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Legal Pluralism and Local Wisdom in Law Enforcement: Advancing National Defense and SDG 16 in Indonesia

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Abstract

Law enforcement in Indonesia continues to face challenges in harmonizing legal certainty, substantive justice, and the diversity of social norms. This study aims to reconstruct law enforcement based on legal pluralism and local wisdom as a manifestation of national defense in supporting the achievement of Sustainable Development Goal 16. This research employs a normative legal method using statutory, conceptual, and comparative approaches. Legal materials are analyzed qualitatively through grammatical, systematic, and teleological interpretation. The findings indicate that the recognition of customary law and local wisdom must be grounded in constitutional principles while safeguarding human rights, legal certainty, and victims' rights. The practices of *pela gandong* in Maluku and *tudang sipulung* in South Sulawesi illustrate the potential of deliberation, solidarity, and social relationship restoration in resolving conflicts. This study proposes the Integrative Law Enforcement Model Based on the Constitution and Local Wisdom (ILEM-CLW), which integrates five elements: constitutional foundations, legal pluralism, local wisdom, civic participation in national defense, and restorative justice supported by institutional accountability. The proposed model offers a framework for harmonizing state law and community-based norms without compromising constitutional values. Its implementation is expected to strengthen access to justice, promote accountable institutions, encourage inclusive decision-making, and contribute to peaceful and inclusive societies in accordance with Sustainable Development Goal.

Keywords: Legal Pluralism, Local Wisdom, National Defense, Restorative Justice, (ILEM-CLW), SDG 16.

Abstrak

Penegakan hukum di Indonesia masih menghadapi tantangan dalam menyelaraskan kepastian hukum, keadilan substantif, dan keberagaman norma yang hidup dalam masyarakat. Penelitian ini bertujuan merekonstruksi penegakan hukum berbasis pluralisme hukum dan kearifan lokal sebagai manifestasi bela negara dalam mendukung pencapaian Tujuan Pembangunan Berkelanjutan (SDGs) Tujuan 16. Penelitian ini menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan komparatif. Bahan hukum dianalisis secara kualitatif melalui penafsiran gramatikal, sistematis, dan teleologis. Hasil penelitian menunjukkan bahwa pengakuan terhadap hukum adat dan kearifan lokal harus ditempatkan dalam kerangka konstitusi dengan tetap menjamin perlindungan hak asasi manusia, kepastian hukum, dan hak-hak korban. Praktik *pela gandong* di Maluku dan *tudang sipulung* di Sulawesi Selatan menunjukkan potensi musyawarah, solidaritas, dan pemulihan hubungan sosial dalam penyelesaian konflik. Penelitian ini menawarkan kontribusi konseptual berupa Model Penegakan Hukum Integratif Berbasis Konstitusi dan Kearifan Lokal (ILEM-CLW) yang mengintegrasikan lima unsur, yaitu landasan konstitusional, pluralisme hukum, kearifan lokal, partisipasi bela negara, serta keadilan restoratif yang didukung akuntabilitas kelembagaan. Model ini diharapkan menjadi kerangka untuk menyelaraskan hukum negara dengan norma yang hidup dalam masyarakat tanpa mengabaikan nilai-nilai

konstitusi. Penerapannya diharapkan dapat memperkuat akses terhadap keadilan, mewujudkan kelembagaan yang akuntabel, mendorong pengambilan keputusan yang inklusif, serta mendukung terciptanya masyarakat yang damai dan berkeadilan sebagaimana diamanatkan dalam Tujuan Pembangunan Berkelanjutan Tujuan

Kata Kunci: Pluralisme Hukum, Kearifan Lokal, Bela Negara, Keadilan Restoratif, (ILEM-CLW) SDG 16.

INTRODUCTION

Indonesia is a constitutional state characterized by considerable diversity in ethnicity, religion, culture, customary traditions, and societal value systems. Such diversity shapes how communities perceive legal norms and approach conflict resolution. In social practice, state law does not function as the sole normative reference governing communal life. Customary law, religious norms, and locally established practices also play significant roles in regulating social relationships. This situation reflects the concept of *legal pluralism*, which refers to the coexistence of multiple legal systems within a single social setting (Griffiths, 1986; Merry, 1988). Accordingly, law enforcement in Indonesia needs to accommodate not only formal legal provisions but also the values and normative practices embedded in society.

