



# Authority of Traditional Leadership in Natural Resource Management in the Meyah Tribe of Manokwari

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**Abstract:** This study examines the leadership structure and authority of the Meyah customary law community in managing natural resources in Manokwari Regency, West Papua. Using a qualitative approach using legal ethnography methods combined with an empirical juridical model, this study highlights how living customary law serves as the primary foundation for maintaining the ecological, spiritual, and social balance of the community. The findings indicate that tribal chiefs and customary councils play a central role in establishing customary rules related to the management of customary lands, customary forests, rivers, and sacred areas, based on the values of deliberation and respect for ancestors. However, this authority faces serious challenges, such as the dominance of state law based on formal documents, overlapping customary territories with investment permits, and weak recognition of customary institutions in public policy. This article concludes that strengthening customary authority requires structural and legal strategies, such as the issuance of Perdasus, participatory mapping of customary territories, community legal literacy, and strengthening the political representation of indigenous communities. It is crucial as part of protecting constitutional rights and preserving local wisdom-based natural resource governance

**Keywords:** Customary law; customary leadership; Meyah tribe; local authority; natural resources; West Papua

## 1. Introduction

Indigenous community leadership is a key pillar in the social and legal systems of indigenous communities in Indonesia. This leadership not only serves as a social organizing structure but also serves as a legal, spiritual, and ecological foundation for managing living spaces and natural resources (Zalukhu, 2025). In the context of West Papua, the Meyah Tribe in Manokwari Regency is one of the indigenous communities that still maintains a traditional leadership structure in managing its customary territory and the resources within it. The system reflects the integration of local values, customary norms, and collective deliberation mechanisms passed down through generations (Li, 2007).

The Meyah tribe's customary leadership practices have been practiced for generations. In these practices, tribal chiefs (called *menir*, *mananir*, or *moskur*) and customary councils play a central role in regulating land use, the hunting ban system, garden rotation, and the protection of sacred areas (Watopa & Min, 2013). However, these conditions are now facing serious pressure from various directions. In recent decades, their customary territories have been threatened by extractive economic expansion, including palm oil plantations and mining, as well as by state regulations that do not fully recognize or accommodate the full customary legal framework (Colchester, 2011).

On the other hand, the Indonesian constitution provides a legal basis that recognizes the existence of indigenous communities (Pradhani, 2019). Article 18B paragraph (2) of the 1945 Constitution states that "The state recognizes and respects customary law communities and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia". Similarly, Law Number 21 of 2001 concerning Special Autonomy for Papua grants indigenous communities the right to govern their own affairs based on living

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customary law (Skukubun & Msen, 2016). However, in practice, this recognition remains administrative in nature and does not address the substantive aspects of customary authority (Tandori & Supriyanto, 2025).

This discrepancy gives rise to legal conflicts, both vertically (between customary law and state law) and horizontally (between indigenous communities and external parties, such as corporations and the government) (Syamsudin, 2008). This situation is exacerbated by the lack of formal documentation of customary territory boundaries, which often results in indigenous community claims being unrecognized in licensing and spatial planning processes (Butt, 2014).

The urgency of this research becomes even more apparent given the reality of the increasingly aggressive expansion of the extractive economy in West Papua, particularly over the past two decades. Palm oil plantations, mining concessions, industrial timber plantations, and large-scale infrastructure (such as logging roads and national strategic projects) have expanded the scope of interventions into the Meyah Tribe's customary territory. This phenomenon is exacerbated by various changes in forestry and agrarian policies that tend to open up investment opportunities, for example, through revised forest area maps, accelerated land releases for business purposes, and spatial planning policies that often exclude customary area maps as a basis for planning. This situation highlights structural inequalities, as decisions regarding land and resources do not always consider customary mechanisms that have maintained environmental sustainability for centuries. In this context, the lack of formal documentation and substantive recognition of customary rights is one of the biggest factors contributing to the loss of indigenous peoples' control over their own land, reinforcing the urgency of research related to the authority of customary leadership in natural resource management. Furthermore, the ever-changing policy dynamics in the forestry and agrarian sectors present new challenges for indigenous communities, particularly when state policies do not fully align with the principles of legal pluralism that recognize the existence of non-state legal systems. Central and regional governments often prioritize administrative approaches in designating forest areas, granting business permits, or determining forms of spatial use which, in practice, can ignore the legitimacy of customary authority and the authority of customary leaders to regulate customary territories. Such policy pressures not only result in the displacement of traditional authority but also threaten the sustainability of customary practices that maintain ecological and social balance. Therefore, this research is crucial in demonstrating how customary leaders of the Meyah Tribe navigate power relations with state and non-state actors, how customary authority is maintained or weakened by regulatory changes, and how formulating strategies to strengthen customary roles can provide direction for more inclusive, responsive, and equitable policies for indigenous communities in West Papua.

