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Legal Pluralism and the Resolution of Adultery among the Arfak Indigenous Community: The Dialectic between State Law and Customary Law

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Abstract

This study examines the existence and effectiveness of the Arfak customary law in resolving adultery cases in Manokwari Regency, West Papua. The Arfak people regard adultery termed Niwak Cam in the Hatam language not merely as a domestic matter but as a violation of collective social order that demands resolution through customary mechanisms. The national legal system, however, often fails to accommodate the cultural and restorative justice dimensions required by indigenous communities. Using a juridical-empirical method with customary law and case approaches, data were collected through interviews with customary leaders, village heads, and academics in Manokwari over one month. Findings reveal that Arfak customary law operates through three principal actors Manir, Moskur, and Andipoi within a structured resolution process encompassing informal reporting, customary deliberation, sanction imposition, and social restoration rituals. Sanctions are collective and restorative in nature, including fines of pigs, cash, traditional goods, public apologies, and temporary social exclusion. The legal pluralism between state law and Arfak customary law is dialectical: each system fills spaces that the other cannot occupy. The study concludes that Arfak customary law remains relevant and effective because it addresses the psychological, cultural, and spiritual dimensions of conflict that formal legal procedures cannot reach.

Keywords: Legal pluralism; Arfak customary law; Adultery; Dispute resolution; West Papua

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INTRODUCTION

Customary law encompasses rules of conduct that are accepted within a particular social order, commonly transmitted across generations, and supported by social sanctions (Arpriani & Hanafiah, 2022). As a normative system, customary law is constitutionally recognized under Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which affirms that the state recognizes and respects customary law communities and their traditional rights, provided that they remain in existence and are consistent with societal development and the principles of the Unitary State of the Republic of Indonesia. Article 28I paragraph (3) also guarantees respect for cultural identities and the rights of traditional communities in accordance with societal and civilizational development.

However, constitutional recognition does not automatically resolve structural tensions between customary law and the state legal system. Legal pluralism describes a social field in which more than one normative order operates and influences how people select forums for resolving disputes (Griffiths, 1986; Merry, 1988). This condition is evident in West Papua, where Indigenous communities encounter state law and customary law simultaneously and may make pragmatic choices between them when conflicts arise.

The Arfak people, who inhabit the Arfak Mountains and parts of Manokwari Regency in West Papua, constitute a customary law community whose normative system continues to function in everyday social life (Sumiarni et al., 2018). The Arfak people consist of four sub-tribes Hatam, Meyah, Sougb, and Moile each with its own dialect and customary variations. They nevertheless share a collective identity and regard the Arfak Mountains as their ancestral land. Adultery is among the social violations addressed through their customary legal mechanisms (Luturmas, 2025).

Adultery, referred to in the Hatam language as Niwak Cam, ingwam ke yam, is not regarded merely as a private matter involving two individuals. For the Arfak community, such conduct violates customary marital norms, tarnishes the honor of the fam or clan, and may trigger conflict between families or villages. The local customary concept is broader than adultery under state law because sexual relations between two unmarried individuals may also be treated as conduct that disrupts communal equilibrium and warrants customary sanctions.

This situation places the Arfak community in a distinctive legal position. Under Article 284 of the Indonesian Criminal Code applied when the two cases occurred, adultery was classified as a complaint-based offense and was punishable by a maximum term of nine months' imprisonment. The Arfak community considers that such a sanction does not restore family honor,

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facilitate communal reconciliation, or provide moral and spiritual atonement. Community members may therefore prefer to resolve adultery cases through customary mechanisms, even though customary decisions do not possess formal executorial authority within the state legal system.

Previous studies have discussed the constitutional position of customary law, local restorative justice, and the cultural values of the Arfak people (Arpriani & Hanafiah, 2022; Purnomo, 2022; Sumiarni et al., 2018). Limited attention has been given to the operation of Arfak customary institutions in actual adultery cases and to the interaction between their decisions and state law. This study therefore examines how legal pluralism is manifested in the settlement of adultery cases among the Arfak community in Manokwari Regency. It addresses three questions: how adultery cases are resolved under Arfak customary law; what role customary institutions play in enforcing that law; and to what extent the system remains relevant and effective amid modernization and the formal legal system. The study contributes empirical evidence from two cases to the discussion of the dialectical relationship between state law and customary law in Papua.