Despite the development of Indonesia's legal system, law enforcement continues to encounter difficulties in reconciling legal certainty with substantive justice. An approach that relies excessively on statutory provisions and formal procedures may not always address the actual needs and circumstances of the communities concerned. Law enforcement should therefore extend beyond the imposition of legal sanctions to include victim recovery, the restoration of social relationships, and consideration of the broader social context. This perspective highlights the need for a more responsive approach to law enforcement, one that takes account of the cultural and social realities of Indonesian society.

Legal pluralism offers a conceptual framework for addressing these challenges by acknowledging the simultaneous presence of state law, customary law, and social norms within community life. Nevertheless, the recognition and application of diverse legal systems must remain consistent with constitutional principles, human rights standards, and equality before the law. Utama (2021) observes that incorporating customary law into Indonesia's national criminal justice system presents significant challenges, particularly because state recognition may transform or alter the original characteristics of customary legal institutions. Therefore, the relationship between state law and customary law requires a harmonization process that preserves legal certainty while safeguarding the rights and interests of indigenous and local communities.

At the constitutional level, recognition of customary law communities and their traditional rights is provided for under Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia. This recognition is further reinforced by Article 28I paragraph (3), which guarantees respect for cultural identities and the rights of traditional communities. Furthermore, Article 2 of Law Number 1 of 2023 concerning the Criminal Code recognizes the existence of law living within society, subject to the values of Pancasila, the 1945 Constitution, human rights, and generally accepted legal principles. This framework is supplemented by Government Regulation Number 55 of 2025 concerning Procedures and Criteria for Determining Law Living within Society, which came into force on January 3, 2026. Taken together, these provisions demonstrate the increasing institutional recognition of living law as part of Indonesia's national legal framework.

Beyond customary law, local wisdom also provides an important foundation for developing a more equitable approach to law enforcement. Values such as deliberation, mutual cooperation, solidarity, and collective responsibility can facilitate peaceful conflict resolution. These principles are reflected in *pela gandong* in Maluku and *tudang sipulung* in

South Sulawesi. Both traditions illustrate how communal solidarity, dialogue, and deliberative practices can contribute to maintaining social harmony. However, the incorporation of local wisdom into legal processes must be accompanied by safeguards concerning human rights, equality, the voluntary consent of the parties, and victim protection. Without such safeguards, customary practices may potentially reproduce social inequalities or exert undue pressure on individuals involved in dispute resolution.

This approach is consistent with the growing development of restorative justice policies in Indonesia. Relevant regulatory instruments include Prosecutor Regulation of the Republic of Indonesia Number 15 of 2020, Regulation of the Indonesian National Police Number 8 of 2021, and Supreme Court Regulation Number 1 of 2024. Supreme Court Regulation Number 1 of 2024 emphasizes victim recovery, offender accountability, the restoration of social relationships, and the principles of voluntariness, transparency, and accountability. The development of this policy framework is also reflected in Law Number 20 of 2025 concerning the Criminal Procedure Code, which entered into force on January 2, 2026. These regulatory developments provide an institutional basis for considering restorative approaches within the broader framework of Indonesia's criminal justice system.

Within the context of national development, law enforcement is also closely connected to the concept of *bela negara*, or national defense as a form of civic responsibility. This concept should not be understood exclusively in terms of physical or military defense. It also encompasses citizens' responsibilities to preserve national unity, uphold constitutional values, and contribute to harmonious social relations. Article 7 of Law Number 23 of 2019 concerning the Management of National Resources for National Defense identifies the fundamental values of *bela negara*, including love for the homeland, national and state consciousness, loyalty to Pancasila, willingness to make sacrifices, and the basic capacity to contribute to national defense. In this broader understanding, community participation in maintaining social harmony and resolving conflicts peacefully can be associated with the civic dimension of national defense.

The challenges of law enforcement are further connected to the objectives of the Sustainable Development Goals (SDGs), particularly Goal 16: Peace, Justice and Strong Institutions. This goal seeks to promote peaceful and inclusive societies, ensure access to justice for all, and establish effective, accountable, and inclusive institutions. Target 16.3 emphasizes the rule of law and equal access to justice; Target 16.6 focuses on effective, accountable, and transparent institutions; while Target 16.7 promotes responsive, inclusive, participatory, and representative decision-making at all levels (United Nations, 2015). From this perspective, integrating legal pluralism and local wisdom into law enforcement may contribute to SDG 16 by expanding public participation, strengthening access to justice, and fostering greater public confidence in legal institutions.

