussion the law's weaknesses, the legal inconsistency in article 51 (4) of the Papua Special Autonomy Act is located in phrase "re-adjudge". The phrase has an entirely different meaning from appeal. Therefore, substantially, re-adjudge violates *ne bis in idem*, a legal doctrine, literally translated as "not twice in the same [thing]". The doctrine means that a person cannot be indicted twice in a case which has been settled by a justice. The doctrine is derived in article 76 (1) and (2) of the Indonesian Criminal Code (KUHP). *Ne bis in idem* doctrine also guarantees a person's legal certainty and legality (Muhammad Arif Sahlepi, 2009 : 128). Meanwhile, an Indonesian citizen's legal certainty is guaranteed under the nation's Constitution in article 28D (1), which reads "Every person shall have the right of recognition, guarantees, protection and certainty before a just law, and of equal treatment before the law." Therefore, indirectly, the article has also violated the Constitution.

Not only is article 51 (4) inconsistent with the Indonesian Constitution, it is also contradictive with article 18 (5) of Act No. 39/1999 on Human Rights, stating that "every person cannot be sued again in a case which has been legally determined by a court." One may argue whether or not a judge in customary court has the same legal jurisdiction as one at formal courts. Referring to article 76 of the Criminal Code, a customary judge has the same authority as other state judges. This is also stipulated by two Supreme Court rulings: No. 1644K/Pid/1988 on May 15, 1991 and No. 984 K/Pid/1996 on November 15, 1996 (Lilik Mulyadi, 2011: 81). With such amount of prevailing legislations, then We believe that the government should revoke the authority of the District Court to re-adjudge cases settled at the customary court.

Final substantial weakness of article 51 (4) then lies on its unclear definition as to who have the rights to object a customary court's verdict. According to article 67 of the Indonesian Criminal Code Procedures' (KUHP), only a convict or a state prosecutor can object to a court's verdict. However, that is not the case with the customary court, whose verdict has a distinctive characteristic. According to Abdul Rahman Upara, the customary court's verdict impacts not only to the convicts, but also to their family, relatives, or even their villages' members (2011: 137). The verdict binds them all. Therefore they all, Abdul says, have the rights to raise objections to the customary court's decision. Unfortunately, this issue is unclearly stipulated in the Papua Special Autonomy Act.

4.2. The Politics of Law Formula of Customary Court Recognition which Responds to the Needs of Indigenous People

When discussing state's recognition of a customary court, there are four forms of politics of law available in store to use. They are namely abolition, full incorporation, non-incorporation and partial incorporation. Another scholar, Ewa Wojkowska, only suggests three forms as follows: abolition, full incorporation and limited incorporation/Co-existence (Ewa Wojkowska, 2006: 25-29).

According to the above theory, it can be concluded that the Indonesian government employs the full incorporation form as its chosen politics of law when drafting the Papua Special Autonomy Act. Under the model, the customary court is hierarchically placed under District Court. Therefore, its verdicts can be overruled by other higher courts. A similar model – a fully incorporated customary court – can also be found in The Barangay Justice System (BJS) in the Philippines (Justice for the Poor World Bank Team, 2009: 54).

However, I believe, the government has chosen a wrong choice of the politics of law in the Papua Special Autonomy Act. The government, in my opinion, should choose the limited incorporation or co-existence form instead of the full incorporation form. Under the limited incorporation mode, the customary court could live side-by-side with state courts. The mode also offers clearer jurisdiction to the customary court so that it does not overlap other state courts. Also under this mode, the customary court can hold its rightful place as a non-state justice system. Peru is among various countries which have recognized their customary courts as their non-state justice systems. The courts' verdict can then be stored at the community's official registry book.

The government, in my opinion, should take the following steps to revise the politics of law as inscribed in article 51 of the Papua Special Autonomy Act, only if the government had the political willing to make the law more accommodative to the natives.

Based on the legal pluralism theory, which allows multiple justice system to coexist in a country, the Indonesian government must firstly recognize the Papua customary court as a court which is independent from the state justice system. The customary court must be recognized as a non-state justice system. Therefore, as a non-justice system body, the customary courts can promote non-litigation procedures to settle disputes. As a non-state justice system, the customary court's verdict will also bear the same power as one made by state courts. Only then, it will be able to ask assistance from the State Prosecutors Office to implement its verdict when needed.