RESEARCH METHODS

This study employed an empirical juridical approach, which views law as actual behavior within society (law in action) rather than merely as a body of normative texts. This approach enabled the researcher to examine how customary law is applied within the Arfak community, including its perceived effectiveness and implementation challenges. A case approach was also used to analyze two adultery cases resolved through customary forums.

The study was conducted in Manokwari Regency, West Papua, with data collected from August 2024 to May 2025. The location was selected because it has a significant Arfak customary law community and provides a setting in which state and customary legal mechanisms interact. Five key informants were selected purposively on the basis of their knowledge, institutional roles, and direct experience in customary dispute resolution. They were Demianus Martinus Mandacan, Head of the DOMBERAI Arfak Customary Court; Bambang Ullo, Head of Ningdip Village, Tanah Rubuh District; Yusak M., a Moskur and Head of Syiouh Village, Tanah Rubuh District; Hendrikus Renjaan, an academic at Caritas Indonesia University; and Angri Lesmana, a representative of the Women and Children Protection Unit of the Manokwari Metropolitan Police.

Secondary data were obtained from the 1945 Constitution of the Republic of Indonesia, Law Number 21 of 2001 concerning Special Autonomy for Papua, Papua Special Regional

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Regulation Number 20 of 2008 concerning Customary Courts, books, journal articles, and previous research. Interview data were transcribed, coded, grouped into themes, and compared across informants and case records. Source triangulation was conducted by comparing statements from customary leaders, village officials, an academic, and a police representative. Conclusions were drawn after the themes were checked against the legal materials and the chronology of the two cases.

RESULTS AND DISCUSSION

Overview of the Arfak Tribe in Manokwari Regency

The Arfak people have inhabited the Arfak Mountains in the southern and western parts of Manokwari Regency for thousands of years. Linguistically, they belong to the West Trans-New Guinea language family and are divided into four major sub-tribes, as detailed in Table 1. Despite differences in dialects and variations in customary practices, these four sub-tribes share a collective identity as the Arfak Tribe and regard the Arfak Mountains as their ancestral land.

The customary territory of the Arfak Tribe is closely associated with its distinctive natural landscape, including tropical montane forests, agricultural valleys, sacred lakes such as Lake Anggi Giji and Lake Anggi Gida, and rivers that serve as traditional transportation routes. Land ownership is communal and determined according to clan or *fam* lineage, while the management of natural resources is regulated through local wisdom, such as shifting cultivation practices. The Arfak Mountains are not merely a source of livelihood; they constitute an ancestral heritage imbued with spiritual meaning and serve as the central foundation of Arfak cultural identity.

The social structure of the Arfak community is based on a patrilineal kinship system, in which descent is traced through the father's line. The nuclear family constitutes the smallest social unit, although the extended family and clan play highly influential roles in decision-making. In everyday life, important decisions are made through deliberation and consensus involving customary leaders or clan chiefs. The traditional houses are known as *Ibeiya* among the Moile sub-tribe, *Iymama* among the Hatam, and *Tu Misen* among the Sougb. These houses are not merely residential buildings but also centers of social and spiritual life, and their construction is accompanied by various customary rituals.

The Arfak people's traditional belief system was formerly animistic, recognizing ancestral spirits and natural forces as integral parts of the spiritual order. With the introduction of Christianity, particularly Protestantism, a dynamic process of acculturation occurred in which old and new elements adapted to one another without eliminating the foundations of local culture.

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Traditional practices, including customary ceremonies, dances, and cultural symbols, continue to be preserved as part of the tribe's identity, even after most community members adopted a formal religion.

Table 1. Arfak Sub-Tribes, Traditional House Names, Territories, and Customary Characteristics

Sub-Tribe	Traditional House Name	Main Territory	Customary Characteristics
Hatam	Iymama	Central and northern mountains of Manokwari	Dominant in the customary deliberation system; the Hatam language is used as a customary lingua franca
Meyah (Mejach)	Ibeiya	Foothills of the western and southern mountains	Strong customary marriage traditions; bridewealth sanctions are strictly administered by the clan
Sougb (Sough)	Tu Misen	Valleys and western–eastern hills of the Arfak region	Custodians of oral traditions; customary decisions are often made through village elders known as Andipoi
Moile (Moskona)	Ibeiya	Transitional area between the Arfak Mountains and Bintuni Bay	Rituals are conducted before trees are felled; strong customary conservation principles

Source: Luturmas (2025), field data.