Theoretically, this problem can be analyzed using a legal pluralism approach, namely the view that more than one legal system can coexist within a single state. This method was developed by experts such as Sally Engle Merry (1988) and Franz von Benda-Beckmann (2002), who emphasized the importance of recognizing customary law as a living and contextual legal system (Von Benda-Beckmann & von Benda-Beckmann, 2002). According to Merry, legal pluralism highlights the fact that state legal power is not the only legitimate source of law in everyday community life (Merry, 1988). Therefore, the formulation of the problem discussed in this study includes: (1) What form of legal authority does the customary leader have in protecting their territory and natural resources? (2) What is the structure and form of leadership of the Meyah customary law community in the context of natural resource management? (3) To what extent are the challenges faced in maintaining this customary authority amidst pressure from state law and external interests, and what strategies can be formulated to strengthen the role of customary law to ensure the sustainability of customary law and environmental preservation? The research is important to enrich scientific studies in the fields of customary law, legal anthropology, and community-based natural resource governance. In addition, the results of this study are expected to be the basis for the formulation of policies based

on local wisdom, as well as encourage substantive recognition of the role of customary leadership in the government system in the West Papua region.

## 2. Materials and Methods

This research uses a qualitative approach with legal ethnography methods combined with an empirical juridical model. This approach aims to understand the dynamics of living law in indigenous communities, particularly the authority of customary leadership and natural resource management in the Meyah Tribe's customary territory, Manokwari Regency. Data were obtained through in-depth interviews with tribal chiefs and customary figures, supplemented by a documentary study of customary rules, as well as national and local regulations. Data sources consist of primary data and secondary data in the form of customary documents, laws and regulations, and academic literature. Data were analyzed thematically and descriptively-qualitatively using data reduction, categorization, and triangulation techniques to ensure the validity of the findings through the perspectives of customary law and socio-legal theory.

## 3. Results and Discussion

### 3.1. Meyah Tribe's Customary Authority in Natural Resource Management

In the customary legal community system of the Meyah people in West Papua, customary authority plays a central role in natural resource governance (R. K. R. Hammar, 2019). The authority represents not only administrative power but also normative, ecological, and spiritual power, rooted in a collective value system passed down through cultural practices and customary rituals (Chandra et al., 2024). The use and protection of land, forests, water, and sacred areas are regulated through customary deliberation forums, which produce decisions that are binding on all community members (Li, 2007).

Customary leadership in the Meyah community is both legitimate and performative, meaning that authority is acquired through social recognition and actively exercised in daily life (Fadrullah & Syam, 2024). The tribal chief (called *menir* or *mananir*), together with the customary council (*andipoj*), has the authority to: (a) Impose prohibitions on forest clearing or hunting in sacred areas, (b) Regulate agricultural rotations based on the local ecological calendar, (c) Determine no-hunting zones during certain seasons. Manage the distribution of access to ponds and rivers according to clans, (d) Maintain the sustainable function of customary land (*mebi*, *mewi*).

The presence of customary norms, such as the prohibition on cutting down large trees considered "village guardians" or the prohibition on touching sacred areas (*sasnek*), demonstrates that customary law not only regulates external behavior but also mediates the cosmological relationship between humans, nature, and ancestral spirits (Seko et al., 2025). Violation of these rules is considered a violation of the will of the ancestors and the sacred values of the community (Dove, 2006).

In the framework of legal pluralism, as formulated by Sally Engle Merry (1988), customary law is a legal system that has its own legitimacy, not dependent on state recognition (Merry, 1988). Customary authority exists as part of an autonomous, socially and spiritually recognized legal system, coexisting with, and often contradicting, the state legal system (Lubis et al., 2025). This is supported by the thinking of Leopold Pospisil and von Benda-Beckmann, who asserted that customary authority stems from social consensus, collective history, and local value structures, rather than formal legality (Pospisil, 1971).