The theoretical foundation for this study draws on Griffiths (1986) and Merry (1988), whose works explain the coexistence of multiple normative and legal orders within society. These perspectives are complemented by Utama (2021), who examines the challenges associated with recognizing customary law within Indonesia's criminal justice system. Collectively, these contributions provide a basis for developing a law enforcement framework capable of connecting state law, customary law, local wisdom, and society's expectations of justice. Such integration, however, must operate within a constitutional framework that upholds legal certainty, equality, human rights protection, and the accountability of law enforcement institutions.

Building on these considerations, this study proposes a conceptual innovation known as the Integrative Law Enforcement Model Based on the Constitution and Local Wisdom (ILEM-CLW). The model positions the constitution as its principal normative foundation, legal pluralism as the framework for recognizing diverse normative systems, and local wisdom as a source of values for resolving social conflicts. *Bela negara* provides the basis for community participation in preserving national unity, while restorative justice, human rights protection, and

institutional accountability serve as essential principles for implementation. The (ILEM-CLW) model is expected to offer a conceptual framework for developing law enforcement that is inclusive, equitable, and responsive to the distinctive characteristics of Indonesian society.

Accordingly, this study seeks to examine the reconstruction of law enforcement based on legal pluralism and local wisdom as a manifestation of *bela negara* in advancing SDG 16 in Indonesia. This approach is expected to strengthen the relationship between state law and society, encourage peaceful conflict resolution, and contribute to a law enforcement system grounded in constitutional principles and the values of justice.

RESEARCH METHODS

This study employs a normative legal research method with descriptive-analytical and prescriptive characteristics to examine legal pluralism, local wisdom, *bela negara* (national defense as a form of civic responsibility), restorative justice, and Sustainable Development Goal (SDG) 16. Normative legal research focuses on the examination of legal norms, principles, doctrines, and statutory provisions (Soekanto & Mamudji, 2015; Marzuki, 2021). Three approaches are applied: the statutory approach, the conceptual approach, and the comparative approach.

The primary legal materials consist of the 1945 Constitution of the Republic of Indonesia, Law Number 23 of 2019, Law Number 1 of 2023, Law Number 20 of 2025, Government Regulation Number 55 of 2025, Prosecutor Regulation Number 15 of 2020, Indonesian National Police Regulation Number 8 of 2021, Supreme Court Regulation Number 1 of 2024, and the United Nations 2030 Agenda for Sustainable Development. Secondary legal materials include books and scholarly journal articles addressing legal pluralism, customary law, and local wisdom, particularly the works of Griffiths (1986), Merry (1988), and Utama (2021). Tertiary legal materials comprise legal dictionaries and encyclopedias.

Legal materials are collected through library research and subsequently examined using qualitative legal analysis. The analytical process applies grammatical, systematic, and teleological interpretation to establish the meaning and relationship of relevant legal provisions. Descriptive-analytical analysis is employed to examine the connections among legal norms and conceptual frameworks, while prescriptive analysis provides the basis for formulating an appropriate model of law enforcement. The findings of this analysis inform the development of the Integrative Law Enforcement Model Based on the Constitution and Local Wisdom ((ILEM-CLW)). The model integrates constitutional principles, legal pluralism, local wisdom, *bela negara*, restorative justice, human rights protection, and institutional accountability. Through this integrated framework, the study seeks to formulate a more inclusive and equitable approach to law enforcement that contributes to the achievement of SDG 16.

RESULTS AND DISCUSSION

1. Legal Pluralism as the Foundation for Reconstructing Law Enforcement in Indonesia

Legal pluralism provides an essential perspective for understanding the distinctive characteristics of Indonesia's legal system. The coexistence of state law, customary law, religious norms, and social regulations demonstrates that community life is governed by more than one normative system. Griffiths (1986) describes legal pluralism as a condition in which multiple legal orders operate within the same social environment. Merry (1988) further explains that state and non-state legal norms may interact, influence one another, and sometimes compete in regulating social relationships. From this perspective, customary law should not merely be regarded as a collection of social customs external to the legal system. Within particular communities, it possesses social legitimacy, institutional structures, normative rules, and dispute-resolution mechanisms that are recognized and observed by community members.