Institutional Structure of Arfak Customary Law

The customary institution of the Arfak Tribe has a clear hierarchical structure while remaining deliberative in nature. Three principal actors within this system work synergistically to ensure that disputes are resolved through participatory processes that are socially acceptable.

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Table 2. Institutional Structure and Roles of Actors in Arfak Customary Law

Customary Actor	Main Function	Authority	Example of Action
Manir (Grand Tribal Chief)	Presides over customary hearings and determines the final decision	Highest authority within the customary territory	Presided over deliberations in the YK versus FS case in 2021 and imposed a fine of three pigs and IDR 10 million
Moskur (Deputy Tribal Chief)	Serves as mediator, facilitates summonses, and verifies reports	Liaison between the community and the Manir	Summons both parties to the customary hall and conducts preliminary clarification before the formal hearing
Andipoi (Customary Elder)	Provides advice and ensures balanced clan representation during hearings	Represents the village of origin of the disputing parties	Three Andipoi from three villages attended the AD–YM case in 2019, even though the perpetrator was absent
Village Head	Serves as the point of entry for informal reports and coordinates the community	Administrative authority at the village level	Mr. Bambang Ullo, Head of Ningdip Village, served as an informant and facilitated the initial mediation

Source: Mandacan (2025), Ullo (2025), and Luturmas (2025).

Mechanism for Resolving Adultery Cases

From the perspective of the Arfak customary law community, adultery is not merely a private violation. It is regarded as a threat to the collective social order that requires a communal response. Therefore, its resolution cannot be entrusted solely to state-law mechanisms that tend to be individualistic and retributive. Instead, it must involve customary mechanisms capable of restoring the disrupted social balance.

Arfak customary law recognizes three principal actors in dispute resolution: the *Manir*, as the grand tribal chief who presides over the hearing and determines the final decision; the *Moskur*, as the deputy tribal chief who acts as mediator and facilitator; and the *Andipoi*, customary elders who represent the villages of origin of the disputing parties. These three actors work within a hierarchical but deliberative structure in which decisions are reached through consensus rather than voting.

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As stated by Demianus Martinus Mandacan, Head of the DOMBERAI Arfak Customary Court, during an interview conducted on March 27, 2025, the purpose of customary dispute resolution is not merely to punish the offender but also to restore the dignity of the dishonored family and re-establish harmony within the community. This orientation reflects the principles of restorative justice, which extend beyond the retributive logic of the formal legal system.

The process of resolving adultery cases under Arfak customary law consists of six systematically organized stages, as presented in Table 3. The first stage involves informal reporting. A case is generally revealed through a personal confession by one of the parties, testimony from neighbors, or information circulated through the communal network. The family of the aggrieved party usually acts as the principal complainant and verbally submits the complaint to the *Moskur* or directly to the *Manir*.

After receiving the report, the *Moskur* conducts an initial verification by inviting the complainant to provide more detailed information and, where necessary, carrying out field observations. This verification principle is important because, under Arfak customary law, making an unfounded accusation may also result in moral and social sanctions. This demonstrates that protection against false accusations is embedded within the customary system.

When the case is considered sufficiently substantiated, the *Moskur* consults the *Manir* and prepares oral summonses for both parties and their extended families. If the alleged offender refuses to attend after being summoned two or three times, the hearing may proceed in their absence, as occurred in the 2019 Ningdip case. The customary deliberation is presided over by the *Manir* and attended by the *Moskur*, the *Andipoi*, and all disputing parties. Witness testimony and other evidence are examined, including digital messages. In the 2021 Syiouh case, for example, WhatsApp messages were presented as evidence alongside testimony from community members.

The decision is reached through deliberation and consensus rather than voting and is delivered by the *Manir* as the final customary judgment. The sanctions imposed vary according to the seriousness of the violation. They may include fines in the form of land (*seiya*), Timor cloth (*miyasa*), pigs (*naba*), and money (*mitiei*); a public apology before the community; expulsion from the village for offenders who are uncooperative or repeatedly violate customary norms; and the return of bridewealth when a wife is proven to have committed adultery. If the offender's family refuses to pay the fine, the refusal may generate resentment and lead to prolonged conflict between families, potentially extending to subsequent generations.

