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Synergizing Dayak Kenyah Local Wisdom with State Law for Village Fund Corruption Prevention

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Abstract

Introduction: *Corruption in Village Fund management remains a governance challenge, particularly in geographically remote areas where formal oversight is difficult to sustain. Dayak Kenyah customary law in Malinau, North Kalimantan, offers a context for examining how community-based norms may complement state accountability mechanisms.*
Purposes of the Research: *This study examines how the Tana' Ulen stewardship ethic, integrity-oriented leadership, and customary sanctions may contribute to corruption prevention, and proposes a framework for integrating customary institutions with formal law.*
Methods of the Research: *The study employs a qualitative socio-legal approach combining statutory and conceptual analysis with documentary research on Dayak Kenyah customary practices and materials concerning corruption enforcement in Malinau. The analysis examines the relationship between customary norms, social accountability, and Indonesia's legal framework for Village Fund governance.*
Results of the Research: *The analysis identifies three potential contributions of customary law: promoting collective responsibility for public resources, strengthening community participation in leadership accountability, and encouraging early social responses to breaches of trust. However, these mechanisms may also be weakened by elite loyalty, social pressure, or reluctance to report misconduct. The study therefore proposes participatory oversight through village forums, culturally grounded integrity education, and coordination between customary institutions and state authorities. Conclusion: Dayak Kenyah customary law may provide a context-sensitive complement to formal corruption prevention, provided that its implementation respects human rights, due process, and statutory authority. The proposed framework offers a basis for further empirical evaluation rather than proof of a causal reduction in corruption.*

Keywords: Dayak Kenyah Customary Law; Village Fund Governance; Corruption Prevention; Legal Pluralism; Social Accountability.

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INTRODUCTION

The Village Fund constitutes one of the most significant fiscal decentralization policy instruments in the post-reform era, designed to accelerate rural development and community welfare at the village level. However, the substantial budget allocations disbursed to villages have not consistently been matched by transparent and accountable governance.[1] The Corruption Eradication Commission has identified at least fourteen

[1] Ellectrananda Anugerah Ash-shidiqqi and Hindrawan Wibisono, "Corruption and Village: Accountability of Village Fund Management on Preventing Corruption (Problems and Challenges)," *Journal of Indonesian Legal Studies* 3, no. 2 (2018): 195–212, https://doi.org/10.15294/jils.v3i02.27524.

potential problems spanning the regulatory, institutional, administrative, and human-resource dimensions of Village Fund management, categorized into four aspects, namely regulation and institutions, administration, supervision, and human resources, while Indonesia Corruption Watch (ICW) has identified seven recurring modes of corruption occurring at five vulnerable points in the village fund management process, ranging from embezzlement to fictitious accountability reports.[2]

Malinau Regency, North Kalimantan Province as one of the recipient regions of the Village Fund characterized by an extensive and remote interior geography and a sparse population distribution is not exempt from these problems. Prior legal research conducted in *Malinau* Regency indicates that the criminal law enforcement of corruption offences in the management of the Village Fund Allocation continues to face structural constraints: limited central-level supervision hampered by distance and terrain, low comprehension among village officials regarding the principle of accountability, and a prevailing community culture that tends to be permissive of, or indifferent ('uninformed') toward, village fund governance. Law Number 6 of 2014 concerning Villages has indeed granted villages the authority to regulate their own affairs on the basis of origin rights and customary law in practice, however, the law enforcement approach applied in *Malinau* remains dominated by a purely repressive-legalistic paradigm.[3]

Malinau Regency, on the other hand, is inhabited by approximately eleven indigenous Dayak sub-groups, including the *Dayak Kenyah*, who have inherited a system of customary norms and institutions that has, for centuries, proven capable of sustaining social and ecological equilibrium among others, through the institution of *Tana Ulen* (customarily prohibited forest reserves), consensus-based deliberation in the selection of leaders, and a system of customary sanctions that operates swiftly and derives its efficacy from social shame. These values are conceptually congruent with anti-corruption principles such as honesty, collective responsibility, and social oversight; however, they have thus far received limited scholarly attention as a non-penal instrument for countering village fund corruption,[4] particularly within the context of *Malinau* Regency. Prior studies on local wisdom and anti-corruption have focused on other communities, such as the Kei community in Maluku and the *Malind* community in Papua, whereas scholarship on the *Dayak Kenyah* in *Malinau*, notably on *Tana' Ulen*, has largely addressed forest and natural-resource management rather than the governance of public funds.[5]

This gap matters for three reasons. First, the Village Law moved the village from an administrative unit toward an autonomous community, but its implementation has remained dominated by government bureaucracies,[6] and research on village corruption has

[2] Andriansyah Kartadinata et al., "Criminal Policy of Village Fund Corruption in Indonesia," paper presented at Proceedings of the 1st International Conference on Law, Social Science, Economics, and Education, ICLSSEE 2021, March 6th 2021, Jakarta, Indonesia, May 5, 2021, https://eudl.eu/doi/10.4108/eai.6-3-2021.2306470.

[3] Tim Publikasi, *Polres Malinau Limpahkan Kasus Dugaan Korupsi Dana Desa Long Lame Ke Kejari | BPK Perwakilan Provinsi KALIMANTAN UTARA*, January 13, 2023, https://kaltara.bpk.go.id/polres-malinau-limpahkan-kasus-dugaan-korupsi-dana-desa-long-lame-ke-kejari/.

[4] Rudini Hasyim Rado and Restu Monika Nia Betaubun, "Anti-Corruption Culture: Maren and Yelim's Perspective on Kei Society," *SASI*, March 11, 2023, 124–33, https://doi.org/10.47268/sasi.v29i1.1283.

[5] Oktiani Perida Merang and Ice Anugrah Sari, "Kelembagaan Masyarakat Dalam Pengelolaan Hutan Adat di Desa Long Alango Kecamatan Bahau Hulu Kabupaten Malinau Provinsi Kalimantan Utara," *ULIN: Jurnal Hutan Tropis* 8, no. 1 (2024): 116–24, https://doi.org/10.32522/ujht.v8i1.14628.

[6] Jacqueline Vel et al., "Law-Making as a Strategy for Change: Indonesia's New Village Law," *Asian Journal of Law and Society* 4, no. 2 (2017): 447–71, https://doi.org/10.1017/als.2017.21.

SASI, 32 (4) December 2026: 368 - 388
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concentrated mainly on the effects of corruption and on village management.[7] Second, a systematic review finds that community monitoring interventions can reduce corruption, particularly where they promote direct contact between citizens and officials and give citizens tools to monitor performance,[8] conditions that customary institutions in *Dayak Kenyah* villages may already partly supply. Third, the *Dayak Kenyah* case is analytically distinctive because *Tana' Ulen* is documented as a living system of customary rules and ritual practices governing a collective resource,[9] which allows the question to be asked whether the same logic can be extended from forest commons to fiscal commons. Building on the foregoing discussion, this article addresses two central research questions: first, what socio-legal factors account for the persistence of criminal corruption in the management of the Village Fund in Malinau Regency; and second, how the local wisdom of the *Dayak Kenyah* community may be synergized with state law as a complementary instrument for countering criminal corruption in *Malinau* Regency.

