



Customary Practice of Tandok Sepapan in Mediating Tenurial Conflicts within the Community of Southeast Aceh Regency

Sunawardi Desky ^{1*}, Hizir Sofyan ², Irwan Abdullah ³, Rusli Yusuf ⁴

¹ PhD Candidate, Department of Social Science Education, Universitas Syiah Kuala Banda Aceh, Aceh, Indonesia

² Professor, Dr., Department of Statistics, Faculty of Mathematics and Natural Sciences, Universitas Syiah Kuala Banda Aceh, Aceh, Indonesia

³ Professor, Dr., Department of Anthropology, Faculty of Cultural Sciences, Gadjah Mada University, Yogyakarta, Indonesia

⁴ Professor, Dr., Department of Civic Education, Faculty of Teacher Training and Education, Universitas Syiah Kuala Banda Aceh, Aceh, Indonesia

* **Corresponding Author:** sunawardi.16@gmail.com

Citation: Sunawardi, Sofyan, H., Abdullah, I., & Yusuf, R. (2024). Customary practice of Tandok Sepapan in mediating Tenurial conflicts within the community of Southeast Aceh Regency. *Herança*, 7(4), 175-187. <https://doi.org/10.52152/heranca.v7i4.982>

ARTICLE INFO

Received: 10 Feb 2024

Accepted: 27 Apr 2024

ABSTRACT

This research aims to understand the relevance and practices of the Tandok Sepapan customary tradition in resolving Tenurial conflicts among the communities of Southeast Aceh Regency. This research is designed qualitatively using a case study approach. The research was conducted in Peseluk Pesimbe Village, Deleng Pokhisen Subdistrict, and Bakti Village, Babul Makmur Subdistrict, for the Conservation Forest, and Tanjung Leuser Village and Gulo Village, Darul Hasanah Subdistrict, for the Conservation Forest in Aceh Tenggara District. The research findings demonstrate that the customary practice of Tandok Sepapan plays a crucial role in mediating tenurial conflicts within the community. Tandok Sepapan, as a traditional conflict resolution mechanism, has proven effective in resolving disputes related to land ownership and rights. This practice involves guided dialogue based on cultural norms and values, resulting in peaceful resolutions. The customary practice of Tandok Sepapan not only serves as a means to resolve conflicts but also strengthens social bonds, fosters trust, and maintains harmony and sustainability within the Southeast Aceh Regency community. A mediation approach considering customary norms and local wisdom creates space for dialogue, understanding, and reconciliation among conflicting parties, offering more sustainable and harmonious solutions in the local community context. The structured mediation process, from the appointment of the Head of Adat to the drafting of peace agreements, enables the search for culturally aligned solutions. Agreements made in customary meetings are based on fairness for both parties and are later formalized into peace agreements recognized as customary law by all involved.

Keywords: Tandok Sepapan; Customary Practice; Mediation; Tenurial Conflicts; Traditional Conflict Resolution

INTRODUCTION

Agrarian conflicts in Indonesia have significantly increased year by year. According to data from the Agrarian Reform Consortium (KPA), cited in the 2023 Agrarian Annual Report, the number of agrarian conflict cases in Indonesia peaked in 2017, reaching 659 cases. Since then, the number of cases has generally declined until 2023 (Indonesia Archives – Tenure Facility, n.d.; Grassroots Justice Network, 2023). However, despite the overall decrease, the number of agrarian conflicts in 2023 has risen to 241 cases, compared to 212 cases in 2022. This indicates that agrarian issues still require serious attention. Based on KPA data, the agrarian conflict cases in 2023 are primarily related to the plantation sector (108 cases), real estate business (44 cases), mining (32 cases), and infrastructure projects (30 cases). Additionally, there are conflict cases related to the forestry sector (17 cases), coastal and small island areas (5 cases), and military facilities (5 cases) (Konsorsium Pembaruan Agraria - KPA, 2023) (Figure 1).

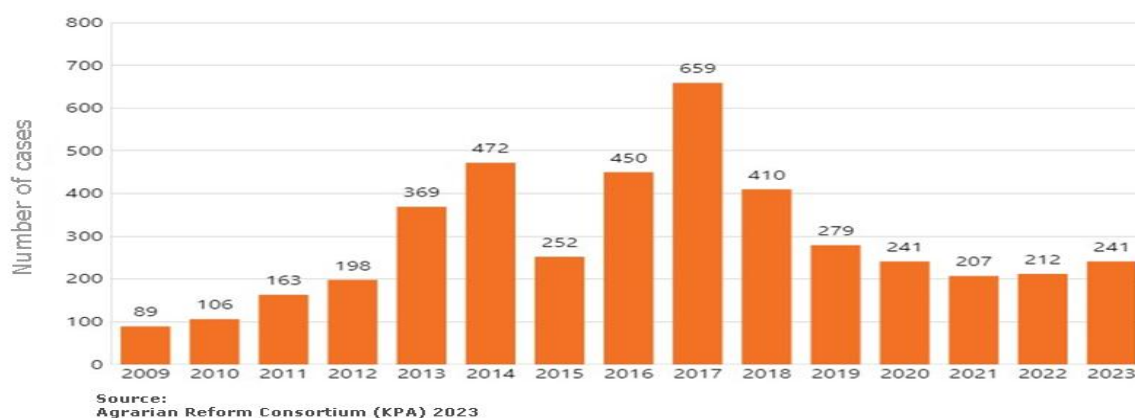


Figure 1. Graph of Number of Agrarian Conflict Cases (2009-2023)

The number of people affected by these conflicts amounted to 109,042 households scattered across 420 villages in all provinces of Indonesia. In line with KPA data, the Ministry of Environment and Forestry (KLHK) also reported 9,124 land conflicts during the period from 2015 to 2019 (Irwanda & Hasibuan, 2023). According to the KPA's 2020 annual report, conflicts in the plantation and forestry sectors are spread across 34 provinces in Indonesia, with the six largest provinces contributing the highest number of conflicts, namely Riau (44 conflicts or 9.78%), East Java (43 conflicts or 9.56%), West Java (38 conflicts or 8.44%), North Sumatra (36 conflicts or 8.00%), Aceh (24 conflicts or 5.33%), and South Sumatra (22 conflicts or 4.89%). The data reported in 2013 indicates that tenure conflicts in the forestry sector amounted to 72 cases, covering an area of more than 1.2 million hectares (Maladi, 2012; Zuber, 2016). The issues of tenure conflicts and forest area status are closely related and interconnected.