Thus, tribal chiefs and customary institutions are not merely cultural symbols, but active legal actors that integrate moral, ecological, and spiritual dimensions into collective decision-making processes (Sokoy et al., 2025).

Normatively, national law has recognized the existence of customary law communities and their leadership structures: (a) Article 18B paragraph (2) of the 1945 Constitution: States that the state recognizes and respects the unity of customary law communities and their rights as long as they exist and are in accordance with societal development and the principles of the Unitary State of the Republic of Indonesia. (b) Law No. 21 of 2001

concerning Special Autonomy for Papua, Articles 43–47: Grants indigenous communities the right to regulate and manage their own socio-cultural affairs and customary land. (c) Constitutional Court Decision No. 35/PUU-X/2012: Determines that customary forests are not part of state forests, but belong to customary law communities. (d) Law No. 6 of 2014 concerning Villages, Article 103: Provides recognition to traditional villages in managing their affairs based on their original rights.

However, in practice, there is a significant gap between normative recognition and practice. Tribal chiefs and customary structures are often excluded from the licensing process for extractive industries such as mining and large-scale plantations, or from the determination of regional spatial plans. This demonstrates a deficit in legal protection and the weak legal standing of indigenous communities within the state's policymaking system (Butt, 2014).

### 3.2. Leadership Structure of the Meyah Indigenous Community

Leadership in the Meyah tribal community is based on collective-communal and genealogical principles, meaning that the position of tribal chief is inherited through a certain lineage, but still takes into account the personal qualities, reputation, spirituality, and social skills of the leader (Atika et al., 2024). Theoretically, the leadership of the Meyah tribe is included in the mixed leadership system between the authoritative male system and inheritance (R. K. Hammar, 2020). Traditional leaders (often called *menir*, *mananir*, *moskur* in several Arfak communities) are figures who have legal, social, and spiritual responsibilities in the community (Muhaimin & Merina, 2025).

The tribal chief carries out his role through customary deliberations with tribal elders (*andipoj*) and village leaders, reflecting a traditional form of deliberative democracy (Bhoki et al., 2024). Every important decision, whether regarding land use, resolving inter-clan disputes, or performing traditional rituals, must be made through mutual agreement within this collective structure (Sinaga et al., 2024). As emphasized by Jalaluddin, The Meyah customary leadership system emphasizes deliberation, respect for ancestors, and adherence to customary norms as the primary basis for legal and social authority within the community.

This customary leadership structure, which embodies ecological, spiritual, and collective values, provides an important alternative to the natural resource governance model that has been dominated by technocratic and exploitative approaches. Customary authority has proven effective in: (a) Maintaining forest and water sustainability through customary prohibitions, (b) Resolving internal and external conflicts based on deliberation, (c) Regulating the equitable distribution of resources based on social roles and kinship.

Therefore, strengthening customary authority, such as that of the Meyah Tribe, is part of a strategy for sustainable development and ecological justice. The state must not only formally recognize their existence but also provide participatory space and substantive recognition in the governance of natural resources within customary territories (Widjaja, 2025).

The conflict between customary law and state law is one of the most significant challenges faced by indigenous communities in Indonesia, including the Meyah Tribe in Manokwari Regency. The asymmetric legal relationship between the state and indigenous communities often arises in the context of control and management of natural resources.

The main problem is the inconsistency in the recognition of indigenous territorial boundaries, Formal land use permits by the state often contradict collective claims based on hereditary ownership. The state legal system requires written proof or land title certificates as the legal basis for land ownership, while in the Meyah customary system, land is inherited orally and is based on genealogical and spiritual relationships with ancestors.

This leads to overlapping land exploitation permits, such as land use rights (HGU), forest product utilization permits (IUPHHK), and mining permits, with areas traditionally designated as forbidden forests or sacred areas. It has led to conflicts between in-

indigenous communities and companies, and even state officials, as land use is carried out without consultation and free consent from local communities known as Free, Prior and Informed Consent/FPIC.

In the national legal system, Law No. 5 of 1960 concerning Basic Agrarian Regulations (UUPA) does recognize customary rights, but this recognition is conditional and delegative, requiring the existence and implementation of customary rights to be recognized by the regional government and stipulated in regional regulations. This weakens the position of customary law, as it relies on local political will. Furthermore, Forestry Law No. 41 of 1999 (before being amended by Constitutional Court Decision 35/PUU-X/2012) once designated all forest areas as state property, including those traditionally controlled by indigenous communities. Although the Constitutional Court ruling corrected this and recognized the existence of customary forests, implementation on the ground remains minimal.