Accordingly, this article makes three contributions. Conceptually, it treats *Dayak Kenyah* local wisdom not as a cultural backdrop but as an analytically specified form of anti-corruption social capital, distinguishing its cognitive, relational, and structural dimensions. Contextually, and to the authors' knowledge, it is among the first studies to examine the *Dayak Kenyah* customary order in relation to Village Fund corruption in *Malinau* Regency. Practically, it proposes a three-measure synergy model that connects customary institutions to formal accountability and states the conditions under which the model may fail, including elite capture. The analysis is qualitative and associative; it does not claim to measure the causal effect of customary values on corruption levels.

LITERATURE REVIEW

This study is grounded in legal pluralism theory, which recognizes the coexistence of multiple normative orders — state law, customary (*adat*) law, and religious norms — within a single sovereign territory, a formulation associated with Griffiths' classic account of the concept.[10] The pluralism of Indonesian criminal law has likewise been treated as a continuing question of orientation after the new Criminal Code.[11] Djawas et al. demonstrate that the harmonization of state law, customary law, and Islamic law in Aceh can strengthen the legitimacy of village development policies when managed participatorily.[12] In East Kalimantan, studies on the customary law of '*Bolit Mate Nawar Uman*' in Kutai Barat Regency demonstrate that Dayak customary law remains a living law, continuously adapting to the national legal system, including in dispute resolution and social control.[13]

[7] Caesar Marga Putri, Josep María Argilés-Bosch, and Diego Ravenda, "Thirty Years of Village Corruption Research: Accounting and Smart Villages for Village Sustainability as Future Research Direction," *Sustainability* 15, no. 12 (2023): 9264, https://doi.org/10.3390/su15129264.

[8] Ezequiel Molina et al., "Community Monitoring Interventions to Curb Corruption and Increase Access and Quality of Service Delivery in Low- and Middle-Income Countries: A Systematic Review," *Campbell Systematic Reviews* 12, no. 1 (2016): 1–204, https://doi.org/10.4073/csr.2016.8.

[9] N. Anau et al., "Local Wisdom Practices Of Dayak Indigenous People In The Management Of Tana' Ulen In The Kayan Mentarang National Park of Malinau Regency, North Kalimantan Province, Indonesia," *Russian Journal of Agricultural and Socio-Economic Sciences* 91, no. 7 (2019): 156–67, https://doi.org/10.18551/rjoas.2019-07.16.

[10] John Griffiths, "What Is Legal Pluralism?," *Journal of Legal Pluralism and Unofficial Law* 18, no. 24 (1986): 1–55, https://doi.org/10.1080/07329113.1986.10756387.

[11] Ina Heliany, "The Pluralism of Indonesian Criminal Law: Implications and Orientations in the Post-New Criminal Code | SASI," September 3, 2023, https://fhukum.unpatti.ac.id/jurnal/sasi/article/view/1494.

[12] Mursyid Djawas et al., "Harmonization of State, Custom, and Islamic Law in Aceh: Perspective of Legal Pluralism," *Hasanuddin Law Review*, May 1, 2024, 64–82, https://doi.org/10.20956/halrev.v10i1.4824.

[13] Nu'man Aunuh et al., "Customary Law ``Bolit Mate Nawar Uman," *KnE Social Sciences* 5, 2024, 469–76, https://doi.org/10.18502/kss.v8i21.14763.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
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Comparable communal philosophies, such as *Huma Betang* among the Dayak of Central Kalimantan, have been studied as value systems of solidarity and conflict prevention.[14]

A number of studies have also demonstrated the relevance of local wisdom as a non-penal anti-corruption instrument: the practices of *Maren* and *Yelim* among the Kei community in Southeast Maluku have been shown to serve as communal platforms that cultivate values of honesty, care, and responsibility, forming the foundation for rejecting corrupt behavior.[15]

Research on the *Malind* community in Papua likewise identifies local values — among them honesty, care, responsibility, and justice — that correspond to anti-corruption values, and proposes their use in anti-corruption education.[16] At the level of Indonesian local government, a systematic review finds that the success of anti-corruption policy depends on institutional reform, capacity building, and community participation, while local political dynamics, including dynastic practices, can hinder it.[17]

These studies indicate that local wisdom can supply informal social control against corruption, complementing formal criminal sanctions. However, they largely describe values rather than specify the institutional channels that link a customary order to the state's accountability regime. The distinctiveness of *Dayak Kenyah* local wisdom in *Malinau* Regency — particularly the Tana' Ulen institution and its deliberation-based customary leadership system — has not been examined in the context of Village Fund (*Dana Desa*) corruption prevention. This is the gap, and the novelty, addressed in this study.

METHODS OF THE RESEARCH

This study employs a normative-empirical (socio-legal) legal research method with a qualitative approach. Socio-legal research is understood here as an approach that integrates normative-juridical and empirical-juridical analysis, thereby bridging the conventional divide between doctrinal legal scholarship and sociological inquiry into law.[18] Three approaches are employed in this study: the statute approach, used to examine relevant legislation on village fund allocation and the eradication of corruption; the conceptual approach, used to elaborate the theoretical constructs underlying corruption prevention and legal pluralism; and a socio-anthropological approach, employed to understand the customary normative system (*adat*) of the Dayak Kenyah community. This combination of statutory, conceptual, and socio-anthropological approaches is consistent with methodological practice in Indonesian socio-legal research on the intersection of customary law and positive law.[19]

Primary data were obtained from field data provided by the National Unity and Political Affairs Agency (*Badan Kesatuan Bangsa dan Politik*) of Malinau Regency, comprising records

[14] Eli Karliani et al., "Huma Betang Philosophy as the Solidarity Prototype and Ethnic Conflict Prevention in Dayak Communities of Central Kalimantan," November 2018, 391–97, https://doi.org/10.2991/acec-18.2018.90.

[15] Rado and Betaubun, "Anti-Corruption Culture."

[16] Trinovianto George Reinhard Hallatu, "Strengthening Anti-Corruption Character Based on Local Wisdom of the Malind Tribe in Elementary School Students," *Indonesian Values and Character Education Journal* 6, no. 1 (2023): 73–81, https://doi.org/10.23887/ivcej.v6i1.51823.

[17] Ade Paranata, "A Systematic Literature Review of Anti-Corruption Policy: A Future Research Agenda in Indonesia," *Public Organization Review* 25, no. 3 (2025): 1181–214, https://doi.org/10.1007/s11115-025-00847-8.

[18] Lidwina Nurtjahyo, "A Sociolegal Perspective to Legal Research in the Digital Field: A Methodological Proposition (Penelitian Hukum Berperspektif Sosiolegal Pada Ranah Digital: Satu Tawaran Metodologis)," *The Indonesian Journal of Socio-Legal Studies* 1, no. 1 (2021), https://doi.org/10.54828/ijsls.2021v1n1.4.