The final stage is a ritual of social restoration, involving a communal meal, closing remarks from the *Manir*, and a statement of acceptance from the aggrieved party. These rituals signify that

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the dispute has been resolved and that the community has returned to a harmonious condition. This stage is not merely a formality; it constitutes a public declaration that the disrupted social balance has been restored.

Table 3. Stages in Resolving Adultery Cases under Arfak Customary Law

No.	Stage	Mechanism	Actors Involved
1	Informal Reporting	A confession, witness statement, or community report is submitted to the Moskur or Manir.	Victim's family and Moskur
2	Initial Verification	The Moskur clarifies the report and, when necessary, conducts field verification.	Moskur and informal witnesses
3	Consultation and Summons	The Moskur consults the Manir. Both parties and their extended families are orally summoned. If the offender fails to attend after two or three summonses, the hearing proceeds	Manir and Moskur
4	Customary Deliberation or Hearing	The Manir presides over an examination of statements, witnesses, and evidence. The decision is reached by consensus.	Manir, Moskur, Andipoi, and the disputing parties
5	Judgment and Determination of Sanctions	Sanctions may include pigs, money, customary goods, a public apology, temporary exclusion, or the return of bridewealth.	Manir
6	Social Restoration Ritual	A communal meal, closing remarks from the Manir, and a statement of forgiveness by the husband or victim. This marks the conclusion of the dispute and the restoration of harmony	Entire community

Source: Mandacan (2025), Yusak M. (2024), and Luturmas (2025).

Field Case Studies

1. The YK–FS Adultery Case in Syiouh Village, 2021

This case originated from a secret relationship between YK, a married woman whose husband was a local farmer, and FS, a motorcycle taxi driver from a neighboring village. Their

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relationship began to attract the attention of residents after they were frequently seen together in gardens and at the village market. After the information spread through the community, the husband's family believed that its dignity had been dishonored and reported the matter to *Moskur* Yusak M., the deputy tribal chief responsible for the area.

The initial mediation conducted by the *Moskur* was unsuccessful because the man, who worked as a motorcycle taxi driver, denied the allegation, while the woman's family defended her by claiming that the accusation was defamatory. The lawful husband felt publicly humiliated and demanded a formal settlement under customary law. As *Moskur* Yusak M. explained to the researcher:

> *"I had already tried to settle the matter amicably, but because one party continued to deny it and the dignity of the husband's family had already been damaged, we referred the case to the Manir for a formal hearing."*

The case was subsequently brought before the Grand *Manir* of the Tanah Rubuh customary territory, a position then held by a representative from the lineage of Lodewijk Mandatjan. The hearing was attended by the *Manir* as presiding leader, the *Moskur* as complainant and mediator, and three *Andipoi* representing the villages of origin of both parties. After hearing witness testimony and examining evidence in the form of WhatsApp messages and statements from children who had witnessed suspicious interactions, the offenders were found guilty under customary norms.

The *Manir* imposed the following sanctions: three adult male pigs to be delivered directly to the husband as compensation for the loss of family dignity; IDR 10 million in cash to be paid by the offender's family; and a customary public apology conducted in the courtyard of the husband's house and witnessed by all village residents. The judgment was implemented within seven days following the deliberation and was carried out openly. Community members considered the process successful in preserving the social order and restoring the dignity of the affected family.

2. The AD–YM Illicit Relationship Case in Ningdip Village, 2019

Unlike the first case, the incident in Ningdip Village, Tanah Rubuh District, involved a customary violation considered more serious: an illicit relationship between a son-in-law, AD, and his sister-in-law, YM. The violation not only damaged the marital bond but also disrupted the kinship structure within the extended family, constituting a double violation from the perspective of customary law.

The customary deliberation was conducted by *Andipoi* from three related villages.

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Although repeated summonses were issued, the offender refused to attend the deliberation forum. His absence did not prevent the process from continuing. The hearing proceeded in AD's absence, while his family was required to attend as a representative of collective responsibility. This reflects the customary principle that, within Arfak culture, an individual's wrongdoing also represents their family and community of origin.

The customary court imposed two categories of sanctions. First, a social sanction in the form of ostracism for one year, during which the offender was prohibited from participating in customary, religious, or social activities in any village. The offender's name was also publicly announced through oral communication as a form of moral reprimand. Second, an economic sanction was imposed through an installment-based fine comprising money, pigs, customary woven cloth, and a *parang* or machete. The fine was to be paid over a period of six months to one year, with each installment witnessed by customary leaders. After the ostracism period ended and the fine had been fully paid, a social rehabilitation ceremony was conducted to allow the offender and his family to participate once again in village life.

