



## The Existence Of Customary Law In Domestic Violence Mediation: Harmonization Between State Law And Customary Law

### Eksistensi Hukum Adat Dalam Mediasi KDRT: Harmonisasi Hukum Negara Dan Hukum Adat

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#### ABSTRAK

Penelitian ini bertujuan untuk mengkaji peran hukum adat dalam memediasi kasus kekerasan dalam rumah tangga (DV) dan bagaimana harmonisasi antara hukum adat dan hukum negara dapat diwujudkan. Di beberapa komunitas adat di Indonesia, penyelesaian sengketa, termasuk kasus kekerasan dalam rumah tangga, masih mengandalkan mekanisme adat yang bersifat kolektif dan berdasarkan musyawarah. Namun hal ini seringkali bertentangan dengan undang-undang negara yang memiliki aturan ketat mengenai tindak pidana kekerasan dalam rumah tangga. Metode penelitian yang digunakan adalah pendekatan yuridis-empiris dengan studi kasus pada beberapa komunitas adat di Aceh Tengah. Hasil penelitian menunjukkan bahwa hukum adat mempunyai eksistensi yang kuat dalam penanganan kasus kekerasan dalam rumah tangga melalui mediasi, dimana pelaku dan korban diajak berdamai dengan melibatkan tetua adat. Namun demikian, masih terdapat tantangan dalam harmonisasi antara hukum adat dan hukum negara, terutama dalam hal penerapan sanksi dan perlindungan korban. Kajian ini menyimpulkan bahwa harmonisasi antara hukum adat dan hukum negara diperlukan untuk menciptakan keadilan yang komprehensif, dimana hukum adat dapat diakui sebagai mekanisme penyelesaian sengketa yang efektif, namun tetap sejalan dengan prinsip perlindungan hukum negara terhadap korban kekerasan dalam rumah tangga. Untuk mencapai hal tersebut diperlukan upaya regulasi dan kebijakan yang mampu mengintegrasikan kedua sistem hukum tersebut secara proporsional.

#### ABSTRACT

This study aims to examine the role of customary law in mediating domestic violence (DV) cases and how harmonization between customary law and state law can be realized. In several indigenous communities in Indonesia, dispute resolution, including cases of domestic violence, still relies on customary mechanisms that are collective and based on deliberation. However, this often conflicts with state law which has strict rules regarding criminal acts of domestic violence. The research method used is a juridical-empirical approach with case studies in several indigenous communities in Central Aceh. The results of the study show that customary law has a strong existence in handling cases of domestic violence through mediation, where perpetrators and victims are invited to reconcile by involving customary elders. However, there are still challenges in harmonization between customary law and state law, especially in terms of implementing sanctions and protecting victims. This study concludes that harmonization between customary law and state law is needed to create comprehensive justice, where customary law can be recognized as an effective dispute resolution mechanism, but remains in line with the principles of state legal protection for victims of domestic violence. To achieve this, regulatory and policy efforts are needed that are able to integrate the two legal systems proportionally.

## INTRODUCTION

In Indonesia's multicultural society, customary law still plays an important role in various aspects of community life, including in dispute resolution. One of the relevant issues to be discussed in the context of customary law is the resolution of domestic violence (KDRT) disputes. Domestic violence is a complex social problem that continues to increase every year, with serious impacts on the welfare of victims, both physically and psychologically. Settlement of domestic violence disputes through formal legal channels often encounters obstacles, both in terms of accessibility, bureaucracy, and the legal culture of the community which tends to trust more in customary mechanisms.

Customary law, which is local and alive in the community, is often considered more effective in resolving disputes, including domestic violence, compared to the formal and rigid state legal system. Customary law works based on values that develop in the community and uses a deliberation mechanism to achieve peace. In cases of domestic violence, the involvement of the extended family, traditional elders and the surrounding community in resolving disputes is often considered capable of creating fairer and more peaceful solutions, compared to formal legal processes that are limited to legalistic aspects.