[19] Nurtjahyo, "A Sociolegal Perspective to Legal Research."

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
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of alleged Village Fund corruption cases and village financial accountability reports for the 2023–2025 period, covering all 109 villages across the regency's 15 districts (*kecamatan*). Comparative data on alleged corruption cases across the regencies and cities of North Kalimantan for the same period were compiled from press releases of the North Kalimantan High Prosecutor's Office (*Kejaksaan Tinggi Kalimantan Utara*). Data concerning the local wisdom of the Dayak Kenyah community were collected through an interview with the Customary Chief of the Dayak Kenyah of Malinau Regency (*Ketua Adat Dayak Kenyah Kabupaten Malinau*) and through documentary and literature study, encompassing customary records, publications issued by customary institutions, and relevant academic literature. This dual-track data collection, combining field data from Kesbangpol with customary data drawn from interview and documentary sources, follows the design of socio-legal studies on customary law, in which the sociological component is drawn from field sources while the doctrinal component relies on legal materials and secondary literature. The legal materials comprise Article 18B(2) of the 1945 Constitution, Law Number 6 of 2014 on Villages, Law Number 31 of 1999 jo. Law Number 20 of 2001 on the Eradication of Corruption, and Malinau Regency Regional Regulation Number 10 of 2012 on the Recognition and Protection of the Rights of Indigenous Peoples in Malinau Regency.

Data were analyzed using a qualitative-descriptive method, employing a triangulation technique between the field data from Kesbangpol, findings on formal law enforcement, and customary (*adat*) norms. This analytical strategy is consistent with the standard practice in Indonesian normative-empirical legal research, in which secondary legal materials and field and literature data are analyzed descriptively-analytically to examine legal norms, doctrines, and their practical application. The triangulated findings were subsequently constructed into a synergy model for corruption prevention based on local wisdom. Because the data are qualitative and the analysis is descriptive, the findings are treated as associative and context-specific rather than as measures of causal effect.

RESULTS AND DISCUSSION

A. Sociolegal Factors of Village Fund Corruption in Malinau Regency

Village financial management in Malinau Regency, as regulated under the provisions governing village financial management, encompasses the stages of planning, implementation, administration, reporting, and accountability, which should be carried out in a transparent, accountable, and participatory manner.[20] However, field data from the National Unity and Political Affairs Agency and documentary sources indicate that the most prominent corruption-prone points lie in the planning and accountability stages, particularly in the form of fabricated accountability reports concerning housing construction programs for impoverished residents and agricultural land improvement projects. This pattern is illustrated by two cases in Pujungan District. In Long Lame Village, the village head was prosecuted for fabricating accountability reports on the 2020 Village Fund housing program for impoverished residents and an agricultural land clearing and improvement project, causing state losses of IDR 824.2 million, and the public prosecutor sought a sentence of six years and six months' imprisonment.[21] In Long Belaka Pitau Village,

[20] Arwanto Harimas Ginting et al., "Village Government's Risk Management and Village Fund Administration in Indonesia," *Sustainability* 15, no. 24 (2023): 16706, https://doi.org/10.3390/su152416706.

[21] Publikasi, Polres Malinau Limpahkan Kasus Dugaan Korupsi Dana Desa Long Lame Ke Kejari; Tim Publikasi, Update Terdakwa Korupsi Dana Desa Long Lame Dituntut 6 Setengah Tahun Penjara, Jaksa Urai Alasannya | BPK Perwakilan Provinsi KALIMANTAN

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
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the Criminal Investigation Unit of the Malinau Police transferred to the Malinau District Prosecutor's Office a case against the village head for allegedly fabricating accountability reports on housing for impoverished residents, the village health post, and solar-powered lighting for the 2020–2022 budget years, with state losses of approximately IDR 1.11 billion.[22]

Several village heads in Malinau Regency have been criminally prosecuted under Articles 2 and 3 of the Anti-Corruption Law (Law on the Eradication of Corruption Crimes) for abuse of authority resulting in state financial losses.[23] Nevertheless, repressive law enforcement alone has proven insufficient to prevent the recurrence of similar practices in other villages,[24] given three identified structural constraints: (1) the geographical condition of Malinau Regency, which covers a vast territory with numerous villages beyond the reach of direct supervision; (2) the low human resource capacity of village officials in meeting administrative and monitoring-evaluation standards[25]; and (3) a community culture that tends to be passive and permissive ('unaware') toward the oversight of Village Fund utilization.

These three constraints demonstrate that the root of Village Fund corruption in Malinau is not merely a formal-juridical problem, but also a socio-cultural one concerning the weakness of community-based oversight (social control). This condition opens space for strengthening non-penal mechanisms that are closer to the everyday life of village communities, one of which is through local customary wisdom.

Contextualised to Malinau Regency, these general determinants acquire a distinctive sociolegal configuration. Malinau is the largest regency in North Kalimantan by territory, encompassing remote villages that can be reached only by river transport or limited air connections, while the institutional presence of formal oversight bodies the District Prosecutor's Office, the Regional Inspectorate, and the police's special crimes unit — remains concentrated in the regency capital. This geographic asymmetry produces what may be described as an enforcement vacuum at the village level: the annual disbursement of Village Fund allocations to dozens of dispersed villages proceeds under conditions in which routine external audit, physical verification of infrastructure projects, and continuous administrative supervision are logistically difficult and fiscally costly to sustain. Under such conditions, the classic corruption formula in which discretionary authority combines with weak monitoring and low probability of detection is structurally amplified; village officials exercise broad discretion over procurement, labour arrangements, and reporting, while the supervisory institutions that are presumed by the state legal framework to constrain that discretion operate at a considerable spatial and social distance from the communities they are meant to protect. The empirical pattern presented in Figure 1 a consistently low number of formally handled cases in Malinau must therefore be interpreted in light of this structural

UTARA, accessed October 23, 2026, https://kaltara.bpk.go.id/update-terdakwa-korupsi-dana-desa-long-lame-dituntut-6-setengah-tahun-penjara-jaksa-urai-alasannya/.

[22] "Berkas Oknum Kades di Malinau Korupsi Dana Desa Rp 1,1 Miliar Dilimpahkan ke Kejaksaan," Kompas.com, July 25, 2024, https://regional.kompas.com/read/2024/07/25/155612578/berkas-oknum-kades-di-malinau-korupsi-dana-desa-rp-11-miliar-dilimpahkan-ke; "Pelimpahan Kasus Korupsi Dana Desa Long Belaka Pitau ke Kejaksaan Negeri Malinau," Penakaltara.id, July 25, 2024, https://penakaltara.id/polres-malinau/5641/pelimpahan-kasus-korupsi-dana-desa-long-belaka-pitau-ke-kejaksaan-negeri-malinau/.