Table 4. Comparison of Two Adultery Cases Resolved through Arfak Customary Law

Case Element	Case I: YK–FS Adultery Case, Syiouh Village, 2021	Case II: Illicit Relationship between a Son-in-Law and Sister-in-Law, Ningdip Village, 2019
Location and year	Syiouh Village, Tanah Rubuh District, 2021	Ningdip Village, Tanah Rubuh District, 2019
Parties involved	YK, the wife of a farmer, and FS, a motorcycle taxi driver from a neighboring village	AD, a son-in-law, and YM, his female in-law
Trigger for escalation	The man denied the allegation, the woman's family defended her, and informal mediation failed	The offender refused to attend after being summoned two or three times by the Andipoi
Evidence used	WhatsApp messages and testimony from children who witnessed suspicious interactions	Testimony from community members and a chronology provided by family members
Presiding authority	Grand Manir of the Tanah Rubuh territory from the lineage of Lodewijk Mandatjan	Andipoi from three related villages

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Sanctions imposed	Three adult male pigs, IDR 10 million, and a public apology in the courtyard of the husband's house witnessed by all residents	One year of ostracism and an installment-based fine consisting of money, pigs, woven cloth, and a machete; the offender's family was required to attend as representatives
Implementation period	The judgment was implemented seven days after the deliberation and carried out openly	The fine was paid in installments over six months to one year, with every installment witnessed by customary leaders
Social restoration	Joint customary deliberation, closing remarks from the Manir, and the husband's voluntary statement accepting the apology	A social rehabilitation ceremony after the ostracism period ended and the fine was fully paid
Evaluation of outcomes	Successfully preserved the social order and restored the dignity of the affected family	Emphasized collective responsibility and used ostracism as an effective form of social pressure

Source: Yusak M. (2024), Ullo (2025), and Luturmas (2025).

The Dialectic between State Law and Customary Law: A Comparative Review

The two cases demonstrate that Arfak customary law operates as a socially recognized justice system with distinctive procedures, actors, sanctions, and restoration mechanisms. Its restorative orientation seeks not only to impose responsibility but also to repair family dignity, reconcile the parties, and restore the social balance disrupted by the violation. This finding is consistent with Ter Haar's concept of customary decisions, which emphasizes the restoration of equilibrium rather than retaliation (Ter Haar, 1962), and with restorative justice as a process that places harm, responsibility, and relationship repair at the center of dispute resolution (Purnomo, 2022).

From the perspective of legal pluralism, the Arfak customary system represents a normative order that operates alongside state law and derives legitimacy from community recognition (Griffiths, 1986; Merry, 1988). The interaction is therefore not limited to conflict between two systems. It also involves accommodation, forum selection, and mutual influence. Community members may select the customary forum because it is perceived as more responsive to cultural, spiritual, and relational dimensions of justice.

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The comparison between Arfak customary law and state law in Table 5 demonstrates that the two systems should not be understood as competitors that mutually eliminate one another. Rather, they are systems with different orientations and capacities. State law is superior in terms of formal legal certainty, enforceability, and protection of individual rights. Customary law is superior in terms of accessibility, speed, cultural relevance, and its ability to address the emotional and spiritual dimensions of conflict. Each system possesses weaknesses that cannot be resolved solely from within its own framework.

Hendrikus Renjaan, an academic from Universitas Caritas Indonesia who was interviewed on May 15, 2025, stated that customary law-based dispute resolution can provide solutions that are more culturally and socially just for Indigenous communities than rigid and costly formal legal proceedings. This statement contains two important implications. First, justice is not universal in a purely procedural sense but is connected to the cultural context of the relevant community. Second, accessibility to justice constitutes a substantive component of justice itself and is not merely a procedural matter.

The greatest challenges currently facing Arfak customary law originate from three directions: modernization, globalization, and the fragmentation of values. Younger generations who receive formal education outside the region have begun questioning the relevance of customary law and have adopted the view that domestic issues are private matters that should not become the concern of the wider community. Social media has also altered public perceptions of adultery, transforming it from a social violation into normalized entertainment content. Urbanization has encouraged migration and weakened village-based social control, which constitutes the backbone of customary law's effectiveness.