However, there is a mismatch between the principles of customary law and state law, especially in the context of protecting victims of domestic violence. State law, through Law Number 23 of 2004

concerning the Elimination of Domestic Violence, positions victims as subjects who must be protected firmly, including the imposition of criminal sanctions on perpetrators. On the other hand, in customary law, dispute resolution often prioritizes reconciliation and mediation, which may not always provide complete justice for victims, especially in cases involving severe physical or psychological violence.

In addition, in the context of Indonesia, customary law is still recognized through Article 18B of the 1945 Constitution which states that the state respects customary law community units 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 (NKRI). With this constitutional recognition, customary law has an important role, including in mediating domestic violence cases. However, its implementation must be in accordance with the principles of human rights (HAM) and victim protection that have been regulated in positive law. Harmonization between customary law and state law is important in resolving domestic violence. Recognition of customary law does not necessarily mean that all mechanisms applicable in customary law can be applied without considering state law. Integration between the two legal systems is necessary so that dispute resolution through customary law does not conflict with victim protection norms, as mandated by state law. Furthermore, the issue of domestic violence is not just a domestic issue that can be resolved privately. It is a public issue related to human rights, where the state is obliged to be present to protect victims, especially women and children, from all forms of violence. Although customary mediation is often considered capable of cooling the atmosphere and restoring the relationship between the perpetrator and the victim, this approach is sometimes taken at the expense of the victim's rights to obtain justice and proper protection. There is concern that in some indigenous communities, mediation may be used as a tool to pressure victims to reconcile with perpetrators, without imposing sanctions commensurate with the severity of the crime committed. This could be contrary to the principles of state law which prioritize victim protection and law enforcement. Therefore, it is important to find common ground between customary law and state law in handling domestic violence cases, so that dispute resolution not only prioritizes reconciliation, but also ensures justice and recovery for victims.

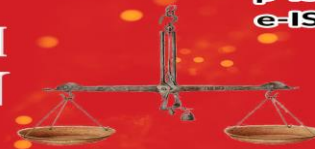
In various indigenous communities, especially in remote areas, customary law is still recognized and respected as an effective system in resolving disputes. Indigenous communities have their own mechanisms in dealing with various types of conflicts, including domestic violence, by prioritizing deliberation and consensus. This mechanism is considered faster, more accessible, and cheaper than formal legal processes which often require a lot of money and time.

However, the main challenge in implementing customary law in resolving domestic violence is how to ensure that the mediation process does not violate the rights of victims. In some cases, customary resolution focuses on reconciliation between the perpetrator and the victim, while aspects of trauma recovery or physical protection for the victim are often ignored. This creates an ethical and legal dilemma that needs to be addressed through harmonization between customary law and state law.

In addition, in the context of modernization and globalization, customary law faces pressure from the development of societies that are increasingly connected to national and international law. When customary law is confronted with internationally recognized human rights standards, such as the rights of women and children, some customary practices may no longer be relevant or appropriate. This requires reform in the application of customary law to be more in line with universal values of justice and human rights. In facing these challenges, some indigenous communities have attempted to adapt their legal systems by including elements of protection for victims of domestic violence, such as providing temporary protection mechanisms for victims or imposing stricter sanctions on perpetrators. These efforts show that customary law still has the capacity to develop and adapt to the demands of the times, as long as there is political will and support from the community itself.

The importance of harmonization between customary law and state law is also seen in the context of regional autonomy, where several regions in Indonesia have more authority to regulate and recognize customary law. In some cases, local governments even facilitate dispute resolution through customary mechanisms. However, this harmonization must be carried out carefully so as not to cause normative conflicts between customary law and state law, especially in cases involving basic rights such as protection for victims of domestic violence. Therefore, this study seeks to answer important questions related to the existence of customary law in mediation of domestic violence cases, as well as how harmonization between customary law and state law can be realized. This study is expected to contribute to efforts to develop inclusive law, which respects local traditions but still guarantees legal protection for victims of domestic violence in accordance with national and international standards.