[23] Publikasi, *Polres Malinau Limpahkan Kasus Dugaan Korupsi Dana Desa Long Lame Ke Kejari*.

[24] Rani Eka Diansari, Adiza Alhassan Musah, and Jaizah Binti Othman, "Factors Affecting Village Fund Management Accountability in Indonesia: The Moderating Role of Prosocial Behaviour," *Cogent Business & Management* 10, no. 2 (2023), https://doi.org/10.1080/23311975.2023.2219424; Ohan Suryana, "Kebhinnekaan Kearifan Lokal Sebagai Tameng Perilaku Korupsi," *Majalah Hukum Nasional* 48, no. 2 (2018): 109–37, https://doi.org/10.33331/mhn.v48i2.105.

[25] Stepanus, "Penegakan Hukum Pidana Terhadap Tindak Pidana Korupsi Dalam Pengelolaan Alokasi Dana Desa Di Kabupaten Malinau" (Undergraduate thesis, Universitas Borneo Tarakan, 2026), https://akademik.ubt.ac.id/b/repository/item/945968.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

constraint, as low detection capacity and genuinely low incidence are observationally difficult to distinguish where formal oversight is thin.

At the same time, the sociolegal landscape of Malinau cannot be reduced to an enforcement deficit, for the very communities situated beyond the effective reach of formal supervision are, in large part, customary law communities in which the *Dayak Kenyah* normative order remains socially operative. Village heads and officials in these communities are not merely administrative actors accountable to district authorities; they are simultaneously members of a customary polity in which reputation, lineage standing, and the moral expectations attached to leadership are continuously assessed by the community through mechanisms that predate and function independently of the state accountability regime. This dual embeddedness carries an ambivalent potential that mirrors the paradox identified in the village-corruption literature discussed above: customary loyalty and deference to leaders may, in distorted form, shield wrongdoing from scrutiny, yet the same normative infrastructure — when its integrity values are deliberately engaged — constitutes a form of social capital capable of supplying precisely the proximate, continuous, and trust-based oversight that the formal system cannot deliver in remote territory. It is this second possibility, and the institutional conditions required to realise it, that the following section examines through the philosophical values of the *Dayak Kenyah* customary order.

B. Local Wisdom of the *Dayak Kenyah* Community as Anti-Corruption Social Capital

The Dayak Kenyah community has inherited the institution of *Tana' Ulen*, a forest or customary land area placed under strict protection, which may be used only in accordance with customary rules so that its resources remain available to future generations. *Tana' Ulen* thus operates as a rule-based regime that specifies who may use the resource, when, and under what conditions. Its underlying philosophy holds that resources owned in common must not be exploited for short-term or particularistic interests, but managed as a collective responsibility that extends across generations. Research on the *Dayak Kenyah* community of Long Alango Village, Bahau Hulu District, Malinau Regency, documents this institution, describing *Tana' Ulen* as a restricted forest area whose access is governed by customary rules and ritual practices intended to maintain ecological balance between forest resources and the social life of the community.[26] Because access is bound to both rule and ritual, compliance rests not only on the threat of sanction but also on the shared understanding that the area belongs to the community as a whole. This principle corresponds closely to the theory of common pool resource governance in institutional economics, which shows that self-organized, community-based management can sustain shared resources more effectively than either centralized state control or privatization, provided that clear boundaries, monitoring mechanisms, and graduated sanctions are built into the institution.[27]

Tana' Ulen exhibits these design features in customary form: a delimited area, access controlled by customary authority, and sanctions for unauthorized use. Transposed to the present context, the same logic aligns with anti-corruption values in the management of Village Fund Allocation. The village budget is, in effect, a common pool resource: every

[26] Merang and Sari, "Kelembagaan Masyarakat Dalam Pengelolaan Hutan Adat."

[27] Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action*, Political Economy of Institutions and Decisions (Cambridge University Press, 1990), https://doi.org/10.1017/CBO9780511807763.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
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resident has a stake in it, yet the officials who administer it can divert it for personal gain when boundaries, oversight, and sanctions are weak. Treating the Village Fund in the manner of *Tana' Ulen* means regarding it as a shared asset that requires careful stewardship, rather than as an object open to misappropriation by village officials.

Second, the customary leadership system of the *Dayak Kenyah* employs a rigorous leadership-selection mechanism through deliberative consensus, conditioned upon personal integrity, exemplary conduct, and a demonstrable track record of trustworthiness within the community.[28] This mechanism constitutes, in essence, a customary antecedent of the fit and proper test, practiced long before the concept was formally codified in modern administrative law. If this logic were adapted into the nomination and oversight process for Village Heads within *Dayak Kenyah* customary territories, customary institutions could function as an additional integrity filter operating alongside — rather than replacing — formal electoral democratic mechanisms.

Third, *Dayak Kenyah* customary law recognizes a system of customary sanctions (*Denda Adat*), swiftly imposed by customary institutions in response to violations of social norms, including breaches of collective trust and mandate. Comparative research on Dayak customary jurisdictions in West Kalimantan confirms that such customary dispute-resolution mechanisms — characterized by community deliberation, ritual reconciliation, and restoration of social balance — continue to operate as a living, functioning alternative to formal adjudication, notwithstanding the increasing encroachment of state legislation.[29] The immediate, publicly visible, and relationship-restorative character of customary sanctions, rather than a purely retributive orientation, positions this mechanism as a potentially more responsive instrument of early detection and enforcement, compared to the protracted and socially distant character of formal criminal justice proceedings. The same research cautions, however, that these practices are eroding under the growing influence of state law and limited resources,[30] so their capacity cannot be assumed and must be verified village by village.

The relationship between customary forest management and the management of public finances is, however, analogical rather than equivalent, and the argument above should be read within that limit. A community's success in sustaining a shared forest does not, by itself, demonstrate that the same community can prevent corruption in the Village Fund, because the two resources differ in ways that matter for oversight. Forest boundaries and harvests are visible to residents, whereas village budgets move through administrative documents that few community members can read or verify, and they are controlled by the village head, who frequently also holds local standing. Research on community-driven development shows that resources channelled through local leaders are vulnerable to capture by those same leaders, particularly in societies where authority is concentrated in chiefs and elders.[31] A field experiment covering more than 600 Indonesian village road projects likewise found that increasing grassroots participation in monitoring had little

[28] Interview with the Customary Chief of the Dayak Kenyah of Malinau Regency (Ketua Adat Dayak Kenyah Kabupaten Malinau), July 14, 2025, 13:20 WITA; see also *Pengembadaq Cun Adet* (Compilation of Customary Decisions and Sanctions), Lembaga Adat Dayak Kenyah, 2025.

[29] Nur Rochaeti et al., "Restorative Justice In The Customary Jurisdiction Of The Dayak Tribe Communities Of West Kalimantan," *Russian Law Journal* 11, no. 3s (2023), https://doi.org/10.52783/rlj.v11i3s.733.

[30] Rochaeti et al., "Restorative Justice in the Customary Jurisdiction of the Dayak Tribe Communities of West Kalimantan."