In practice, the conversion of customary law into the state legal system is often unfair. The state tends to demand formal legality (certificates, digital maps, or administrative documents), while indigenous communities have for centuries managed their territories based on a system of social and spiritual relations that are not administratively documented. From the perspective of legal pluralism theory, this situation reflects the state's failure to integrate local legal systems into the national legal framework. According to Griffiths (1986), state law tends to be hegemonic, while customary law is positioned as subordinate or complementary, even though the two should stand on equal footing and complement each other. In the Papuan context, it is exacerbated by the colonial legacy that uses state law as a tool to integrate and discipline marginalized areas deemed "non-modern."

Addressing the structural imbalance between customary law and the state requires a strategy to strengthen the institutions and politics of customary law communities, using an interdisciplinary and multi-level approach. Several key strategies that can be implemented in the Meyah customary territory include: (a) Special Regional Regulations (Perdasus) and Regional Regulations (Perda), (b) Regional legal products are needed that explicitly recognize: (c) The existence of the Meyah customary law community. (d) Customary territory boundaries through participatory mapping. (e) The structure and function of customary institutions as regulatory entities.

Articles 43–47 of the Papua Special Autonomy Law provide the basis for issuing a Regional Regulation (Perdasus) that can legitimize the status of customary law as a subject of public law. This initiative must be facilitated by the Regional People's Representative Council (DPRD) and the regional government through community deliberations and synchronization with spatial planning documents. Regarding the existence of the Meyah Customary Law Community (MHA) and other tribes in West Papua in general, Perdasus No. 9 of 2019 concerning Guidelines for the Recognition, Protection, and Empowerment of Customary Law Communities and Customary Territories in West Papua Province and Gubernatorial Regulation No. 25 of 2021 concerning Procedures for Determining the Recognition of MHA and Customary Territories in West Papua have been issued. However, their implementation has not yet addressed the fundamental rights of MHA.

#### a. Legal Education and Indigenous Literacy

Strengthening legal understanding among indigenous communities, especially the younger generation, is crucial so they can: (a) Understand their rights under national and international law (e.g., the UN Declaration on the Rights of Indigenous Peoples). (b) Systematically document customary rules (in the form of written customary laws or customary charters). (c) Engage in legal advocacy when customary rights violations occur.

#### b. Involvement in Political and Policy Processes

Indigenous communities must be involved in: (a) Village and district-level development planning processes (RPJMDesa, RPJMD). (b) Forums for drafting environmental

regulations and permits. (c) Decision-making bodies, such as the District Indigenous Peoples Forum or the Regional Indigenous Peoples Commission. (d) Through a participatory governance approach, the voices of indigenous peoples are not merely symbolic but become part of a legitimate system of political representation.

c. **Strengthening Advocacy Networks and Alliances**

The involvement of indigenous communities in networks such as: (a) AMAN (Indigenous Peoples Alliance of the Archipelago), (b) JKPP (Participatory Mapping Network), (c) LBH Papua or other supporting institutions

It can help communities obtain legal assistance, facilitate mapping of indigenous territories, and publicize cases of violations as a form of political pressure on the state.

### **3.3 Challenges and Strategies in Maintaining Customary Authority**

The Meyah customary law community faces various serious challenges in maintaining its customary authority in natural resource management, which can be categorized into the following aspects:

a. **Legal Asymmetry: Dominance of State Law**

State law tends to prioritize formal evidence such as land ownership certificates, recognition decrees, or spatial planning documents in determining the legality of land ownership and control. In contrast, the Meyah customary legal system is based on oral relations, inheritance of values, and community recognition, and is therefore often not recognized as valid within formal legal logic. This has led to the marginalization of customary legal structures in land and forestry administration systems.

b. **Overlapping Territorial Areas and Extractive Investments**

There is often an overlap between customary territories and mining business permits (IUP), plantation HGUs, and state forest areas, which are granted without consultation or consent of indigenous communities. This triggers agrarian conflicts and the destruction of sacred areas traditionally protected by customary law.

c. **Lack of Institutional Recognition**

Tribal chiefs and customary institutions are often not recognized as legal subjects or legitimate actors in development decision-making processes at the local level. They are not involved in village deliberations, spatial planning, or environmental permit oversight, so their authority becomes symbolic and non-operational.

d. **Cultural Erosion and Leadership Regeneration**

Globalization, formal education that is disconnected from local roots, and economic pressures have led to a decline in interest in customary values among the younger generation and a crisis in the regeneration of customary leadership. This poses a serious threat to the long-term sustainability of the customary legal system.