Tenure conflicts refer to disputes or conflicts arising from rights over forests, while forest area status concerns the recognition and legal protection of the existence and function of forests (Alam, Konflik, Suatu, Literatur, & Fathiah, 2019; Jurnal, Hukum, & Fitri, 2015; Latuparisa & Afiff, 2021; Nofrizal, Jalil, & Saleh, 2019; Ramadhan, 2023). One example is the conflict that occurs in National Park areas (Maladi, 2012; Pamungkas & Jones, 2021; Yusran et al., 2017). National Parks throughout Indonesia face different problems and conflicts. Tenure conflicts in conservation forest areas have occurred in various locations in Indonesia (Riggs et al., 2016). These tenure conflicts involve disputes between the government and communities regarding the use and ownership of land in these conservation forest areas (Indira Anggraini & Gunawan, 2021). Similarly, conflicts arise in the Gunung Leuser National Park (TNGL) area, which is located in Southeast Aceh (Firjatullah & Kurniawan, 2022; Harefa, 2021a).

The Protected Forest and Gunung Leuser National Park (TNGL) are crucial life-supporting resources for meeting the needs of the community. Land use conflicts in Southeast Aceh have been persistent and complex issues over a long period of time. Despite ongoing efforts, there has been no universally accepted solution. Data from the Director of the Leuser Conservation Forum (FKL), Rudi Putra, as reported in Serambi, Sunday (30/12), from his monitoring results between January and November 2018, revealed 233 cases of forest encroachment covering an area of 1,038.4 hectares, and 266 cases of illegal logging totaling 641.92 cubic meters of wood. The total area of forest damage in Southeast Aceh has reached a staggering 31,569 hectares. This figure includes 12,892 hectares that have been encroached upon between 2006 and November 2018, highlighting the significant environmental impact of human activities in the region. As Southeast Aceh grapples with this issue, it is essential to understand the underlying factors contributing to such deforestation.

One major factor is the population growth rate, which stands at 1.75% per year. This growth is particularly pronounced in Southeast Aceh, where approximately 82% of the population relies on agriculture as their primary source of livelihood. As the population increases, so does the demand for agricultural land, putting immense pressure on the region's forests. Farmers, seeking to expand their agricultural activities, often encroach upon forested areas, exacerbating the problem of deforestation.

The situation is further complicated by tenurial conflicts, which frequently arise in Southeast Aceh. These conflicts often involve multiple stakeholders, including local communities, private companies, and government authorities. Disputes can stem from differing claims over access rights, land use rights, and exclusive rights to forested areas. Such disagreements can lead to heightened tensions and unrest within the community, as well as significant economic losses for all parties involved. The repercussions of these conflicts extend beyond immediate disputes; they can disrupt local economies, hinder agricultural productivity, and damage relationships between

communities and external entities (Afrizal & Berenschot, 2020; Dunlop, 2018). Moreover, the environmental degradation resulting from deforestation poses long-term risks, threatening biodiversity, disrupting ecosystems, and contributing to climate change (Earlene & Djaja, 2023;). In Southeast Aceh, a customary system plays a vital role in resolving various conflicts within the community. This system, known as Tandok Sepapan, continues to serve as a means of addressing tenurial conflicts, particularly those related to land use and ownership. Tandok Sepapan is not merely a method of mediation; it is deeply embedded in the social and historical fabric of Southeast Aceh society, having been practiced since ancient times. Historically, Tandok Sepapan has been an essential tool for fostering dialogue and understanding among conflicting parties, ensuring that disputes are resolved in a manner that respects local customs and values. The practice involves community leaders and respected elders who facilitate discussions, allowing for a more culturally sensitive approach to conflict resolution. This traditional system has helped maintain social harmony and cohesion among community members, reinforcing the importance of collective decision-making and mutual respect.

However, the relevance and effectiveness of the Tandok Sepapan customary practice are currently being challenged by various factors. Rapid changes in society, including modernization, legal uncertainties, and evolving societal values, have raised questions about its applicability in contemporary contexts. Additionally, conflicts arising from differing cultural values and increased awareness of individual rights have complicated the dynamics of conflict resolution. As Southeast Aceh continues to develop and modernize, the traditional practices that once held significant authority are now facing scrutiny. The emergence of new legal frameworks and the influence of external entities can overshadow customary practices, leading to a decline in their utilization and acceptance. This shift poses a risk not only to the practice of Tandok Sepapan but also to the cultural identity and social cohesion of the community. Given these realities, it is crucial to conduct a comprehensive examination of the Tandok Sepapan customary practice and its role in mediating tenurial conflicts in Southeast Aceh District, Indonesia.

LITERATURE REVIEW

Tenurial Conflicts in the Gunung Leuser National Park Area

Gunung Leuser National Park (GLNP) is a conservation area located in the provinces of Aceh and North Sumatra, Indonesia. Established in 1934 as a Wildlife Sanctuary, GLNP covers an area of 1,094,692 hectares, with 80.5% situated in Aceh. This area is recognized as a UNESCO World Heritage Site and is crucial for preserving biodiversity, hosting approximately 10,000 plant species, 600 bird species, 200 mammal species, as well as various amphibian and reptile species, including the Sumatran orangutan and Sumatran tiger. GLNP serves as a buffer forest, regulating water flow and preventing flooding and landslides. However, the area faces numerous threats, including deforestation, oil palm plantations, and illegal logging. Since the 1990s, GLNP has experienced significant degradation, with an annual loss rate of 5% between 1989 and 2009. Data indicate that from June 2020 to July 2021, forest cover decreased by approximately 666 hectares due to encroachment and land conversion. This deforestation is a major concern in conservation efforts in Indonesia, highlighting the urgent need for protective and restorative measures to safeguard the existing ecosystems and biodiversity.

Activities such as encroachment, poaching, illegal logging, and forest fires pose serious threats to the sustainability of Gunung Leuser National Park, damaging ecosystems and reducing the area of existing forests (Harefa, 2021b). Tenurial conflicts in the TNGL arise from overlapping interests between local communities and forest management authorities. Local communities often claim ownership rights over land based on customary traditions and ancestral use, which contradicts the status of the area designated as a national park (Berkat, 2022; Pohan & Abidin, 2024). Since the economic crisis and social conflicts in Aceh from 1976 to 1998, the management of the TNGL by the Leuser National Park Authority (BBTNGL) became inactive, prompting local communities to start engaging in illegal farming within the TNGL area. Tensions have escalated with the enforcement of new boundary regulations, where illegal land clearing, claims of ownership, and forest fires have become the main factors contributing to the conflict. Communities involved in illegal logging also exacerbate the problem, damaging forest ecosystems and threatening the sustainability of natural resources. Mediation efforts by the National Commission on Human Rights (Komnas HAM) since 2011 have not yielded results, as BBTNGL has shown little willingness to engage. This situation further deteriorates conditions on the ground, increasing tensions among the parties involved and threatening the overall sustainability of TNGL.