[31] Jean-Philippe Platteau and Frédéric Gaspart, "The Risk of Resource Misappropriation in Community-Driven Development," *World Development* 31, no. 10 (2003): 1687–1703, https://doi.org/10.1016/S0305-750X(03)00138-4.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
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average effect on missing expenditures, whereas raising the probability of a government audit reduced them by about eight percentage points.[32] The literature on community-based conservation has also cautioned against treating the community as a homogeneous and harmonious unit, urging attention instead to the divergent interests within it and to the institutions that shape its decisions.[33] For these reasons, *Dayak Kenyah* local wisdom is treated in this study as a normative and institutional resource that may strengthen prevention, not as proof that customary governance will by itself prevent the misuse of village funds; its effectiveness depends on being paired with formal audits, transparent reporting, and law enforcement.

Taken together, these three values the stewardship ethic embedded in *Tana' Ulen*, integrity-based leadership selection through deliberative consensus, and responsive customary sanctioning demonstrate that the local wisdom of the *Dayak Kenyah* possesses social capital of genuine relevance for strengthening, rather than supplanting, the formal legal enforcement system in combating corruption in Village Fund management in Malinau Regency. The conceptualisation of *Dayak Kenyah* local wisdom as social capital in this study draws upon the theoretical tradition that understands social capital as the networks, norms, and relations of trust that enable a community to act collectively toward shared ends. Within this framework, the three customary values examined above are not isolated cultural artefacts but interlocking components of a single normative infrastructure: the *Tana' Ulen* stewardship ethic supplies the cognitive dimension of social capital by defining collective resources as objects of intergenerational trusteeship; the deliberative, integrity-based selection of leaders supplies the relational dimension by concentrating legitimate authority in individuals whose trustworthiness has been continuously verified by the community; and the customary sanction mechanism supplies the structural dimension by providing an institutionalised procedure through which breaches of collective trust are detected, adjudicated, and repaired. Understood in this integrated manner, *Dayak Kenyah* local wisdom performs, in the vocabulary of anti-corruption theory, the three functions that formal integrity systems seek to engineer — value internalisation, integrity screening, and responsive sanctioning — yet performs them through mechanisms that are socially proximate, culturally legitimate, and continuously operative in precisely those remote villages where, as demonstrated in the preceding section, the formal enforcement apparatus is structurally thin.

The distinctive strength of this customary social capital lies in its preventive temporality. Whereas the formal criminal justice system is, by design, predominantly reactive — engaging only after a loss to state finances has materialised and been detected — the *Dayak Kenyah* normative order operates upstream of the corrupt act. The prospective village official is screened for integrity before assuming office; the management of collective resources is framed from the outset by a stewardship ethic that renders misappropriation culturally unthinkable rather than merely legally punishable; and deviations from communal expectations attract immediate social response long before they would satisfy the evidentiary threshold of a criminal investigation. This preventive orientation directly addresses the enforcement vacuum identified in Section A: where the probability of formal

[32] Benjamin A. Olken, "Monitoring Corruption: Evidence from a Field Experiment in Indonesia," *Journal of Political Economy* 115, no. 2 (2007): 200–249, https://doi.org/10.1086/517935.

[33] Arun Agrawal and Clark C. Gibson, "Enchantment and Disenchantment: The Role of Community in Natural Resource Conservation," *World Development* 27, no. 4 (1999): 629–649, https://doi.org/10.1016/S0305-750X(98)00161-2.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

detection is low, the deterrent effect of criminal law is correspondingly weakened, but the deterrent effect of customary oversight — resting on the continuous visibility of village officials to their own community and on the severe reputational consequences of customary sanction — remains undiminished by geographic remoteness. In this respect, the local wisdom of *Dayak Kenyah* does not merely supplement formal enforcement; it compensates for the specific structural weakness that renders formal enforcement least effective in Malinau's territorial conditions.

Nevertheless, consistent with the ambivalence acknowledged at the close of the preceding section, this study does not advance a romanticised account in which customary values automatically guarantee integrity. Social capital theory itself recognises a "dark side": dense communal bonds may generate exclusionary loyalty, deference that shields leaders from criticism, and conflict-avoidance norms that discourage the reporting of wrongdoing by respected figures.[34] Evidence from other settings shows how culturally legitimised loyalty can mask wrongdoing. In the Middle East and North Africa, informal practices such as wasta, rooted in tribal and familial bonds, are culturally legitimised and have been proposed as an explanation for higher bribery rates.[35] In village China, ethnographic research documents village cadres colluding with local elites to misuse collectively owned assets, manipulate village elections, and suppress anti-corruption protests.[36] In Indonesian local governance, a systematic review finds that local political dynamics, including dynastic practices, often hinder anti-corruption efforts.[37] Transposed to Malinau, a hypothetical but plausible configuration, offered here as an illustration rather than a finding, is a village head who is also a respected customary figure and whose kin dominate the Village Consultative Body: a fabricated accountability report may then go unchallenged because questioning a senior figure breaches norms of deference and group harmony, while any customary sanction is settled privately and never reaches the formal process. The analytical claim of this study is therefore conditional rather than categorical: *Dayak Kenyah* local wisdom constitutes anti-corruption social capital to the extent that its integrity-oriented values are deliberately activated, institutionally channelled, and connected to the formal accountability regime rather than left as an unstructured cultural sentiment vulnerable to capture by local elites. Specifying the institutional design through which this activation can occur is the task of the synergy model developed in the following section.

C. A Model of Synergy between Customary Law and State Law in Combating Village Fund Corruption

The Village Law (Law Number 6 of 2014) provides a legal avenue for the recognition of customary institutions and the ancestral rights of customary law communities in the administration of village governance. The Law explicitly recognizes and protects customary institutions, traditional leadership, and local wisdom, and permits customary villages to apply customary law insofar as it does not conflict with national law and human rights principles. Whether a given Kenyah village is administered as a regular village or recognised as a Customary Village (*Desa Adat*) determines how directly the measures below

[34] Tüzin Baycan and Özge Öner, "The Dark Side of Social Capital: A Contextual Perspective," *The Annals of Regional Science* 70, no. 3 (2022): 779–98, https://doi.org/10.1007/s00168-022-01112-2.

[35] Ina Kubbe et al., "Corruption and Informal Practices in the Middle East and North Africa: A Pooled Cross-Sectional Analysis," *Journal of Institutional Economics* 21 (January 2025): e24, https://doi.org/10.1017/S1744137425100118.

[36] Ji Ruan, "Elite Capture and Corruption: The Influence of Elite Collusion on Village Elections and Rural Land Development in China," *The China Quarterly* 253 (2022): 107–22, https://doi.org/10.1017/S0305741022001217.

[37] Paranata, "A Systematic Literature Review of Anti-Corruption Policy."