To address the challenges mentioned above, a structural, legal, and participatory strengthening strategy is needed. Some strategies that can be formulated include: Strengthening Formal Law Through Regional Regulations (Perdasus) and Regional Regulations (Perdasus)

The regional government must encourage the issuance of Special Regional Regulations (Perdasus) in West Papua that substantively recognize the existence of customary law communities, customary territorial boundaries, and the authority of tribal chiefs as holders of territorial and natural resource management rights. The regulations must regulate mechanisms for customary participation in permitting, spatial planning, and resource conflict mediation.

e. Participatory Customary Territory Mapping

Conducting participatory mapping involving communities, government, and NGOs to spatially delimit customary territories. This mapping is crucial to prevent overlap with state and corporate concessions and can serve as the basis for legal claims in court or in legal recognition processes.

f. Community-Based Legal Education

Providing legal literacy to indigenous communities, especially the younger generation, so they understand both customary and state law. This enables them to legally defend their customary rights and engage in dialogue across legal systems without losing their cultural identity.

g. Adaptive Customary Institutions

Encouraging reform of customary institutions to ensure their relevance to the contemporary context without losing their original values. For example, establishing documented customary legal institutions, drafting written customary legal charters, and involving women and youth in customary deliberations.

h. Advocacy and Political Representation Coalition

Integrating indigenous peoples' voices in policy-making through representation in the Regional People's Representative Council (DPRD), multi-stakeholder forums, and building alliances with civil society organizations (CSOs) and advocacy networks such as AMAN, JKPP, and the Agrarian Reform Consortium (KPA).

These strategies aim to elevate customary law from an informal status to substantive recognition in state governance, while simultaneously safeguarding the ecological and spiritual sustainability that indigenous peoples have cherished for centuries.

#### 4. Conclusions

The leadership of the Meyah customary law community is a central element in a natural resource management system based on local wisdom, which not only regulates social life but also serves as a legal, ecological, and spiritual authority. The genealogical and deliberative leadership structure enables inclusive decision-making mechanisms that align with the community's cultural values.

Customary authority faces serious challenges due to the inconsistency between customary law and state law, particularly regarding the formal recognition of customary territories and customary rights. The state still predominantly uses formal legal logic and written evidence, while the customary system is based on oral tradition and collective experience, leading to the marginalization of customary structures in licensing, spatial planning, and the resolution of agrarian conflicts.

The expansion of the extractive economy and the weakened political position of indigenous communities have threatened the sustainability of customary leadership and the living space of communities, including the Meyah. Therefore, the recognition and strengthening of customary authority must be seen as part of efforts to achieve ecological justice, protect constitutional rights, and implement substantive democracy in natural resource management in Indonesia.

Regional governments need to encourage the optimal implementation of Special Regional Regulations (Perdapus) and Regional Regulations (Perda) that explicitly recognize the existence of the Meyah customary law community, the boundaries of its customary territory, and the authority of its leadership. Strengthening customary institutions must be accompanied by formal legal recognition of tribal chiefs as legitimate authorities in resource management.

Participatory mapping of customary territories is necessary, actively involving communities, assisted by non-governmental organizations and experts, to produce legally recognized spatial documents. It is a crucial foundation for preventing land conflicts with corporate and state interests.

Young indigenous people need to be provided with community-based legal education that integrates customary knowledge with national and international law. It aims to strengthen the community's internal capacity to legally and strategically advocate for their rights in public forums.

Indigenous communities must be included in every stage of development planning, natural resource licensing, and oversight of implementation. It aligns with the principle of Free, Prior, and Informed Consent (FPIC), which is recognized in international law and serves as a standard for protecting the rights of indigenous peoples.

Synergy between indigenous communities, government, academics, and civil society organizations is needed to develop community-based resource governance models. Support from advocacy networks is crucial for strengthening the political position of indigenous communities at the local and national levels.

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