METHODOLOGY

This research is designed qualitatively using a case study approach. Case studies have three strengths: first, they focus on micro-level studies (Byrne & Ragin, 2009; Vavrus & Bartlett, 2006); second, they require a distinct

timeline and third, they are multi-methodological (Bosnjak, 2017). These three strengths make case studies unique in nature, encompassing aspects such as the essence of the case, historical background, physical setting, and other contexts like legal, socio-political, and aesthetic dimensions. The research was conducted in several key locations within Southeast Aceh, specifically in Peseluk Pesimbe Village, which is situated in the Deleng Pokhisen Subdistrict, and Bakti Village, located in the Babul Makmur Subdistrict. These two villages were chosen due to their direct involvement with the Conservation Forest initiatives aimed at preserving the region's rich biodiversity and natural resources. In addition to these villages, the study also included Tanjung Leuser Village and Gulo Village, both of which are part of the Darul Hasanah Subdistrict. These areas are significant as they contribute to the broader Conservation Forest efforts in the Aceh Tenggara District. The selection of villages in this research aims to understand the socio-environmental dynamics and the role of local communities in customary practices for resolving tenurial conflicts. The subjects of this research include all relevant stakeholders, consisting of various entities such as the Department of Environment and Forestry (DLHK), the Forest Experimental Garden (KPH 6), the Mount Leuser National Park Management Board (BBTNGL), local government (Pemda), non-governmental organizations/civil society organizations (NGO/CSO), as well as community representatives involved in agricultural activities within the Protected Forest and Mount Leuser National Park (TNGL) in the selected four villages. Additionally, community groups such as village heads, customary leaders, village secretaries, and individuals involved in tenurial conflicts are also included.

Data collection included secondary and primary sources. Secondary data comprised policy documents, regulations, research findings, monographs, and maps. Primary data included historical information about the indigenous people to map the authenticity of traditions and regions, focused discussions to formulate social relationships, conflicts, and the future of the Tandok sepanan tradition, and in-depth interviews with actors involved in tenurial conflict relations and mediation. Sampling was conducted using non-probability purposive sampling. During data collection, validation was performed to ensure data authenticity through three steps: engaged observation and repeated interaction, triangulation, and feedback from researchers and key informants. Engaged observation began when the researcher actively participated in research activities and community empowerment. Pre-field research conducted from 2022 to 2023 provided an actual and comprehensive overview and gathered up-to-date data on the issues under investigation. In pre-research activities, the researcher interacted with various actors at the community and village levels, resulting in repeated interactions. Repeated interactions with the same key informants continued during the research period from January to December 2023. Triangulation method choices were made by checking the truthfulness of research findings through various data collection techniques. Apart from interviews with key informants at the community, bureaucratic, and private sector levels, and focused discussions, data were also obtained from engaged observations and secondary source reviews from various sources such as journal articles, print/online media reports, and relevant documentary studies.

RESULTS AND DISCUSSION

General Overview of Tenurial Conflicts in Gunung Leuser National Park (GLNP)

The conflict in Gunung Leuser National Park (GLNP) can be traced back to the economic crisis and social conflict that occurred from 1976 to 1998 in Aceh. During the armed conflict in Aceh, the management of GLNP by the Gunung Leuser National Park Agency (BBTNGL) was inactive. This condition led local communities to start planting crops illegally in the GLNP area. Furthermore, data from BBTNGL shows that there have been 429 conflict cases between 2020-2021, while conflict data from the Aceh Department of Environment and Forestry (DLHK) in Protected Forests from 2018-2019 amounted to 227 cases, both conducted by individual community members and organized farmer groups (Rachmawati, 2020; Sulistiyono et al., 2023). Prolonged conflicts between BBTNGL and residents living in the GLNP area have occurred. This conflict involves arrests and violent actions by government agencies, such as the Forestry and Plantation Office and BBTNGL, against civilians. The conflict is also related to land encroachment and land conflicts between GLNP and palm oil plantation companies around the GLNP area. Encroachers use the conditions of social and economic conflict as a shield to engage in illegal activities in GLNP (Khatimah, Fauzi, Chandra, & Wicaksono, 2019).

Mediation efforts have been made by the National Commission on Human Rights (Komnas HAM) since 2011, but have not yielded results because BBTNGL did not respond favorably to these efforts and refused to participate in mediation meetings. This situation worsens conditions on the ground and increases tension among the parties involved. The current tenurial conflict between the community and the management of Gunung Leuser National Park (GLNP) regarding boundary markers has been ongoing. This conflict has worsened since the designation of the latest boundary markers in the GLNP area. The tenurial conflict involves local communities claiming land ownership rights within the GLNP area and GLNP management, such as BBTNGL and forestry police. This

conflict is triggered by various factors, including illegal land clearing within GLNP, land ownership claims and land transactions by the community, forest fires, and illegal logging. Based on FGDs, there are several Conflict Causes.

Table 1. The Analysis of the Causes of Conflict in the Gunung Leuser National Park (GLNP) Area

No	Conflict Causes	Description
1	Increased Permanent Resident Land	The increasing population growth has led to increased pressure on land, including in the Gunung Leuser National Park (GLNP) area. This has resulted in land conversion into agricultural or settlement areas that can damage the natural ecosystem of GLNP.
2	Allowance of Farmers to Conduct Cultivation Activities in the Area	The practice of allowing farmers to cultivate in the GLNP area has caused problems, especially when not properly regulated. In reality, it is difficult to enforce proper supervision and control due to a lack of personnel. Cultivation activities have damaged the ecosystem and threatened biodiversity in GLNP.
3	Unclear Area Boundaries	The unclear boundaries of the GLNP area have caused conflicts related to land use. Unclear boundaries have led to overlaps between farmers' cultivation activities and the GLNP area, which potentially damages the ecosystem and threatens the sustainability of GLNP.
4	Lack of Understanding of Zoning by Officers and the Community	The lack of understanding of GLNP zoning by both officers and the community has resulted in violations of established rules and restrictions. As a result, there has been misuse of land, damaging the sustainability of the ecosystem in various zones of GLNP.
5	Legal Actions Leading to Court for Small Farmers and Environmental Activists due to Complaints by the Gunung Leuser National Park Authority	Legal actions involving small farmers and environmental activists as a result of complaints by the GLNP Authority demonstrate law enforcement efforts against violations occurring in the Gunung Leuser National Park Authority. This incident has caused tension between farmers and the Gunung Leuser National Park Authority.
6	Presence of Official Figures and KPA Engaged in Logging in the Area Without Being Stopped by Officers	The presence of official figures and KPA engaged in logging in the GLNP area without being stopped by officers constitutes a serious violation of conservation and environmental protection efforts. This indicates weaknesses in law enforcement and the protection of GLNP.