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

can rely on the Village Law, and should be verified village by village against Malinau Regency Regional Regulation Number 10 of 2012 on the Recognition and Protection of the Rights of Indigenous Peoples in Malinau Regency.[38] This legal space can be optimized in Malinau Regency through three synergistic measures.

First, the integration of Dayak Kenyah customary leaders and the Dayak Kenyah Customary Institution (*Lembaga Adat Dayak Kenyah*) as participatory oversight actors within the Village Development Planning Deliberation Forum (*Musrenbangdes*) and the Village Consultative Body (*Badan Permusyawaratan Desa*). Evidence on community monitoring indicates that such interventions can reduce corruption, particularly where they create direct contact between citizens and officials and equip citizens to monitor performance.[39] Through such integration, the planning and accountability of Village Fund management would acquire an additional layer of trust-based social oversight, rather than remaining a matter of mere administrative formality. To limit the risk of capture, customary leaders who hold village office should not oversee their own accounts, and the Village Consultative Body and the Regional Inspectorate should remain independent channels.

Second, the values of *Tana' Ulen* and the principle of exemplary customary leadership should be internalized into anti-corruption education and training for village officials, following patterns proposed for the Kei and Malind communities,[40][41] so that integrity norms are not perceived as an alien legal construct, but as a continuation of cultural values that have been held and transmitted across generations. This approach is consistent with evidence that community-involving initiatives can reduce corruption[42] and with the finding that the success of local anti-corruption policy depends on capacity building and community participation.[43]

Third, the customary sanction mechanism can be operationalized as an instrument of early detection and social sanction operating in parallel with formal criminal proceedings, so that the accountability process does not rest solely upon law enforcement agencies, whose personnel and territorial reach remain limited across a geographic area as vast as Malinau Regency. Research on Dayak customary jurisdictions demonstrates that customary dispute-resolution mechanisms remain a living system of social control, notwithstanding the expanding influence of state legislation.[44] Customary sanctions must nevertheless remain additional to, and never a substitute for, criminal liability: under Article 4 of Law No. 31 of 1999 jo. Law No. 20 of 2001, the return of state financial losses does not extinguish the criminal liability of the offender, and by the same logic a customary settlement cannot do so either.

This synergy model is consistent with the framework of legal pluralism, under which state law and customary law are positioned not as mutually exclusive systems, but as a complementary legal order. As Griffiths' foundational formulation establishes, legal pluralism denotes the presence of more than one legal order within a single social field, and

[38] Malinau Regency Regional Regulation No. 10 of 2012 on the Recognition and Protection of the Rights of Indigenous Peoples in Malinau Regency (Regional Gazette of Malinau Regency 2012 No. 10), https://peraturan.bpk.go.id/Details/72747/perda-kab-malinau-no-10-tahun-2012.

[39] Molina et al., "Community Monitoring Interventions."

[40] Rado and Betaubun, "Anti-Corruption Culture."

[41] Hallatu, "Strengthening Anti-Corruption Character."

[42] Molina et al., "Community Monitoring Interventions."

[43] Paranata, "A Systematic Literature Review of Anti-Corruption Policy."

[44] Rochaeti et al., "Restorative Justice in the Customary Jurisdiction of the Dayak Tribe Communities of West Kalimantan."

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

the concept expressly rejects a rigid dichotomy between state law on the one hand and folk or customary law on the other.[45] Scholarship on Indonesian legal pluralism further affirms that adat law, although unwritten, binds its community as an integral part of the Indonesian legal system, and that the contemporary challenge lies in constructing a paradigm of recognition in which adat law and state law interact productively rather than hierarchically.[46]

Table 1. Philosophical Values of Customary Law, Legal Recognition, and Corruption-Prevention Mechanisms: A Cross-Jurisdiction Comparison

Country	Philosophical Value of Customary Law	Application in Corruption Prevention	Basis of Legal Recognition	Character of Mechanism
Indonesia	Tana' Ulen (Dayak Kenyah): intergenerational stewardship of common resources; musyawarah mufakat (deliberative consensus); exemplary customary leadership	Customary oversight of Village Fund management; integrity-based leadership selection; customary sanctions (denda adat) as early social detection alongside formal criminal proceedings	Art. 18B(2) of the 1945 Constitution; Law No. 6 of 2014 on Villages (recognition of customary institutions and desa adat)	Preventive–restorative; complementary to state law
China	Confucian relational ethics and village self-governance; harmony (he) and collective face as informal social control	Village people's mediation committees and clan/community norms exerting social pressure against abuse of collective assets	Organic Law on Villagers' Committees (village self-governance); People's Mediation Law 2010	Preventive–mediatory; subordinated to state law
India	Panchayat tradition: village deliberative self-rule and accountability of leaders before the Gram Sabha (village assembly)	Gram Sabha social audit of village development funds (e.g., MGNREGA social audits) as community-based anti-corruption oversight	73rd Constitutional Amendment (1992); state Panchayati Raj legislation; social-audit rules	Participatory oversight; institutionalized within state law
Bolivia	Communal duty and leadership as service within indigenous authority systems (ayllu; usos y costumbres)	Indigenous authorities adjudicate breaches of communal trust within a recognised jurisdiction	2009 Plurinational Constitution (indigenous native peasant jurisdiction)	Co-equal jurisdiction; contested in practice

[45] Griffiths, "What Is Legal Pluralism?"

[46] See Heliany, "The Pluralism of Indonesian Criminal Law"; Djawas et al., "Harmonization of State, Custom, and Islamic Law in Aceh."

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

Rwanda	Imihigo: traditional public vows of performance, adapted to modern administration	Officials and households publicly commit to declared targets; breach carries communal as well as administrative consequences	Government policy institutionalising imihigo within decentralised governance	State-led; top-down performance accountability
New Zealand	Māori tikanga: mana (integrity-based authority), whanaungatanga (relational accountability), and kaitiakitanga (guardianship of collective resources)	Tikanga-based accountability of iwi leadership in managing collective (Treaty settlement) assets; tikanga increasingly recognized in public law reasoning	Treaty of Waitangi framework; judicial recognition of tikanga as part of NZ common law (e.g., Ellis v R, 2022)	Values-integrative; incorporated into common law

Table 1 compares six jurisdictions in which customary or community-based accountability values interact with state law. The comparison is qualitative and institutional: it identifies the mechanisms through which cultural values are linked to the accountability of public or collective resources, and it does not measure the causal effect of those values on corruption levels. The jurisdictions differ in legal family, constitutional design, and degree of state recognition, yet they share one feature: a cultural value system frames public or collective resources as objects of trusteeship, and a legal or institutional channel converts that framing into oversight. In Indonesia, the *Dayak Kenyah* philosophy of *Tana' Ulen* establishes an ethic of intergenerational stewardship over common resources, reinforced by Deliberative Consensus (*Musyawarah Mufakat*) in leadership selection and by swift, publicly administered customary sanctions. As elaborated in the preceding sections, these values may supply a layer of trust-based social oversight over Village Fund management alongside formal criminal enforcement. The constitutional recognition of customary law communities under Article 18B(2) of the 1945 Constitution and Law Number 6 of 2014 on Villages provides the juridical channel through which this cultural capital can be institutionalised.