By deepening the understanding of how customary law functions in resolving domestic violence disputes, as well as the challenges faced in harmonizing the two legal systems, this research will provide practical recommendations for policy makers, law enforcers, and indigenous communities. These recommendations are expected to help create a more just, inclusive, and sustainable dispute resolution system in the future.



## LITERATURE REVIEW

Research on the existence of customary law in the mediation of domestic violence (KDRT) highlights the important role of customary law in resolving domestic conflicts and its relevance in the context of state law. This section will examine some of the key concepts and previous findings related to customary law, mediation, and its integration with the country's legal system.

### **Customary Law As A Dispute Resolution System**

Customary law acts as a non-formal legal system that has been applied for generations by Indigenous communities in Indonesia. Emphasized that customary law serves to maintain social harmony and focus on rapprochement through deliberation. In the context of domestic violence, adat mediation emphasizes more on family settlement than formal sanctions to perpetrators. However, the effectiveness of customary law in providing a sense of justice for victims is still debated, especially regarding the role of patriarchal values that dominate some communities.

### **Mediation Of Domestic Violence In Indigenous Perspective**

Mediation in domestic violence cases is often the first step chosen within Indigenous communities before conflict is brought into the formal legal realm. Explained that Indigenous leaders have a strategic position in mediating disputes because of the moral authority and trust they get from the community. However, in practice, Indigenous mediation often prioritizes peace and safeguarding the family's reputation, which can reduce the focus on restoring victims' rights. This raises concerns about the sustainability of violence if the perpetrators do not get firm sanctions.

### **Differences Between Customary Law And State Law In Handling Domestic Violence**

State law views domestic violence as a criminal offense that requires strict enforcement of the law. Emphasized that Law Number 23 of 2004 on the elimination of Domestic Violence provides that victims have the right to legal protection, assistance, and Justice. Unlike customary law, the formal legal approach provides greater scope for sanctions and rehabilitation for victims. However, lengthy legal proceedings and formalities sometimes make victims feel intimidated, so they prefer to resolve issues through customary mediation.

### **Challenges And Opportunities Of Harmonization Of Customary Law And State Law**

Harmonization between customary law and state law is a challenge in creating justice for victims of domestic violence. Identified that one of the barriers to this harmonization is the difference in principles between the two: state law emphasizes formal justice and sanctions, while customary law focuses more on reconciliation and social rapprochement. However, harmonization opportunities can be created if there is a synergy between law enforcement officials and Indigenous leaders in resolving domestic violence cases, where Indigenous mediation decisions are reported and validated by formal legal authorities.

### **The Importance Of Gender Perspective In Domestic Violence Mediation**

Traditional mediation that does not pay attention to gender perspectives can worsen the condition of victims, especially women. Highlights that the application of gender justice principles in customary law is still low, so mediation tends not to prioritize the restoration of the rights of women victims. Therefore, customary law reform that strengthens the gender perspective is needed so that Indigenous mediation can go hand in hand with efforts to protect the rights of victims in accordance with international and national legal standards.

### **Efforts To Reform Customary Law For Domestic Violence Settlement**

Several studies propose the need for reform in customary law in order to be more in line with state law and be able to provide better protection for victims of domestic violence. States that the reform should include legal education for Indigenous and community leaders, fairer enforcement of sanctions, and women's involvement in Indigenous decision-making processes. With this reform, it is hoped that customary law can play a more effective role in providing a sense of justice and security for victims of domestic violence.