Based on [Table 1](#), it is evident that the government's perspective tends to view forests as a vital environmental and economic resource (KPA, 2020). The Indonesian government endeavors to regulate forest management through forest protection policies to preserve its sustainability. This approach often involves restricting public access to forests, such as prohibiting illegal logging or environmentally damaging extraction activities. On the other hand, the perspective of the community, represented by farmers around the forest, sees forests as reserve areas that can directly benefit them (KPA, 2020). The community believes that forests should be cultivated and utilized to produce food or other resources needed in daily life. Government restrictions on access to forests may provoke conflicts as they are perceived to reduce their opportunities to benefit from the forest.

Mediation Process in Tandok Sepapan Custom

In recent developments, the authority of dispute resolution through customary practices has been strengthened with the enactment of Law Number 11 of 2006 concerning the Government of Aceh. Article 98, paragraph 20 states that Customary Institutions are authorized to resolve social and community issues. In the context of law and governance in Southeast Aceh, Qanun Number 7 of 2020 regulates the role of conflict mediation at the village or gampong level. The Village Head or Keuchik acts as the mediation chairperson in conflicts occurring at the village level. However, if the conflict involves broader parties, the mediation will be led by the Imum Mukim. In Southeast Aceh, one of the cultural practices used for conflict mediation is the Tandok Sepapan custom. Tandok Sepapan Custom is a customary practice passed down through generations in the Alas

Tribe community in Southeast Aceh District. In this custom, any issues arising within the community are mediated by respected individuals or community figures to find resolutions. Literally, the term "tandok" means "to sit" and "sepapan" means "to sit side by side" or "at the same level." The principle of the Tandok Sepapan custom is to have conflicting parties sit side by side in the community to mediate and find resolutions. Tandok sepapan has been practiced by Alas tribes and other tribes in Southeast Aceh District. This method is used in various types of conflicts, such as household issues, land disputes, social and community life, water sources, and tenurial conflicts. The application of the Tandok Sepapan custom as a conflict mediation method has significant benefits. Apart from creating space for dialogue and understanding between conflicting parties, this method also encourages community participation in resolving issues through deliberation and consensus. In resolving conflicts in the Alas custom, there are several steps taken by the customary judge. The principles employed by the customary judge to resolve conflicts within the community in Alas customary law (Pinem, Batubara, & Ali, 2023).

The reporting carried out by the victims or both parties to the Head of the Hamlet (Kadus) where the legal event occurred (territorial principle). However, it is not impossible for the report to also be directed to the Village Chief (Geuchik) if the case is very serious and complex and involves public interests. After receiving the report from the Kadus or from the victims, the Village Chief convenes an internal meeting with the Secretary of Kute, the Head of the Hamlet, and the Imam Kute to schedule the hearing. According to Alas custom, the reporting cannot be done anywhere such as markets, stalls, or other public places but must be directly at the home of the Village Chief where the deliberation or tandok sepapan will take place.

The customary judge's efforts, along with several village officials before the implementation of Alas Customary Court, aim to reconcile all disputing parties by building customary discourse among themselves (Linkage of extended family) which can be linked to family ties, marriages, bloodlines/descent, origins, etc. With this customary discourse, it is hoped that an approach to kinship can be quickly achieved to foster familiarity to facilitate peaceful resolution of the court. The goal is to avoid regrettable outcomes resulting from the binding decisions of the Customary Court. It is necessary to cultivate etiquette and manners (*metahat ate*) before conducting a trial by the Kute Customary Court along with customary judges. In Alas Custom, before the trial is held, the customary court assembly (Village Chief, Customary Judge, and Sakhak Bekhempat) approaches both disputing parties (Rahayu, 2020). This approach to the conflicting parties is linked to the victim's (plaintiff's) desires and the defendant's (causer's) capabilities. This is aimed at understanding the true nature of the case and also inquiring about their willingness to be resolved in accordance with Alas custom to reconcile using various mediation and negotiation methods, thus enabling the case to be resolved peacefully. This is done by obtaining statements from the plaintiff/reporter about the reasonable and appropriate conditions for customary peace according to Alas customs, then separately conveying the request for peaceful conditions to the defendant/respondent in a very delicate manner.

Usually, the directly involved parties (the plaintiff and the defendant) are rarely encountered face-to-face in the trial forum, only represented by their representatives; the conflicting parties attend the forum after an agreement has been reached and the peace agreement has been administratively settled, usually drawn up by the village secretary who also acts as the trial secretary. In seeking a peaceful resolution, the approach is not only carried out by the Village Chief and his officials but can also be undertaken by otherwise individuals, such as knowledgeable and wise women. If the case is sensitive and the victims are women or youth, the approach is usually made by the Village Chief's wife or otherwise female figures known as "juragan panjang." If a peaceful resolution agreement has been agreed upon by both parties and the administrative procedures have been completed, then the Secretary of the Village Chief will formally invite both parties to attend the trial on the designated day and date. The steps of the trial after all parties have gathered and Tandok Sepapan are presented in Table 2.

Table 2. Steps of the Trial after All Parties have Gathered and Tandok Sepapan

No	Steps of the Trial	Explanation
1	The parties may be represented by their relatives as representatives and spokespersons.	During the trial, the disputing parties may have representatives who represent them and act as spokespersons to present their arguments and views.
2	The trial is official and open to the public.	Alas customary trials are conducted officially and are open to the public. Usually, the trial is held at the Village Chief's house or another neutral location. If there is a dispute with the Village Chief, the trial may be moved to the imam's house or the secretary of Kute.
3	The Village Chief appoints one wise figure as the Chairman of the	The Village Chief, as the Chairman of the Customary Court Assembly, will appoint one wise figure who has expertise in conducting sessions

No	Steps of the Trial	Explanation
	Session.	as the Chairman of the Session. This wise figure can come from traditional leaders, religious figures, or community leaders.
4	The Secretary of the Village Chief serves as the Clerk of the Kute Court.	The Secretary of the Village Chief will act as the Clerk of the Kute Court. Their task is to record the trial proceedings and handle administrative matters related to the customary trial.
5	The agreed-upon peaceful decision must be registered and stamped with a stamp.	After reaching a peaceful decision, the decision must be registered and stamped with an adequate stamp. Registration can be done in Kute or the Aceh Customary Council (MAA). If one party disputes the decision without valid reasons, they may face sanctions.
6	The party that violates the custom must conduct a feast and a purification ritual according to Alas Custom.	If there is a party that violates the customary decision, they are required to conduct a feast and a purification ritual according to Alas Custom. The feast and purification ritual are part of the reconciliation and relationship restoration process.