In China, village self-governance institutions translate reputational and communal norms into formal bodies, and the Organic Law of Village Committees provides for villagers to manage their own affairs and elect local leaders; yet the same institutions can be captured, as ethnographic research documenting elite collusion in village elections and in the use of collective assets shows.[47] In India, the Panchayat tradition of village deliberative self-rule finds contemporary expression in the Gram Sabha social audit under MGNREGA, a statutory instrument through which records of public works are scrutinised by the assembled community.[48] The quality of social audits nevertheless varies widely across states, and audit units that merely facilitate, without power to act

[47] Ruan, "Elite Capture and Corruption."

[48] Feba Varghese, N. C. Narayanan, and Satish Balram Agnihotri, "Transparency, Accountability and Participation through Social Audit: Case of MGNREGA in Sikkim, India," *SSRN Electronic Journal*, 2019, https://doi.org/10.2139/ssrn.3434068.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

on their findings, limit the effect of the instrument.[49] Bolivia illustrates the strongest constitutional form of recognition: the 2009 Constitution created a parallel legal system that gives full recognition to the non-state legal orders and conflict-resolution forms of indigenous communities, although disputes over which local authority holds jurisdiction show the limits of formally recognising legal plurality.[50] In Rwanda, the state has drawn on the traditional practice of imihigo to bind officials to publicly declared performance commitments;[51] research on social-protection delivery, however, finds that top-down assessment through imihigo emphasises quantifiable targets and can distort the priorities of local officials.[52] Imihigo is therefore better read as a performance-accountability device than as a dedicated anti-corruption mechanism. In New Zealand, the Supreme Court in *Ellis v R* held that tikanga is part of the common law, developing case by case and ceding to statute,[53] which shows that customary value systems can enter a mature common-law order while remaining subordinate to legislation.

Read together, the comparison supports three analytical propositions, offered as hypotheses for context-specific testing rather than as established regularities. First, cultural values operate as a preventive mechanism only when attached to an institutional channel with access to information: India's social audit works through statutory access to records and public hearings, whereas recognition that remains symbolic leaves cultural capital dormant. Second, recognition without clear jurisdictional limits invites conflict and capture: Bolivia's jurisdictional disputes and the elite collusion documented in village China show that the same communal forum that enables oversight can be turned against it. Third, in none of the compared jurisdictions does customary value substitute for state law; New Zealand's courts treat tikanga as ceding to statute, and Rwanda's imihigo operates within state administration. This pattern is consistent with the complementarity assumed in the synergy model for Malinau Regency. Table 2 sets out, for each jurisdiction, why the synergy works, where it is documented to fail, and what follows for Indonesia and for Malinau Regency.

Table 2. Conditions for Synergy between Customary Values and State Law, and Lessons for Malinau Regency

Country	Why the synergy works	Documented limits	Lesson for Indonesia	Implication for Malinau
India	A statutory duty to hold social audits ties community scrutiny to public records and public hearings in the Gram Sabha	Quality varies widely across states; audit units that only facilitate cannot act on findings	Community oversight needs a statutory hook and access to documents	Give the Village Consultative Body and the customary forum access to Village

[49] Varghese, Narayanan, and Agnihotri, "Transparency, Accountability and Participation through Social Audit."

[50] Matthew Doyle, "The Case of Piruani: Contested Justice, Legal Pluralism, and Indigeneity in Highland Bolivia," *PoLAR: Political and Legal Anthropology Review* 44, no. 1 (2021): 60–74, https://doi.org/10.1111/plar.12424.

[51] Stephan Klingebiel, Victoria Gonsior, and Franziska Jakobs, "Where Tradition Meets Public Sector Innovation: A Rwandan Case Study for Results-Based Approaches," *Third World Quarterly* 40, no. 7 (2019): 1340–58, https://doi.org/10.1080/01436597.2019.1581571.

[52] Sylvestre Nzahabwanayo, Tom Lavers, and Eric Ndushabandi, "Distributing Social Transfers in Rwanda: The Case of the Vision 2020 Umurenge Programme (VUP)," *SSRN Electronic Journal*, 2020, https://doi.org/10.2139/ssrn.3716832.

[53] Susan Glazebrook and Mai Chen, "Tikanga and Culture in the Supreme Court," *Amicus Curiae* 4, no. 2 (2023): 287–305, https://doi.org/10.14296/ac.v4i2.5583.

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

				Fund planning and accountability documents, and add a public hearing step
China	Village self-governance bodies convert reputational and communal norms into formal posts and procedures	Elite collusion, election manipulation, and suppression of anti-corruption protests	Communal forums can be captured where leaders control them	Keep the Village Consultative Body, the Regional Inspectorate, and law enforcement as independent channels, and protect complainants
Bolivia	Constitutional recognition gives indigenous authorities a defined jurisdiction	Disputes over which authority may judge; paradoxical effects of formal recognition	Recognition without clear jurisdictional limits creates conflict	Define in writing what a customary forum may decide and what must go to the criminal process
Rwanda	Imihigo publicly binds officials to declared commitments and draws on traditional legitimacy	Top-down, quantified targets can distort priorities	Public commitments need meaningful indicators, not only measurable ones	A public integrity pledge by the village head before the community, with transparency indicators for reporting
New Zealand	Courts recognise tikanga as part of the common law, case by case	Tikanga cedes to statute; recognition develops incrementally	Customary values enter law incrementally but remain subordinate to statute	Adopt a complement-not-override rule: customary measures operate within the Village Law and the anti-corruption statutes

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

Three conclusions follow for adoption in Indonesia. First, a legal anchor is necessary but not sufficient. Indonesia already has the anchors, namely Article 18B(2) of the 1945 Constitution and the Village Law, but Table 2 shows that value lies in operational rules: access of the community and the customary forum to Village Fund planning and accountability documents, a public hearing step in the accountability cycle, and a clear delimitation of what a customary forum may decide. Second, safeguards against capture must be designed in. Where leaders control the customary forum, the forum can shield them; the Village Consultative Body, the Regional Inspectorate, and the prosecutor's office should therefore remain independent channels, and complainants should be protected. Third, customary sanctions must remain additional to, not instead of, criminal liability, because under Article 4 of Law Number 31 of 1999 jo. Law Number 20 of 2001 the return of state financial losses does not extinguish criminal liability. These three conditions correspond to the three measures set out in Part C and are the criteria against which the model should be piloted in Malinau.

It should nonetheless be acknowledged that this comparison is qualitative and institutional in character: it identifies convergent mechanisms rather than statistically measured causal effects, selects jurisdictions on the basis of documented interaction between customary and state orders, and relies on a small number of studies per jurisdiction. These limits call for context-specific institutional design and for empirical testing in Malinau Regency.