## METHODS

### Research methods

This study uses a juridical-empirical method, namely an approach that examines legal aspects normatively and empirically in practice in the field. The research methods used can be explained as follows:

### Data Sources

This study uses two types of data:

1. Primary data, namely data obtained directly from the field through interviews, observations, and case studies in indigenous communities involved in domestic violence mediation. The main sources consist of indigenous leaders, victims, perpetrators, and parties involved in dispute resolution.
2. Secondary data, namely data obtained from literature, journals, books, laws, and relevant legal documents. This secondary data also includes academic studies and regulations related to domestic violence and customary law.

### Data Collection Techniques

Data was collected using several techniques, namely:

1. In-depth interviews were conducted with traditional leaders, victims, perpetrators, and other related parties involved in domestic violence mediation.
2. Direct observation was conducted during the customary mediation process to directly observe the dispute resolution mechanism and interactions between the parties involved.
3. Document study, namely collecting and analyzing documents related to customary law and state law, as well as court decisions relevant to domestic violence.

### Data Analysis

The collected data was analyzed using qualitative descriptive analysis methods, with the following steps:

1. Data reduction is done by filtering and selecting information that is relevant to the research focus.
2. Data presentation is carried out by grouping the findings obtained from the results of interviews, observations, and document studies into predetermined categories, such as forms of customary mediation, obstacles to harmonization, and aspects of victim protection.
3. Drawing conclusions based on the results of data analysis, which will produce findings on how customary law and state law can be harmonized in resolving domestic violence cases.

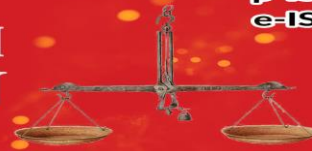
## RESULT AND DISCUSSION

### What Is The Role Of Customary Law In Resolving Domestic Violence (KDRT) Disputes In The Indigenous Communities Of Central Aceh?

The role of customary law in resolving domestic violence (DV) disputes in the indigenous community of Central Aceh is an integral part of the social and legal order that has developed in the region. Central Aceh, with a majority Gayo population, still adheres to customary values that have been passed down from generation to generation. In this context, customary law is not only a system of norms, but also functions as a dispute resolution mechanism, including in cases of domestic violence. Although state law and Islamic law apply throughout Aceh, customary law still has a strong presence in the daily lives of the people of Central Aceh.

Customary law in Gayo society has collective characteristics, where problem solving is usually done through joint deliberation between the disputing parties. In cases of domestic violence, customary law acts as a conflict resolution mechanism with the aim of restoring harmony within the family and society. The resolution of domestic violence disputes in Central Aceh is usually done through customary meetings involving the extended family, traditional elders, and the local community. This customary deliberation is an important platform for finding solutions that are acceptable to both parties, taking into account the common interests and peace of the community.

In general, in resolving domestic violence cases under customary law, there are several principles that are upheld, namely deliberation, peace, and balance of social relations. Domestic violence is considered not only as a personal problem between husband and wife, but also as a problem that can disrupt the harmony of the extended family and the surrounding community. Therefore, the resolution of domestic violence disputes in the Central Aceh indigenous community usually involves the entire community to ensure that every decision taken is in accordance with customary values and accepted by the community.



The role of traditional elders or *penghulu* in resolving domestic violence disputes is very important. Traditional elders act as neutral and wise mediators in helping both parties resolve their disputes. Traditional elders will listen to complaints from victims, listen to the perpetrator's defense, and try to find solutions that can restore peace in the household. In this mediation process, traditional leaders not only consider aspects of customary law, but also religious norms and social values that apply in society.

Sanctions under customary law against perpetrators of domestic violence in Central Aceh are usually social and moral in nature, and aim to humiliate or deter the perpetrator. In some cases, the perpetrator may be asked to pay a fine in the form of property (such as livestock or money) or to perform certain rituals determined by local customs. In addition, the perpetrator is also required to apologize publicly to the victim and her family in front of the customary community. This is intended to improve relations between the two parties and restore the perpetrator's reputation in the eyes of the community.