In Alas tribe tradition, resolving disputes using the Tandok Sepapan Custom is often the initial reference point. The Tandok Sepapan Custom encompasses a set of wisdom values aimed at preserving tranquility, harmony, balance, and peaceful coexistence within the Alas community. It also reflects the desires and sense of justice present in the Alas society. The principles embedded in this tradition apply universally without distinguishing the social status of each citizen (Pinem et al., 2023). This indicates that the Tandok Sepapan Custom is a complex set of norms rooted in the people's sense of justice and the evolving legal sense within the Alas community. The Tandok Sepapan Custom includes regulations governing human behavior in daily life within the community. This tradition serves as a guide in navigating social, economic, and political life in the Alas community. The principles within the Tandok Sepapan Custom encourage fair and peaceful dispute resolutions, prioritizing agreements beneficial to all involved parties. By adhering to the Tandok Sepapan Custom, the Alas community has a strong foundation for resolving disputes while upholding the values of wisdom and justice. This helps maintain harmony and sustainability within the Alas community and strengthens the social bonds among fellow members of the Alas tribe.

Implementation of the Tandok Sepapan Custom in Mediating Tenurial Conflicts

The implementation of the Tandok Sepapan Custom plays a crucial role in mediating tenurial conflicts in a particular area. The Tandok Sepapan Custom is a customary legal system traditionally used in certain tribes or communities to settle disputes related to land or ownership rights. In the context of tenurial conflicts in Southeast Aceh, where disputes often involve claims to land ownership and forest resources, the implementation of the Tandok Sepapan Custom can provide a framework acceptable to the local community. The detailed mechanism of conflict mediation can be seen in Figure 2.

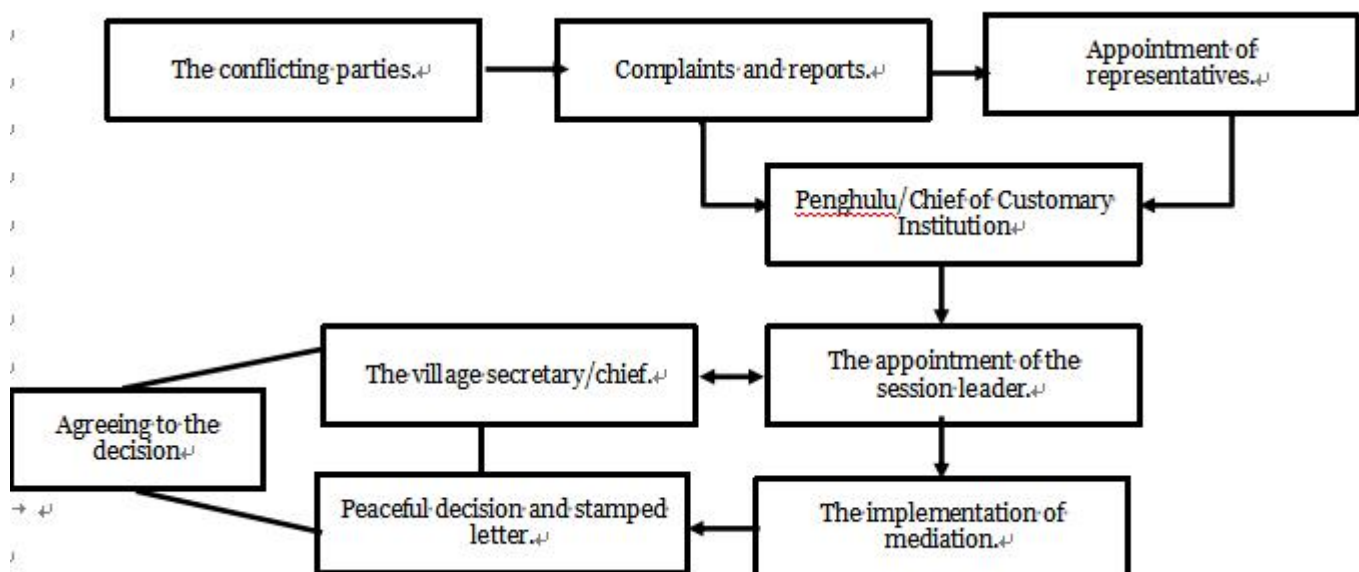


Figure 2. The Sequence of Conflict Resolution Mechanism with Tandok Sepapan

The implementation of the Tandok Sepapan Custom involves a series of traditional processes that engage customary leaders or respected community figures as mediators. These customary meetings typically include various rituals, open dialogue, and deliberations among the conflicting parties. During this process, the disputing parties openly present their claims and reasons, while the mediator or customary leader acts as a facilitator striving to achieve fair and sustainable agreements (Pinem et al., 2023). One of the advantages of implementing the Tandok Sepapan Custom is that it considers local values, customary norms, and indigenous wisdom. This can help create solutions that are more aligned with the culture and traditions of the local community, thereby increasing the likelihood of acceptance of the decisions by all involved parties (Devi & Anis, 2023; Rahayu, 2020). Furthermore, this process can provide space for active community participation in conflict resolution, strengthen social bonds, and build trust among various groups within the community. The concept of the Tandok Sepapan custom refers to the principles of indigenous communities that emphasize consensus and customary law in conflict resolution. In the context of tenurial conflict resolution, the Tandok Sepapan custom provides clear guidance and mediation. In the mediation process using the Tandok Sepapan custom, there are several parties that can act as mediators. These parties play a crucial role in facilitating dialogue and reaching agreements among the parties involved in tenurial conflicts. Here are some of the parties that can act as mediators in the mediation process using the Tandok Sepapan custom, such as the Village Head/Chief, Village Officials, Traditional Chiefs, and Community Leaders.