In Indonesia, the recognition of legal pluralism has a constitutional foundation in Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia. This provision

recognizes and respects customary law communities and their traditional rights, provided that they remain in existence, are consistent with societal development and the principles of the Unitary State of the Republic of Indonesia, and are regulated by law. Such recognition is reinforced by Article 28I paragraph (3), which guarantees respect for cultural identities and the rights of traditional communities. These constitutional provisions indicate that Indonesia's national legal framework is not designed to eliminate societal diversity but rather provides constitutional space for the recognition of traditional identities and rights. Nevertheless, constitutional recognition does not automatically confer state-law status upon every customary norm. Its application must remain subject to constitutional requirements and human rights protections.

The relationship between state law and customary law can theoretically be examined through the concept of *legal pluralism* developed by Griffiths (1986) and Merry (1988). However, recognition of legal pluralism should extend beyond the formal inclusion of customary law in legislation. It must also address the authority, scope of application, dispute-resolution procedures, and social legitimacy of the institutions responsible for implementing customary norms. Hamida (2022), in examining customary law and legal pluralism in Indonesia, demonstrates that the formal incorporation of customary law through regional regulations creates both opportunities and challenges, particularly because customary law and state law possess different characteristics and sources of legitimacy.

A critical perspective is presented by Utama (2021) in the study entitled *Between Adat Law and Living Law: An Illusion of Customary Law Incorporation into Indonesia Penal System*. Utama argues that incorporating customary law into the state legal system may undermine its dynamic and evolving character. When the state exercises excessive control over the definition and boundaries of customary law, norms that originally develop through community practices may be transformed into administrative constructions imposed by the state. This criticism is particularly relevant because reconstructing law enforcement should not reduce customary law to an instrument for legitimizing government policies. Instead, the state should establish recognition mechanisms that involve customary communities, respect their social autonomy, and simultaneously ensure constitutional protection for every individual.

Based on this analysis, this study proposes the concept of constitutional legal pluralism, which recognizes the diversity of normative systems within a constitutional framework. This approach avoids two opposing extremes. The first is legal centralism, which treats state law as the exclusive source of conflict resolution while disregarding norms that exist within communities. The second is legal relativism, which assumes that every customary practice may be implemented without limitation. Constitutional legal pluralism positions customary law as a source of norms and values that may receive legal recognition, provided that its existence and application are accountable, consistent with constitutional principles, and respectful of the fundamental rights of citizens.

2. Reconstructing the Recognition of Living Law within the National Legal System

The recognition of law living within society has been strengthened through Article 2 of Law Number 1 of 2023 concerning the Criminal Code. This provision establishes that living law remains applicable in the communities where it exists, insofar as the relevant conduct is not already regulated under the Criminal Code and the applicable norms are consistent with Pancasila, the 1945 Constitution of the Republic of Indonesia, human rights, and general legal principles recognized by the international community. This provision represents an important development because it creates legal space for the recognition of living law within Indonesia's national criminal justice framework. The National Criminal Code entered into force on January 2, 2026.

The implementation of this provision is further regulated by Government Regulation Number 55 of 2025 concerning Procedures and Criteria for Determining Law Living within Society, which became effective on January 3, 2026. This regulation provides guidance for regional governments in determining customary offenses that are not regulated under the

Criminal Code through regional regulations. An important limitation concerns situations in which the elements of a customary offense are identical or substantially equivalent to those of an offense already regulated under the Criminal Code. In such circumstances, the provisions of the Criminal Code apply. Accordingly, the recognition of customary law within the national criminal justice system is subject to statutory boundaries and legally prescribed procedures.

From a legal reconstruction perspective, these provisions demonstrate that the relationship between customary law and state law cannot be established through unrestricted recognition. Three fundamental issues require particular attention. First, the issue of identification concerns how to establish whether a particular norm genuinely constitutes living law and continues to be observed by the relevant community. Second, the issue of legitimacy concerns determining which parties possess the authority to establish that a particular norm represents the collective will of the customary community. Third, the issue of limitation concerns ensuring that the application of customary norms does not violate constitutional principles, human rights, or legal certainty.

These issues highlight the need to distinguish between customary law as a social norm that develops within a community and customary law that has been formally recognized through state legal procedures. Not every community practice can automatically be classified as living law. Its legal existence should be established through evidence of continuous practice, community acceptance, recognized customary institutions, and accountable dispute-resolution mechanisms. The determination of customary law should also not depend exclusively on the opinions of community elites or particular traditional leaders without involving the wider population whose lives are governed by those norms.