However, the role of customary law in resolving domestic violence cases in Central Aceh also faces various challenges, especially in the context of victim protection. Customary law tends to focus on peace and restoration of social relations, which in some cases can cause victims to feel pressured to accept peaceful solutions, even though the perpetrator has committed serious acts of violence. This is a serious problem, especially when the rights of victims, such as the right to physical and mental protection, are not properly accommodated by the customary mediation process.

On the other hand, customary law also has advantages in terms of speed and efficiency. The process of resolving domestic violence disputes through customary law is usually faster than the formal legal process which takes longer and requires higher costs. Settlement at the customary level is also more accessible to the community, especially in rural areas in Central Aceh, where access to formal courts is still limited. The role of Islamic law in force in Aceh also influences the resolution of domestic violence disputes in the indigenous communities of Central Aceh. In some cases, customary law and sharia law go hand in hand, where Islamic values are used to strengthen customary decisions. For example, in cases of domestic violence, the perpetrator may not only be subject to customary sanctions but also be faced with sharia law which regulates the obligations of husband and wife and sanctions for violations. This integration between customary law and sharia creates a unique combination in resolving domestic violence cases in Central Aceh.

Collaboration between customary law and formal law in resolving domestic violence disputes is also beginning to emerge. In some areas, customary resolution is carried out first, but if the case is considered too serious or involves severe physical violence, then state law can take over. For example, if customary mediation does not produce results or if the victim decides to take formal legal action, the domestic violence case can be brought to court. This shows that customary law in Central Aceh still has an important role, but remains in the shadow of formal law which is more assertive in upholding justice for victims. However, it must be acknowledged that the role of customary law in resolving domestic violence often depends on the values of a particular community and the views of customary leaders on domestic violence itself. In some cases, customary leaders may consider domestic violence as an internal family problem that should not be exaggerated, thus encouraging peaceful resolution without adequately considering the rights of the victim. This is one of the weaknesses of customary law in dealing with domestic violence, especially in terms of providing justice and equal protection to victims.

Gender awareness in the indigenous communities of Central Aceh also influences the way customary law deals with domestic violence. Although indigenous communities generally value the role of women in the family, patriarchal norms are still quite strong in some communities. This can lead to an imbalance in dispute resolution, where women's position as victims often does not receive adequate protection. In this context, more gender-sensitive customary law reform is urgently needed to ensure that women's rights in domestic violence cases are fully protected.

Community support in resolving domestic violence disputes under customary law is also very important. Indigenous communities in Central Aceh are usually very involved in the dispute resolution process, which gives them a sense of ownership over the solutions reached. However, this community participation can also create social pressure for victims, especially if the community prioritizes peace over justice. Therefore, the approach to dispute resolution through customary law must pay more attention to the balance between the needs of the community to maintain social harmony and the rights of individuals, especially victims.

In a broader context, the role of customary law in resolving domestic violence in Central Aceh shows that the customary law system still has relevance in modern society, especially in terms of conflict resolution that is oriented towards deliberation and reconciliation. However, to ensure justice for all parties, especially victims of domestic violence, better synergy is needed between customary law, formal law, and Islamic law. Harmonization between these three legal systems is essential to create a dispute resolution mechanism that is not only effective, but also fair and inclusive.

Overall, the role of customary law in resolving domestic violence disputes in Central Aceh is an effort to maintain a balance between traditional values and the needs of modern society for justice. Although customary law offers a quick resolution mechanism and is closer to local culture, reforms are needed so that customary law is more responsive to victims' rights and in line with national and international legal standards regarding the protection of victims of domestic violence.

### **How Can The Regulation And Implementation Of Customary Law Be Harmonized With State Law, Especially In Protecting The Rights Of Victims Of Domestic Violence?**

The regulation and implementation of customary law in Indonesia, especially in Central Aceh, must be carried out carefully so that it can be aligned with state law, especially in the context of protecting the rights of victims of domestic violence (KDRT). Customary law has uniqueness and characteristics that are different from state law. Therefore, to create a harmonious legal system, there needs to be a serious effort to integrate the values of customary law with the principles regulated in national and international law. This is very important so that victims of domestic violence get maximum protection without losing their cultural identity.