The village head plays a central role in conflict resolution at the village level. As a mediator, the village head can facilitate meetings between the conflicting parties and help achieve mutually beneficial agreements. The village head can also provide guidance and advice based on customary law and village policies. Village Officials (Community Policing Officer, Military Officer). Village officials such as the Babinkantibmas (Community Security and Order Officer) and Babinsa (Village Development Officer) can play a role as mediators in the mediation process. Typically, village officials are responsible for maintaining security and order in the village and facilitating dialogue between the parties involved in conflicts. Village officials can also provide information and understanding about customary law and village policies to the conflicting parties. Traditional chiefs and community leaders can also act as mediators in the mediation process using the Tandok Sepapan custom. Traditional chiefs have authority and influence recognized by the community in resolving conflicts. They can help facilitate dialogue, seek fair solutions, and ensure that decisions are based on customary values and local wisdom. The mediation mechanism using the Tandok Sepapan custom in resolving conflicts in Aceh Tenggara involves a series of steps regulated by local customary norms.

Firstly, the appointment of the Adat Chief. The mediation process using the Tandok Sepapan custom begins with the appointment of the Adat Chief. This process involves the village head and village officials working together to appoint a traditional leader in the village or through the local mukim. The selection of the Adat Chief is based not only on local wisdom and experience in handling conflicts but also on integrity and the trust given by the community. The role of the Adat Chief is crucial as they will be the primary mediator in the mediation process, facilitating dialogue between the parties involved and guiding the process towards an acceptable agreement.

Secondly, Bringing representatives of the Parties Involved. The second step involves bringing representatives of the parties involved in the conflict into the mediation process. These parties include the village head, residents (Bebinsa), village officials, and traditional leaders as well as appointed representatives. The presence of all parties involved is key to ensuring that mediation encompasses various perspectives and interests. Summoning all these parties also reflects an inclusive approach that seeks to reconcile diverse views and interests that may arise during the mediation process.

Thirdly, Gathering Testimonies. The third step involves further investigation into the issues that are the source of the conflict. In this stage, the involved parties are asked to provide testimonies about the underlying causes of the conflict. These testimonies not only include the reasons and claims of each party but also deepen the understanding of the conflict towards the local community and environment. This information serves as the basis for the Adat Chief to guide the mediation process towards a fair and sustainable solution.

Fourthly, Traditional Meeting/Court Session. The fourth step is the implementation of a traditional meeting or court session. At this stage, conclusions regarding conflict resolution are reached. The traditional meeting or court session involves all parties involved and is led by the Adat Chief. Its purpose is to reach an agreement that is acceptable to both parties. The focus of the meeting is to consider common interests and provide adequate solutions to the conflict.

Lastly, Peace Agreement Letter. The final step after reaching an agreement in the traditional meeting or court session is to create a peace agreement letter. This letter plays a crucial role in legally binding the agreement.

The peace agreement letter is signed on a stamp and acknowledged by the village head and witnesses from both parties. Through this peace agreement letter, the agreement reached is respected and fully implemented by all parties involved, as the foundation for peace in the community. The principle of justice for both parties in dispute significantly influences the search for solutions to the issue, thus achieving a peace agreement for both parties.

Existence of Adat Tandok Sepapan as a Conflict Resolution Media

Non-litigious dispute resolution is not a new concept in Indonesia. Although there was no formal recognition of it in the legal system at the beginning of independence, it is undeniable that non-litigious dispute resolution has remained the preferred legal choice for society up to the present day. In the traditions of the Alas indigenous community, there are principles used by customary judges to resolve conflicts within the community through customary courts, namely (Table 3):

Table 3. Principles Used for Resolving Conflicts within the Community

No	Principles	Process
1	Principle of Territoriality	The conflict resolution process begins with a report filed by the victim or both parties involved to the Head of the Hamlet (Kadus) where the legal incident occurred. However, it is also possible for the report to be submitted directly to the Village Head (Geuchik) if the case is particularly serious, complex, and involves public interests.
2	Formation of the Customary Court Assembly	After receiving the report, the Village Head convenes an internal meeting with the Village Secretary, the Head of the Hamlet, and the Village Imam to determine the schedule for the customary court session. The customary court must be held at the Village Head's house, designated as the place for deliberation or "tandok sepapan," and not in a public space.
3	Strengthening Familial Bonds	Prior to the customary court session, the customary judge, together with the village officials, will make efforts to rebuild the "customary ties" or familial bonds between the disputing parties. The goal is to foster an awareness of kinship among them, which facilitates a peaceful resolution.
4	Etiquette and Decorum	Before holding the court session, the principles of etiquette and decorum ("metahat ate") must be fostered among the parties and the customary court assembly. This is essential to create a conducive atmosphere for the conflict resolution process.

Before the customary trial begins, the Customary Court Council, consisting of the Pengulu (village head), customary judges, and Sakhak Bekhempat, will approach both parties involved in the dispute. The purpose of this approach is to understand the actual circumstances of the case. The council will gather information from both parties regarding the root causes of the conflict and the facts underlying the dispute. They will inquire about the willingness of both parties to resolve the matter according to Alas customary law. The council will strive to reach an agreement between both parties to settle the dispute through peaceful means. During this approach, the council will employ various mediation and negotiation methods.

They will ask the plaintiff for the terms of the desired peace and then convey these terms separately to the defendant in a wise manner. Typically, the disputing parties will not meet directly in the trial forum but will be represented by their respective representatives. The disputing parties will only attend once a peace agreement has been reached and a peace letter has been administratively prepared by the village secretary, who also serves as the court clerk. If the peaceful settlement is agreed upon by both parties, the Pengulu secretary will officially invite them to attend the trial on the specified date. During the trial, several steps will be taken:

a. Parties may be represented by their relatives as spokespeople.

b. The trial will be official and open to the public, usually held in the Pengulu's house or another neutral location.

c. The Pengulu, as the chair of the Customary Court, will appoint a wise and knowledgeable figure as the session leader. The Pengulu secretary will act as the court clerk.

d. The session leader must effectively guide the trial toward peace and be well-versed in Alas customs.

They should have successfully conducted previous Kute trials. If no one is suitable to be the session leader, the Pengulu must appoint a customary judge officially designated by the Aceh Customary Council and the Aceh Tenggara Customary Council. This aims to resolve disputes peacefully according to Alas customs, without

bringing shame to the Pengulu as chair of the Customary Court. Once a peace agreement has been formalized through a stamped letter and registered in Kute or MAA, if one party subsequently violates it without justification according to Alas customs, that party may face significant customary sanctions. These sanctions may include a prohibition from participating in important customary events within the Alas community, such as the step (ritual bathing of children), khejeki (circumcision ceremony), pekhtemuan (marriage ceremony), and maut (death ceremony). Additionally, the Pengulu will not provide any administrative services to parties that violate the agreement. Such violations are seen as disrupting the order and peace of customs, potentially causing unrest within the Alas community under the leadership of the Pengulu. To restore the situation, the offending party is required to hold a kenduri (feast) and perform tepung tawar (a cleansing ritual) according to Alas customs, as a form of purification and restoration.