Therefore, this study proposes a framework for recognizing customary law based on four principles: verification, participation, harmonization, and constitutional oversight. Verification is necessary to establish the existence and continuing validity of customary norms. Participation ensures that community members, including women and vulnerable groups, are meaningfully involved in the recognition process. Harmonization ensures that customary norms remain consistent with national legislation. Constitutional oversight, meanwhile, serves to prevent abuses of authority and violations of fundamental rights. This framework is essential to ensure that the recognition of customary law delivers not merely administrative certainty but also substantive justice.

3. Local Wisdom as an Instrument for Conflict Resolution and Strengthening Substantive Justice

Local wisdom occupies an important position in the reconstruction of law enforcement because it embodies values developed through the historical and social experiences of communities. Principles such as deliberation, mutual cooperation, solidarity, kinship, and collective responsibility can provide a foundation for peaceful conflict resolution. In this context, local wisdom is not intended to replace national law. Rather, it serves as a source of social values that can strengthen participatory and restorative approaches to resolving disputes.

The study by Hasudungan et al. (2020) on the transformation of *pela gandong* in Maluku demonstrates the tradition's contribution to conflict resolution and peace education. Similarly, Hartimah et al. (2021) identify the role of *pela gandong* in promoting social reconciliation in Ambon through the strengthening of intergroup relationships and various peacebuilding initiatives. These findings indicate that local wisdom can function as a form of social capital that helps rebuild trust and restore relationships among communities following conflict.

Meanwhile, research by Salle et al. on *tudang sipulung* highlights the relevance of customary deliberation in resolving land disputes and supporting sustainable development. This tradition illustrates how conflicts may be addressed through dialogue and the involvement of relevant stakeholders. Accordingly, *pela gandong* and *tudang sipulung* demonstrate that local values can facilitate communication, reinforce solidarity, and encourage conflict-resolution processes that are socially accepted by the communities concerned.

Nevertheless, local wisdom should not be romanticized on the assumption that every customary mechanism necessarily produces equitable outcomes. Hartimah et al. (2021) demonstrate that social segregation, intergroup antagonism, and historical trauma may continue to obstruct reconciliation processes. This indicates that the existence of peace-oriented traditions does not automatically eliminate the underlying causes of conflict. Effective conflict resolution must also address social inequality, economic interests, power relations, and the protection of vulnerable groups.

Consequently, incorporating local wisdom into law enforcement requires adherence to the principles of voluntariness, equality between parties, victim involvement, transparency, and human rights protection. Customary dispute-resolution mechanisms must not be used to compel victims to accept reconciliation, conceal serious criminal conduct, or eliminate offenders' legal accountability. Local wisdom should therefore function as an instrument for strengthening substantive justice rather than as a mechanism that restricts access to formal legal remedies.

This study proposes positioning local wisdom as a complementary mechanism within restorative justice. Under this framework, customary values facilitate dialogue, identify the harm caused, restore social relationships, and encourage offenders to assume responsibility for their actions. Nevertheless, decisions affecting legal rights, personal safety, and criminal accountability must remain within the framework of national law. Such an arrangement allows local values to contribute to legal processes without undermining the state's responsibility to protect individual rights and guarantee justice.

4. Integrating Restorative Justice into the Reconstruction of Law Enforcement

The reconstruction of law enforcement based on legal pluralism and local wisdom is closely associated with the concept of restorative justice. Restorative justice views criminal conduct not merely as a violation against the state but also as an act that causes harm to victims and disrupts social relationships. Accordingly, the resolution of criminal cases should take into consideration victim recovery, offender accountability, and the restoration of social relationships. This approach provides a conceptual basis for incorporating deliberative values and collective responsibility into law enforcement practices.

Within Indonesia's legal system, restorative justice principles have been incorporated into several regulatory instruments, including Prosecutor Regulation Number 15 of 2020, Indonesian National Police Regulation Number 8 of 2021, and Supreme Court Regulation Number 1 of 2024. In particular, Supreme Court Regulation Number 1 of 2024 establishes principles concerning the restoration of conditions, the protection of victims' rights and interests, defendants' accountability, the use of criminal punishment as a last resort, consensus, transparency, and accountability. The regulation also emphasizes that restorative justice is not intended to eliminate criminal responsibility. Therefore, restorative justice should be understood as a recovery-oriented approach that continues to operate within the framework of legal accountability.