One way to align customary law with state law is to conduct a dialogue between customary leaders, the government, and legal institutions. Through this dialogue, each party can understand each other's perspectives and needs. Customary leaders can convey good practices in resolving disputes that apply in the community, while the government can educate the community about the rights of victims based on state law. Thus, it is hoped that a better understanding and mutually beneficial solutions will be created.

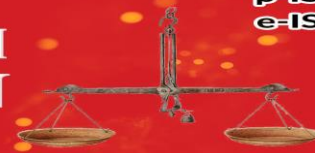
In addition to dialogue, there is also a need to strengthen the capacity of traditional leaders in understanding and applying the principles of state law in resolving disputes. Training and workshops on domestic violence law and protection of victims' rights for traditional leaders are very important to increase their knowledge. Thus, traditional leaders can not only implement customary law, but also integrate the principles of state law in their mediation process. This will make the resolution process fairer and provide better protection for victims.

Furthermore, clear regulations regarding the jurisdiction of customary law and state law in cases of domestic violence are also very important. Communities must know when they should refer to customary law and when they should take cases to formal courts. In this regard, clear laws and regulations can help provide guidance to the community. Law Number 23 of 2004 concerning the Elimination of Domestic Violence needs to be understood as a guideline that can be integrated with customary law, not as a threat to customary practices. In terms of protecting victims' rights, it is important to create effective reporting and protection mechanisms. The community must have easy access to report cases of domestic violence, both through state legal channels and through customary channels. A transparent and accountable reporting process is essential so that victims feel safe and are not afraid of social stigma. With the existence of legal aid institutions that understand customary and state laws, victims can be given the support they need to seek justice. Education and outreach regarding the rights of victims of domestic violence must also be increased. The community needs to be informed about their rights and how to protect them through both customary and state laws. This can be done through outreach programs in villages, seminars, and awareness campaigns on social media. With a good understanding of their rights, victims will be more courageous in reporting the acts of domestic violence they experience.

Furthermore, there needs to be a regulation that regulates the synergy between customary law and state law in dealing with domestic violence. The government needs to issue policies that provide space for customary law to function, but remain within the corridor of human rights protection. In this case, existing laws must be able to accommodate existing customary law practices without ignoring the rights of victims. This will create a more inclusive and just legal system.

In its implementation, there needs to be a joint institution or committee consisting of representatives of customary law, state institutions, and civil society organizations to monitor the implementation of customary law in resolving domestic violence cases. This institution can function to ensure that the dispute resolution process carried out by customary law does not violate the rights of victims and remains within the framework of state law. Continuous monitoring and evaluation will help maintain the integrity of both legal systems. Furthermore, there needs to be strict supervision and law enforcement of domestic violence cases. Law enforcers must have a good understanding of customary law and respect the settlement process carried out by indigenous communities. However, if in the process the rights of victims are ignored, then law enforcers need to take action to ensure that justice is upheld. Strict law enforcement against perpetrators of domestic violence, both through customary law and the state, must be carried out in order to provide a deterrent effect.

More gender-sensitive customary law reform is also important in aligning customary law with state law. In many cases, customary law tends to maintain patriarchal norms that can be detrimental to female



victims. Therefore, there needs to be a review of discriminatory customary norms and replace them with more egalitarian values. Thus, female victims in domestic violence cases can feel better protected and get the justice they need. The importance of research and documentation on domestic violence cases resolved through customary law cannot be ignored. Accurate data on these cases can help the government and society in formulating better policies. This research can also provide an overview of how customary law operates in the context of domestic violence and whether these practices are in accordance with human rights protection. In addition, community participation in policy making also needs to be encouraged. Communities must be involved in the decision-making process related to customary law and the protection of victims' rights. By involving the community, the resulting policies will be more relevant and in accordance with local needs. This will also increase the community's sense of ownership of the applicable law and motivate them to maintain and enforce the agreed norms.