Dispute resolution in Alas society follows a hierarchical principle, meaning that disputes must be resolved step by step. According to the Pengulu, this principle serves as a legal foundation for customary law enforcers to address disputes. If the resolution process does not adhere to this principle, it will not be accepted and will equate to violating customary legal procedures. Resolving customary cases appears to be more effective through customary dispute resolution institutions, given the close kinship ties within clans and tribes. Based on the analysis, there are several advantages and disadvantages to the enforcement of the Tandok Sepapan court (Table 4).

Table 4. Advantages and Disadvantages of Tandok Sepapan Customary Court Enforcement

Advantages	Disadvantages
Dispute resolution through customary courts is considered more open, transparent, and rooted in local wisdom, making it more effective compared to the formal procedures of state courts.	Customary courts have not yet received formal recognition within Indonesia's legal and judicial power systems. Decisions made by state courts can override dispute resolutions achieved through customary mechanisms.
Indigenous communities place greater trust in customary courts because they are perceived as simpler, more affordable, and aligned with their cultural norms.	There is ambiguity regarding the legal recognition of the binding force of written agreements produced by customary courts. This highlights the need for the state to provide clear and official recognition of customary court institutions.

Although customary courts still exist and are considered suitable for community needs, the lack of formal recognition from the state creates ambiguity regarding their legal status and opens up opportunities for dissatisfied parties to challenge customary court decisions in state courts. Therefore, efforts to provide clear and legitimate recognition of customary courts within the legal system in Indonesia are necessary. Furthermore, when considering the role of customary courts as an alternative dispute resolution mechanism, their procedures should be aligned with those of other types of alternative dispute resolution.

Referring to Article 60, paragraph 2 of Law No. 48 of 2009 on Judicial Power, it is emphasized that the resolution of disputes must be documented in a written agreement. This means that customary resolutions should also conclude with a written agreement. Unfortunately, even though the final outcome of customary courts is recorded in writing, its political recognition is still lacking. Such agreements will only be acknowledged if established by the court as a binding decision, with no further appeals lodged in state courts. This demonstrates that the community still believes that their simple legal processes can provide a sense of justice. However, it is essential for the state to provide clear recognition, considering that the standards of justice in indigenous communities differ from those established by the state. This situation necessitates that the state contemplate legitimate recognition of the existence of customary courts in Indonesia.

CONCLUSION

Tandok Sepapan can serve as a practical and effective alternative solution for mediating tenurial conflicts among indigenous communities in Southeast Aceh. The practice of conflict mediation using Tandok Sepapan has proven effective in resolving tenurial disputes through a systematic and participatory process. Mechanically, the Tandok Sepapan practice begins with the submission of cases by the disputing parties to the customary institution, followed by an investigation conducted by the Pengulu (customary leader) and a team to identify the root causes of the issues. Mediation continues until a resolution is achieved. Through the "Tandok Sepapan" mechanism, tenurial conflicts in Southeast Aceh can be resolved peacefully and fairly, based on the values and norms of the local community. This practical and solution-oriented approach can serve as an example for resolving land disputes in other regions with diverse customs. Mediation approaches that consider customary norms and local

wisdom can create space for dialogue, understanding, and reconciliation among conflicting parties, providing more sustainable and harmonious solutions within the local community.

Strengthening the capacity and role of customary leaders, particularly the Pengulu, in resolving tenurial conflicts should be achieved through training, mentoring, and experience-sharing activities. Additionally, the involvement and active participation of indigenous communities in the tenurial conflict resolution process through the "Tandok Sepapan" mechanism need to be encouraged to enhance their sense of ownership and commitment to the process and outcomes. With such involvement, indigenous communities will feel that the conflict resolution process is not something foreign and imposed from outside, but rather something that originates from and is owned by them. This will encourage indigenous communities to fully commit to implementing and adhering to the agreements reached through the "Tandok Sepapan" mechanism. Furthermore, continuous evaluation and improvement of the "Tandok Sepapan" practice are necessary to maintain its relevance and effectiveness in facing local dynamics.