Further reinforcement is provided by Law Number 20 of 2025 concerning the Criminal Procedure Code, which entered into force on January 2, 2026. Article 79 addresses the restoration of conditions through forgiveness, the return of property, reimbursement of medical expenses, compensation, and the repair of damage. Article 81 provides that restorative justice mechanisms may be proposed by the parties or offered by law enforcement officials, provided that the process involves no pressure, coercion, intimidation, threats, or acts that undermine human dignity. Meanwhile, Article 82 establishes several exclusions, including corruption, terrorism, sexual violence, offenses against life, and certain other criminal offenses. These provisions demonstrate that restorative justice has a defined scope and limitations that must be respected in its implementation.

Analytically, these regulations create opportunities for customary institutions to work alongside formal law enforcement mechanisms. Customary institutions may facilitate dialogue, provide relevant sociocultural perspectives, and support the restoration of community

relationships. Law enforcement authorities retain their respective powers under criminal procedural law, while courts perform their supervisory and adjudicative functions in accordance with applicable legal provisions. This distribution of responsibilities is essential to prevent two potential risks: excessive state dominance that marginalizes community participation, and excessive customary institutional authority that may disregard individual rights.

Accordingly, the reconstruction of restorative justice within the (ILEM-CLW) model should be implemented through an integrated process. The procedure may begin with case identification and an assessment of eligibility, followed by verification of the parties' voluntary consent, facilitation of dialogue involving victims and offenders, formulation of a restorative agreement, and documentation and supervision of its implementation. Where a case does not satisfy the applicable restorative justice requirements or involves unequal power relations, the matter should proceed through formal legal procedures. This framework ensures that local wisdom strengthens the justice system rather than replacing the authority and responsibility of the state.

5. National Defense (*Bela Negara*) as a Dimension of Community Participation in Law Enforcement

In this study, *bela negara* is conceptualized as a dimension of citizenship associated with the responsibility of society to preserve national unity, public order, and the integrity of the state. Article 7 of Law Number 23 of 2019 identifies five fundamental values of *bela negara*: love for the homeland, national and state consciousness, loyalty to Pancasila, willingness to make sacrifices, and the basic capacity to contribute to national defense. The development of national defense awareness is undertaken through educational, community, and workplace environments. These provisions provide a basis for understanding *bela negara* not exclusively as a form of physical defense but also as a civic responsibility within everyday social life.

Within the context of legal pluralism, the civic responsibility associated with *bela negara* can be expressed through respect for diversity, peaceful conflict resolution, compliance with constitutional principles, and active participation in maintaining social harmony. Communities that manage differences through deliberation and solidarity contribute to strengthening national unity. Local wisdom is therefore relevant to *bela negara* because values of kinship, mutual cooperation, and collective responsibility can help prevent conflict and reinforce social cohesion.

Nevertheless, the relationship between *bela negara* and law enforcement must be established proportionately. National defense must not be invoked to impose cultural uniformity, suppress criticism, or disregard the rights of communities. On the contrary, respecting diversity and protecting constitutional rights are essential components of responsible citizenship. Thus, within the (ILEM-CLW) model, *bela negara* does not mean that communities are obliged to resolve every dispute through customary mechanisms. Rather, it represents constitutional participation in developing a peaceful, equitable, and responsible social environment.

On this basis, the study conceptualizes *bela negara* as a dimension of civic participation in law enforcement. The state remains responsible for providing a fair legal system and protecting community rights, while citizens contribute by maintaining public order, respecting differences, and participating in peaceful conflict resolution. This reciprocal relationship strengthens the legitimacy of the law and public confidence in state institutions.

6. Reconstructing the (ILEM-CLW) Model to Achieve SDG's

Drawing on philosophical, constitutional, and theoretical analysis, this study formulates the *Integrative Law Enforcement Model Based on the Constitution and Local Wisdom* (ILEM-CLW) as a framework connecting state law, living law within society, and civic participation. The model is founded on the understanding that effective law enforcement cannot rely exclusively on legal certainty and the authority of formal institutions. It also requires social legitimacy, meaningful community participation, and the protection of human rights.

The (ILEM-CLW) model comprises five interconnected elements. First, the constitutional foundation, namely the 1945 Constitution of the Republic of Indonesia and Pancasila, which provide the normative basis for recognizing and setting limits on the application of customary law. Second, legal pluralism, which recognizes the diversity of norms existing within society through legitimate and accountable mechanisms. Third, local wisdom, which incorporates deliberation, mutual cooperation, solidarity, and collective responsibility into conflict-resolution processes. Fourth, national defense participation, which refers to community involvement in preserving national unity and social order. Fifth, restorative justice and institutional accountability, which encompass victim recovery, offender responsibility, rights protection, and institutional oversight of dispute-resolution processes.