In this era of globalization, the influence of international values must also be considered. Society and government need to understand the principles of internationally recognized human rights and strive to integrate them into customary law. By combining local and international values, society can find a good middle ground in resolving domestic violence, which not only respects tradition but also protects individual rights. Education on women's and children's rights also needs to be integrated into the curriculum in schools. By equipping the younger generation with knowledge of their rights, it is hoped that they can grow into legally aware individuals who are able to protect themselves and their communities from domestic violence practices. Education that is oriented towards gender equality is essential to building a culture that respects human rights and reduces domestic violence.

Furthermore, the role of civil society organizations and non-governmental organizations (NGOs) is very important in aligning customary law and state law. These organizations can be a bridge between indigenous peoples and the government in conveying aspirations and problems faced. In addition, they can also provide advocacy and legal assistance for victims of domestic violence who choose to report either through customary or state law. Thus, the synergy between customary law and state law in protecting the rights of victims of domestic violence in Central Aceh is a complex process and requires the involvement of all parties. Through dialogue, education, capacity building, clear regulations, and community participation, it is hoped that customary law can function optimally without ignoring the protection of individual rights. This change will have a positive impact on society in resolving domestic violence cases, while maintaining social harmony which is the core of customary law.

## CONCLUSION AND SUGGESTION

### Conclusion

1. Customary law in Central Aceh plays a significant role in resolving domestic violence (DV) disputes, by prioritizing the principles of deliberation and restorative. In the context of the Gayo community, the mediation process is carried out by traditional leaders who act as mediators to reach an agreement that is acceptable to both parties. Although customary law offers a faster way and is in accordance with local social norms, challenges remain in terms of protecting the rights of victims. In some cases, resolving through customary law can potentially place victims in a vulnerable position, especially if patriarchal norms remain dominant. Therefore, it is important to integrate the values of state law and human rights protection into customary law practices, to ensure that every individual, especially victims of DV, receive equal justice.
2. The regulation and implementation of customary law must be carried out with an inclusive and harmonious approach, so that it can be aligned with state law in protecting the rights of victims of domestic violence. This involves constructive dialogue between customary leaders, the government, and the community to achieve a common understanding of victims' rights and fair resolution mechanisms. Strengthening the capacity of customary leaders, socialization of victims' rights, and supervision of the dispute resolution process are key to the integration of these two legal systems. By creating clear regulations and institutions that facilitate synergy between customary law and state law, it is hoped that victims of domestic violence can obtain better protection, without losing their cultural identity. This synergy will produce a more effective, fair, and sustainable resolution mechanism in dealing with domestic violence problems in the indigenous communities of Central Aceh.

### Suggestion

1. In order to improve the effectiveness of customary law in resolving domestic violence (DV) disputes, it is essential to implement training and education programs for customary leaders. These programs should include materials on DV law, victims' rights, and gender-sensitive mediation approaches. With better knowledge of state law and human rights protection, customary leaders can carry out their role

as mediators more fairly and wisely. In addition, this capacity building will also help create awareness among the community about the importance of respecting victims' rights and ensuring that the dispute resolution process carried out through customary law does not ignore individual interests.

2. In order to align the regulation and implementation of customary law with state law in protecting the rights of victims of domestic violence, it is necessary to establish a coordinating institution involving representatives from customary law, government institutions, and civil society organizations. This institution can function as a mediator that facilitates dialogue and cooperation between various parties in resolving domestic violence cases. In addition, this institution can also be responsible for monitoring the implementation of customary law and ensuring that these practices do not violate individual rights. With this coordinating institution, it is hoped that a more integrated, efficient, and responsive settlement system will be created to meet the needs of the community, especially for victims of domestic violence.

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