REFERENCES

- Afrizal, & Berenschot, W. (2020). Resolving land conflicts in Indonesia. *Journal of the Humanities and Social Sciences of Southeast Asia*, 176(4), 561-574.
- Alam, B., Konflik, D., Suatu, A., Literatur, K., & Fathiah, A. (2019). Bencana alam dan konflik agraria: Suatu kajian literatur [Natural disasters and agricultural conflicts: A literature study]. *Talenta Conference Series: Local Wisdom, Social, and Arts (LWSA)*, 2(1), 1-5.
- Bosnjak, M. (2017). Evidence-based survey operations: Choosing and mixing modes. *The Palgrave Handbook of Survey Research*, 319-330. doi:10.1007/978-3-319-54395-6_42
- Ragin, C. C., & Byrne, D. (2009). *The Sage handbook of case-based methods*. New York, NY: Sage Publications.
- Devi, H. S., & Anis, M. (2023). Morality in the wedding traditions of the Alas Tribe in Southeast Aceh. *Journal of Samudra Social Studies Research*, 1(2 Jul-Dec), 18-27.
- Dunlop, J. (2018). Land, natural resources and sustainable development in Aceh, Indonesia: Confronting inequalities through post-tsunami and post-conflict recovery. *The Asian Tsunami and Post-Disaster Aid*, 121-139. doi:10.1007/978-981-13-0182-7_7
- Earlene, F., & Djaja, B. (2023). Implikasi kebijakan reforma agraria terhadap ketidaksetaraan kepemilikan tanah melalui lensa hak asasi manusia [Implementing agricultural reform policies targeting unequal land ownership through a human rights framework]. *Tunas Agraria*, 6(2), 152-170.
- Berkat, F. M. (2022). *Kebijakan Pemerintah terhadap Konflik Tenurial Kawasan Taman Nasional Gunung Leuser di Kabupaten Aceh Tenggara* (Doctoral dissertation, UIN Ar-Raniry, Banda Aceh, Indonesia). Retrieved from <http://repository.ar-raniry.ac.id>
- Firjatullah, H., & Kurniawan, A. (2022). Kewenangan pemerintah aceh dalam pengelolaan taman Nasional Gunung Leuser (tngl) ditinjau dari undang-undang nomor 11 tahun 2006 tentang pemerintahan Aceh [The authority of the Aceh government in the management of the Munung Leuser National Park (tngl) is reviewed from the Act No. 11 of 2006 on the Aceh government]. *Jurnal Ilmiah Mahasiswa Bidang Hukum Kenegaraan*, 6(2), 104-113.
- Harefa, W. H. (2021a). Peran Walhi Sumut Dalam Penyelesaian Konflik Tenurial Di Kawasan Taman Nasional Gunung Leuser Resort Sekoci-Lepan [Walhi's role lies in resolving sexual conflicts in the Leuser Mountain National Park area]. *Jurnal Ilmiah Mahasiswa Ilmu Sosial Dan Politik*, 1(4), 1-13. <https://jurnalmahasiswa.umsu.ac.id/index.php/jimsipol/article/view/892>
- Indira Anggraini, R., & Gunawan, B. (2021). Ecotourism development in National Parks: A new paradigm of forest management in Indonesia. *E3S Web of Conferences*, 249, 03010.
- Indonesia Archives—Tenure Facility. (n.d.). Retrieved from <https://thetenurefacility.org/country/indonesia/>
- Irwanda, A., & Hasibuan, F. Y. (2023). Analyzing the Agrarian conflict between Administrative Court and General Court. *International Journal of Educational Research Excellence (IJERE)*, 2(1), 01-09.
- Jurnal, K., Hukum, I., & Fitri, R. (2015). Potensi konflik pemerintah Aceh dan pusat dalam bidang pertanahan [Aceh's government's potential for conflict and central farming]. *Kanun Jurnal Ilmu Hukum*, 17(2), 245-275.
- Khatimah, F. H., Fauzi, D., Chandra, A., & Wicaksono, S. A. (2019). Benefits over Threats: Understanding Community's Motivation to Participate in Restoration Initiatives in Gunung Leuser National Park, Sumatra. *IOP Conference Series: Earth and Environmental Science*, 298(1), 012027.
- Grassroots Justice Network. (2023). Konsorsium Pembaruan Agraria (KPA)-Indonesia. Retrieved from <https://grassrootsjusticenetwork.org/connect/organization/konsorsium-pembaruan-agraria-kpa-indonesia/>
- Latuparisa, D., & Affiff, S. A. (2021). Perjuangan pengakuan hak kelola lahan bagi pengungsi Aceh di Kawasan Taman Nasional Gunung Leuser [Fight for the academic academy of law of Aceh refugees in the Leuser Mountain National Park Area]. *UMBARA: Indonesian Journal of Anthropology*, 6(2), 2528-1569.
- Maladi, Y. (2012). Dominasi negara sebagai sumber konflik agraria di Indonesia [Domination of the country as a source of agricultural conflict in Indonesia]. *Masalah-masalah Hukum*, 41(3), 432-442.
- KPA. (2020). Monitoring of lands under conflict: Incidence, drivers, and impact — Konsorsium Pembaruan Agraria. Retrieved from <https://www.kpa.or.id/publikasi/monitoring-of-lands-under-conflict-incidence-drivers-and-impact/>
- Nofrizal, R., Jalil, H., & Saleh, M. (2019). Kedudukan dinas pertanahan Aceh dalam penyelesaian sengketa

- pertanahan pasca perpres nomor 23 tahun 2015 [Situation of Aceh ground center in the resolution of the business pascal plant number 23 2015]. *Syiah Kuala Law Journal*, 3(3), 395-416.
- Pamungkas, W., & Jones, T. E. (2021). Indonesia's mountainous protected areas: National parks and nature-based tourism. *Geographies of Tourism and Global Change*, 111-131. doi:10.1007/978-3-030-76833-1_6/COVER
- Pinem, R. H., Batubara, A. K., & Ali, M. N. (2023). Nilai-nilai islam dalam tradisi adat budaya suku Alas di Kabupaten Aceh Tenggara [The values of Islam in the tradition of Adjustment of Alas Culture in the South Aceh Chapel]. *Warisan: Journal of History and Cultural Heritage*, 4(3), 132-137.
- Pohan, A. F. R., & Abidin, M. Z. (2024). Peran kelompok tani dalam program kemitraan konservasi secara syariah pada balai besar taman Nasional Gunung Leuser [The group's role is now in the association conservation program at the Leuser Mountain National Park Grand Ball]. *Jurnal Penelitian Ekonomi Akuntansi (JENSI)*, 8(1), 54-69.
- Rachmawati, E. (2020). Tourism and community empowerment at Gunung Leuser National Park, Indonesia. *IOP Conference Series: Earth and Environmental Science*, 528(1), 012001.
- Rahayu, C. M. (2020). Budaya lokal suku alas "pemamanan" [Local culture of the "security" area]. *Linguistik: Jurnal Bahasa dan Sastra*, 5(2), 166-176.
- Ramadhan, A. (2023). Konflik agraria analisis resolusi konflik agraria dan sumber daya alam di Aceh [Analysis of agrarian conflict resolution and natural resources in Aceh]. *Jurnal Transformasi Administrasi*, 13(01), 1-17.
- Riggs, R. A., Sayer, J., Margules, C., Boedhihartono, A. K., Langston, J. D., & Sutanto, H. (2016). Forest tenure and conflict in Indonesia: Contested rights in Rempek Village, Lombok. *Land Use Policy*, 57, 241-249.
- Sulistiyono, N., Marsudi, S., Ahda, M., Asmanijar, W., Tobing, G. L., & Zahirah, A. (2023). The economic value of forest environmental services for mitigating human-wildlife conflict in the village around Management Section of National Park (MNSP) VI Besitang, Gunung Leuser National Park. *IOP Conference Series: Earth and Environmental Science*, 1188(1), 012010.
- Vavrus, F., & Bartlett, L. (2006). Comparatively knowing: Making a case for the vertical case study. *Current Issues in Comparative Education*, 8(2). doi:10.52214/CICE.V8I2.11410
- Yusran, Y., Sahide, M. A. K., Supratman, S., Sabar, A., Krott, M., & Giessen, L. (2017). The empirical visibility of land use conflicts: From latent to manifest conflict through law enforcement in a national park in Indonesia. *Land Use Policy*, 62, 302-315.
- Zuber, A. (2016). Konflik agraria di Indonesia [Agricultural conflict in Indonesia]. *Jurnal Sosiologi Reflektif*, 8(1), 147-158.

ETHICAL DECLARATION

Conflict of interest: No declaration required. **Financing:** No reporting required. **Peer review:** Double anonymous peer review.