Operationally, the (ILEM-CLW) model should be implemented through a series of structured stages. The first stage involves identifying customary legal communities and their normative systems to establish the existence, legitimacy, and scope of applicable customary norms. The second stage involves harmonizing these norms with national law to ensure consistency with constitutional principles, statutory provisions, and human rights standards. The third stage entails assessing the nature of the case and determining its eligibility for restorative resolution under applicable legislation. The fourth stage involves facilitating dispute resolution through dialogue and deliberation while safeguarding voluntariness and victim protection. The fifth stage consists of documenting, supervising, and evaluating the process through authorized institutions to ensure accountability for the outcomes. These stages constitute the conceptual framework proposed by this study; their implementation must therefore remain consistent with the powers and procedures established under applicable legislation.

This framework has a direct relationship with SDG 16. Target 16.3 emphasizes the rule of law and equal access to justice for all. Within the (ILEM-CLW) framework, recognition of community-based dispute-resolution mechanisms may broaden access to dispute settlement, provided that the rights of all parties remain protected. Target 16.6 promotes effective, accountable, and transparent institutions. The (ILEM-CLW) model contributes to this objective through a clear allocation of institutional responsibilities, systematic documentation, and institutional oversight. Meanwhile, Target 16.7 emphasizes inclusive, participatory, and representative decision-making. The involvement of customary communities, victims, women, and vulnerable groups is therefore essential to realizing this target.

Accordingly, the contribution of (ILEM-CLW) to SDG 16 extends beyond the utilization of customary dispute-resolution mechanisms. Its principal contribution lies in establishing a more balanced relationship between the state and society. The state remains the guarantor of constitutional principles and human rights protection, while communities are provided with meaningful opportunities to participate in conflict resolution. Local wisdom strengthens social legitimacy, whereas restorative justice ensures that recovery and accountability remain central to the process. Through this integration, the model is expected to contribute to a more responsive law enforcement system that reflects the diversity and social realities of Indonesian society**.**

CONCLUSION AND RECOMMENDATIONS

Based on the normative legal analysis, this study concludes that law enforcement in Indonesia needs to be developed through a constitutionally grounded legal pluralism approach that accommodates state law, customary law, and the social values embedded in communities. Such recognition is consistent with Articles 18B paragraph (2) and 28I paragraph (3) of the 1945 Constitution of the Republic of Indonesia, as well as Article 2 of Law Number 1 of 2023 concerning the Criminal Code, while maintaining legal certainty, respect for human rights, and the integrity of the Unitary State of the Republic of Indonesia. Local wisdom, as demonstrated by *pela gandong* in Maluku and *tudang sipulung* in South Sulawesi, contributes to strengthening substantive justice through deliberation, solidarity, and the restoration of social

relationships. Meanwhile, *bela negara* represents a form of civic responsibility expressed through preserving national unity, respecting diversity, and participating in the promotion of lawful social order. Building on these findings, this study proposes the Integrative Law Enforcement Model Based on the Constitution and Local Wisdom. which brings together five principal elements: constitutional foundations, legal pluralism, local wisdom, national defense participation, and restorative justice with institutional accountability. The model offers a framework for integrating legal certainty, substantive justice, and community participation while contributing to the achievement of SDG's. In light of these conclusions, the government and legislative bodies should harmonize existing regulations to establish clear criteria for recognizing customary law and defining the boundaries of its application in accordance with Pancasila, the 1945 Constitution, and human rights principles. Law enforcement officials should strengthen their understanding of legal pluralism and restorative justice while improving coordination with customary institutions, without compromising victim protection or equality between the parties. Regional governments and customary institutions should identify, inventory, and document norms that remain operative within their communities through inclusive processes involving women, younger generations, and vulnerable groups. At the community level, the values of *bela negara* should be reinforced through compliance with the law, respect for diversity, deliberative practices, and peaceful conflict resolution. Furthermore, empirical research is needed to examine the social acceptance, practical effectiveness, and institutional readiness required to implement the (ILEM-CLW) model across different customary law communities in Indonesia. Ultimately, (ILEM-CLW) is expected to serve as a conceptual framework for advancing a national law enforcement system that is constitutional, inclusive, participatory, accountable, and grounded in justice.

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