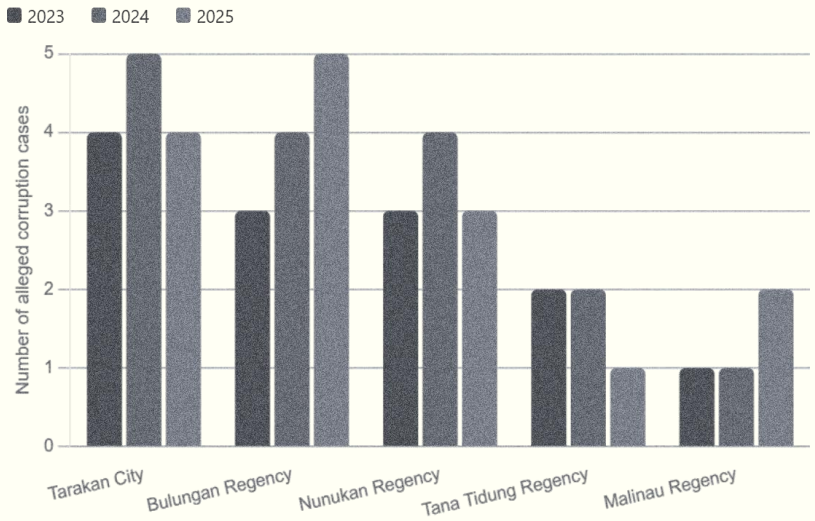


Figure 1. Comparison of the Number of Alleged Corruption Cases Handled by Law Enforcement across Regencies/Cities in North Kalimantan Province, 2023–2025.

Source: Processed by the authors from compiled press releases of the North Kalimantan High Prosecutor's Office (Kejaksaan Tinggi Kalimantan Utara), 2025.

As illustrated in Figure 1, the distribution of alleged corruption cases across the five regencies and cities of North Kalimantan Province over the 2023–2025 period reveals a marked spatial disparity. Urban and administratively dense jurisdictions — most notably Tarakan City and Bulungan Regency, the latter being the seat of the provincial government consistently recorded the highest number of cases, whereas Malinau Regency remained at

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

the lowest end of the distribution throughout the three-year period. This pattern is consistent with the broader empirical literature on corruption in Indonesian local governments, which associates higher incidences of corruption with greater fiscal volume, administrative complexity, and the density of procurement activity conditions more pronounced in urbanised and economically active jurisdictions than in geographically remote, customary-community-dominated regencies such as Malinau.

Two interpretive caveats must be emphasised before any causal inference is drawn from this distribution. First, the figures reflect cases handled or detected by law enforcement agencies rather than the actual incidence of corrupt conduct; as such, they are inevitably shaped by the investigative capacity, territorial reach, and prosecutorial priorities of the agencies concerned. Given that law enforcement personnel and institutional resources are unevenly distributed across a province as geographically vast and logistically challenging as North Kalimantan, a lower recorded caseload in Malinau should not be read, without further evidence, as conclusive proof of a lower underlying prevalence of corruption. This methodological reservation reinforces the argument advanced in the preceding sections: that formal criminal enforcement alone, constrained by limited personnel and expansive territorial jurisdiction, cannot adequately guarantee accountability in the management of Village Fund resources across the whole of Malinau Regency.

Second, and more significantly for the present study, the comparatively low caseload in Malinau invites a more nuanced sociolegal interpretation. Rather than treating this figure merely as a statistical artefact of under-detection, it may be read as an empirical entry point for examining whether the customary normative order of the *Dayak Kenyah* community — encompassing the stewardship ethic embodied in *Tana' Ulen*, integrity-based leadership selection through deliberative consensus, and the responsive character of customary sanctions — functions as a latent layer of social control that may complement, and possibly pre-empt, the formal criminal justice mechanism. Viewed through the lens of legal pluralism, the relatively low formal caseload in Malinau is therefore not necessarily indicative of institutional inaction; one hypothesis, which the present data cannot test, is that customary social sanctions and community-based oversight absorb and resolve some potential violations before they escalate into formal criminal proceedings.

Accordingly, Figure 1 should be understood not as a definitive measure of the relative integrity of each jurisdiction, but as a contextual point of departure that motivates the central inquiry of this study: namely, under what institutional conditions the local wisdom of the *Dayak Kenyah* can be optimally synergised with the formal legal enforcement system to strengthen the prevention of Village Fund corruption in Malinau Regency. On the basis of the foregoing analysis, this study takes the legal position that *Dayak Kenyah* customary values can serve as a preventive complement to formal enforcement against Village Fund corruption in Malinau Regency, and that this potential is juridically cognisable rather than merely sociological. The values of *Tana' Ulen* stewardship, integrity-based leadership selection, and responsive customary sanctioning perform, in functional terms, integrity-assurance objectives that Law Number 31 of 1999 jo. Law Number 20 of 2001 and Law Number 6 of 2014 pursue through formal instruments, and Article 18B(2) of the 1945 Constitution recognises customary law communities insofar as they remain living and consistent with societal development and the principles of the unitary state. The evidence presented is associative and qualitative; it does not establish that customary culture has reduced corruption in Malinau. It supports a conditional proposition: where integrity-

SASI, 32 (4) December 2026: 368 - 388
P-ISSN: 1693-0061, E-ISSN: 2614-2961
Published by: Faculty of Law, Universitas Pattimura

oriented customary values are institutionally channelled, connected to the formal accountability regime, and safeguarded against elite capture, they can supply proximate oversight where formal enforcement is thinnest, with the state criminal justice system remaining the guarantor of last resort.

CONCLUSION

This study examines the potential contribution of *Dayak Kenyah* customary law to the prevention of Village Fund corruption in Malinau Regency through the framework of legal pluralism and social capital. The analysis identifies three relevant customary dimensions: the stewardship ethic embodied in *Tana' Ulen*, integrity-oriented leadership and deliberative decision-making, and customary mechanisms for responding to violations of communal norms. These dimensions provide a conceptual basis for strengthening community participation and accountability in village governance. The study proposes a complementary relationship between customary institutions and the formal legal system through participatory village oversight, culturally grounded integrity education, and appropriate coordination with state oversight and law enforcement authorities. Such integration must preserve statutory authority, human rights, transparency, and due process. Customary sanctions should not replace criminal investigation or prosecution where the elements of a corruption offence may be present. The principal contribution of this study is its proposed framework for understanding customary law as a potential source of preventive social accountability rather than as a substitute for formal law enforcement. However, the available evidence does not establish that *Dayak Kenyah* customary practices have caused a reduction in corruption. Further field research involving customary leaders, village officials, community members, and relevant oversight institutions is necessary to assess how these mechanisms operate in practice and under what conditions they improve accountability. Verified official data are also required to evaluate patterns of corruption enforcement in Malinau. Accordingly, the proposed framework should be treated as a context-specific institutional proposition requiring empirical evaluation. Its broader applicability to other customary communities in Indonesia will depend on local institutional conditions, community participation, and compatibility with the national legal framework.

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