Then, the government must take another step to amend the law so that it gives a clearer boundary to the type of cases that should be handled by the customary court. Currently, the law stipulates that the customary court can hear and adjudge civil customary cases and criminal cases perpetuated by members of Papua indigenous people.

However, there are actually a more complex set of cases. This article argues that the law should firstly divides customary cases into civil customary dispute (civil cases) and criminal customary case (criminal case). The criminal customary case, then, should be broken into pure criminal customary case and mixed criminal customary case, also called double criminality case.

The customary court by all means has the power to adjudge pure criminal customary cases. However, in the double customary case, the customary court should be given the power to hand a maximum sentence of five-year jail term. This kind of authority is absent in the Papua Special Autonomy Act.

Meanwhile, for the double criminality cases which carry sentences of more than five years' confinement, the customary court should be given the power to make verdict relating only on the cultural punishment (Tim Kemitraan, 2008: 21). This is because the court is unable to give verdicts which relate to the positive law. The authority then is passed on state courts which will make verdicts based on prevailing criminal laws with the consideration of the verdict issued by the customary court.

The above proposed politics of law is actually based on penal mediation theory which says that all forms of justice system – be them state or non-state – have the authority to settle criminal cases. Penal mediation, known as restorative justice in modern law theory, according to the Explanatory Memorandum of the European Union Recommendation in 1999, has several forms including informal mediation, traditional village or tribal moot, victim-offender mediation, reparation negotiation programs, community panels or courts and family and community group conference (Barda Nawawi Arief, 2012 ; 6). Nonetheless, long before the world knew about 1999 EU Recommendation, various indigenous communities have practiced penal mediation principals in their customary courts. Besides, the customary court's principals are actually consistent with the Criminal Code Procedures Bill (RUU-KUHAP Team, 2008: 16-17).

Then finally, the government has to amend the Papua Special Autonomy Act so that the customary court's verdict cannot be overruled. This step is, We believe imperative, if the government wants to make the customary court stronger and more accommodative to the native Papuans. Various international and national regulations have recognized the verdict of a customary court as final and binding. The United Nation's Declaration on the Rights of Indigenous People has also guaranteed indigenous society to hold its customary courts. The declaration does not state that a customary court should be included in state justice systems. In addition, a decree by People's Consultative Assembly (MRP) No. III/KK-MRP/2009 on Special Regulations on the Recognition, Protection and Empowerment of Papua Indigenous People also guarantees the customary court autonomy and independency (Sekretariat Majelis Rakyat Papua, 2009: 31). A section in article 36 of the decree rules that "State courts cannot overrule any cases and disputes already resolved at the customary court except for human rights abuse cases."

5. Conclusion

Based on the above discussion, this article concludes that the Indonesian government has chosen a wrong politics of law when drafting the Papua Special Autonomy Act. The chosen mode of politics of law – the full incorporation form – has weakened the legal institution, authority, independency and autonomy of the Papua customary court. Therefore, the government better amend the law by choosing the limited incorporation as its politics of law formula. The form, We believe, is more accommodative to the native Papuans' needs and aspirations.

In implementing the limited incorporation system, in our opinion, the government can choose the following three formulas to amend the Papua Special Autonomy Act. Firstly, the government should recognize the customary court as a non-state justice system. Therefore, it has the authority to settle disputes and cases through non-litigation resolutions. Secondly, the government, has to clarify the jurisdiction of the customary court. It should be made clear that the court is authorized to adjudge both civil customary disputes and criminal customary cases of the Papua indigenous people. The customary court has the full jurisdiction to settle pure customary crimes. In double criminality cases, the court should be given the power to hand a maximum jail term of five years. The court, however, can only hand cultural punishment in double criminality cases which carry sentences of more than five years' imprisonment. In that event, the state courts will then take over the case and make verdicts based on the customary court's verdict. The third formula the government must take is making the customary court's verdict as final so that it cannot be overruled. This kind of authority, however, can only be exercised on double criminality cases, whose sentence is less than five years in jail, and to non-human rights abuse cases.

The aforementioned politics of law formulas can be used by the government to amend the Papua Special Autonomy Act. However, We argue that it will be much better if the government sets up the customary court recognition on judiciary power act, should not be included in a local administration law regime. In addition, the customary court recognition should not only be enacted to Papua Province but also also it will be applied to all of customary law society in Indonesia.

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