Nevertheless, positive signs of adaptation have also emerged. Several customary leaders have begun integrating legal-formal approaches into customary mechanisms, such as recording decisions in writing and involving community figures with legal backgrounds. Customary deliberation forums have also begun creating opportunities for women and younger generations to participate in decision-making. The West Papua regional government has provided support through policies protecting local culture and financial assistance for customary institutions. These initiatives demonstrate the ability of the customary system to evolve without losing the substance of its values.

One critical issue that cannot be ignored is the potential for gender inequality in the implementation of customary law. The dominance of men within the Arfak customary structure, as the positions of *Manir*, *Moskur*, and *Andipoi* are generally held by men, may result in bias during

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decision-making, particularly in cases where women are accused. The sanction requiring the return of bridewealth when a wife commits adultery, for example, may place women in a more economically vulnerable position than male offenders. Harmonizing customary legal values with the principles of gender equality guaranteed under national law and international instruments is therefore an urgent agenda that can no longer be postponed.

Table 5. Comparison between Arfak Customary Law and State Law in Addressing Adultery

Aspect	Arfak Customary Law	State Law or Positive Law
Source of legitimacy	Local wisdom, ancestral heritage, and community consensus	Written legislation, including statutes and the Criminal Code
Orientation of resolution	Restorative: restoring social harmony and family honor	Retributive or administrative: punishing offenders and ensuring legal certainty
Sanctions for adultery	Customary fines involving pigs, money, and Timor cloth; public apologies; temporary ostracism; and the return of bridewealth	Complaint-based criminal proceedings under the Criminal Code and divorce proceedings through the courts.
Subject of sanctions	Collective: the offender and extended family bear responsibility together	Individual: only the offender is subject to criminal sanctions
Resolution period	Relatively rapid, ranging from several days to several weeks	Several months to several years
Costs	Low and based on communal cooperation	High, involving lawyers' fees, court costs, and administrative expenses
Dimensions addressed	Psychological, spiritual, social, and cultural dimensions	Formal law, civil rights, and procedural dimensions
Main weaknesses	Lacks formal enforcement authority and is vulnerable to bias among customary leaders	Does not adequately address local sociocultural aspects and tends to be rigid and bureaucratic

Source: Researcher's analysis based on field data and literature review (2025).

Effectiveness of Arfak Customary Law

The effectiveness of Arfak customary law in resolving adultery cases can be evaluated

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through six primary indicators encompassing procedural, social, and normative dimensions.

Table 6. Assessment of the Effectiveness of Arfak Customary Law in Resolving Adultery Cases

Effectiveness Indicator	Field Findings	Critical Notes
Speed of resolution	Cases are generally resolved within several days or weeks.	Time-efficient but potentially rushed if not supported by adequate verification procedures
Social acceptance	Decisions generally receive community acceptance because they draw on shared values and participation.	Potential social pressure against parties who disagree with customary decisions
Restoration of relationships	Genuine reconciliation occurred in both field cases, and the husband voluntarily expressed acceptance of the apology	Restoration depends on the willingness of both parties and does not always result in marital reconciliation
Social deterrent effect	Publicly announcing the offender's name in the village and conducting a public apology ritual produce a strong preventive effect	Relies on shame and may become discriminatory if applied disproportionately
Financial accessibility	The process does not require formal legal fees and is based on community contributions	Customary fines involving pigs and money may burden economically disadvantaged families
Human rights protection	Gender equality is not always guaranteed because customary structures are dominated by male leaders	Harmonization with human rights and gender equality principles is required

Source: Field data and researcher's analysis (2025).

CONCLUSION

Arfak customary law remains functional in the two adultery cases examined. The resolution process involves the Manir, Moskur, and Andipoi through reporting, verification, deliberation, sanction determination, and social restoration. Its sanctions combine accountability

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with efforts to restore family dignity and communal relations.

The relationship between state law and Arfak customary law is both dialectical and complementary. State law provides formal enforceability and individual-rights safeguards, whereas customary law offers accessible and culturally grounded restoration. Clearer coordination is needed to reduce conflicting outcomes and protect the rights of all parties.

The study recommends clearer implementation of Papua Special Regional Regulation Number 20 of 2008, capacity building for customary leaders on accountability and gender equality, regeneration of customary leadership, and systematic documentation of customary decisions. These measures can support the continuity of Arfak customary law while strengthening procedural safeguards.

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