



# The Existence of Mekongga Customary Court in Resolving Crimes According to Kalosara Tolaki Mekongga Customary Law in Kolaka Regency

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## ABSTRACT

Customary Court is a court that applies the customary law system for indigenous people seeking justice through a deliberation mechanism. The existence of Customary Courts is not limited to the settlement of customary disputes, but also includes criminal cases. This raises three issues that must be reviewed, namely, how the existence of the Customary Court as an institution authorized by custom to examine and try criminal cases, as well as how the general public perceives the existence of the Court in resolving criminal cases. Using sociological and normative research methods, this study concludes that the limitations and forms of offenses formulated are limited to customary offenses that fall into the category of complaints and minor criminal cases. Then the existence of Customary Courts that cover minor crimes. Meanwhile, the general public has a perception that wants the existence of Customary Courts to be optimal because it prioritizes family deliberation which is a communal principle in customary law communities. This research suggests that there should be a uniformity of minor criminal cases that can be resolved by the Mekongga Customary Court through the Kalosara Tolaki Mekongga Customary Law Regulation in Kolaka district.

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## INTRODUCTION

Customary law, as an unwritten legal system, has an important role in maintaining social order in society. According to Soepomo, customary law grows and develops in the community without requiring ratification from the authorities, reflecting the social and cultural values adopted by the local community (Isyanawulan, 2023). This is in line with Wulansari's view, which emphasizes that customary law has strong legitimacy in maintaining social order (Isyanawulan, 2023). In this context, customary criminal law, often referred to as "living law," is one of the tangible forms of customary law that functions to resolve conflicts and maintain harmony in society (Hadi, 2018).

Customary criminal law plays an important role in resolving social conflicts through customary mechanisms aimed at restoring harmony in the community. Hadikusuma stated that this law develops along with the dynamics of society and is considered a relevant and "living" law (Suprasetya, 2021). Conflict resolution through customary law is often more accepted by the community because of its personal approach and prioritizes peace over the formal justice system (Rahmasari et al., 2023). Customary institutions also have high authority in the community, so their decisions are considered valid and final (Zunaidi & Najih, 2020). Conflict resolution mechanisms are often carried out through mediation, involving all parties involved to

achieve peace. In addition, customary law functions not only as a conflict resolution tool, but also as a means of strengthening social and cultural values. This approach is expected to provide a fairer and wiser solution for the community (Arsyad et al., 2016).

Customary law not only reflects cultural norms and values, but also provides a means of dispute resolution that emphasizes compromise and peace. In Indonesia, one area where customary law is still strongly practiced is the Tolaki Mekongga community in Southeast Sulawesi. This community upholds the Kalosara custom, which has a sacred function and is respected as a legal system that affects various aspects of life, including in the settlement of criminal cases (Isyanawulan, 2023). Kalosara functions as a customary legal instrument capable of maintaining balance and social order in Tolaki society, where any violation is considered a disturbance to harmony that must be restored immediately (Hadi, 2018). Kalosara not only plays a role in dispute resolution, but also strengthens social cohesion and strengthens relationships between community members. Dispute resolution mechanisms adopted in Kalosara customary law are often more acceptable to communities than the formal justice system. The more humanist and dialog-based approach allows communities to resolve conflicts in a more peaceful and constructive way (Suprasetya, 2021).

The existence of customary law in Indonesia is significantly recognized in the national legal framework, as affirmed in Article 18B paragraph (2) of the 1945 Constitution, which recognizes the traditional rights of indigenous peoples as long as they are alive and in line with the principles of the Republic of Indonesia (Isyanawulan, 2023). This is reinforced by Law No. 48/2009 on Judicial Power which recognizes the existence of customary law, including customary criminal law, as part of the legal system in Indonesia (Hadi, 2018). In practice, the Tolaki Mekongga customary court, which uses Kalosara as a medium, is mostly chosen by the community to resolve criminal disputes. This is due to the view that dispute resolution mechanisms through customary law are more capable of achieving a sense of justice and social harmony (Suprasetya, 2021). Dispute resolution through customary mechanisms is considered more acceptable by the community because the approach prioritizes peace, in contrast to the formal system which tends to punish (Rahmasari et al., 2023). The study by Arsyad confirms that customary law plays an important role in maintaining harmony and local wisdom in various regions. In addition, this dispute resolution mechanism helps reduce the caseload in formal courts, which often experience a backlog of cases (Rahmadeni, 2023). Thus, customary law is not only a part of cultural heritage, but also an important pillar in the Indonesian legal system.

The Tolaki customary law community in Kolaka Regency has long used customary justice as a mechanism for resolving various disputes, including minor crimes such as maltreatment, insults, adultery and theft. The process involves both perpetrators and victims, accompanied by traditional leaders, and emphasizes peace which is considered to provide a sense of justice for both parties because the focus is on social harmonization without causing resentment. Customary justice is also relevant to the geographical conditions of rural areas that are difficult to reach by formal justice institutions, making dispute resolution faster and more efficient. In addition, this mechanism is in accordance with local wisdom passed down from generation to generation, where the principle of "inae kona sara ie pinesara, inae lia sara ie pinekasara" reflects the Tolaki people's respect for customary law as an instrument to maintain social order (Isyanawulan, 2023). With this approach, customary law not only accelerates the process of resolving cases, but is also more accepted by the community because of its relevance to local norms and culture.

Based on this background, this research aims to examine in depth the existence of the Mekongga customary court in solving criminal offenses according to Kalosara Tolaki Mekongga customary law in Kolaka Regency. In addition, this research will also examine the views of the community and customary leaders on the effectiveness of the Mekongga customary court as a means of resolving criminal disputes within the Tolaki Mekongga customary law community.

## METHODOLOGY

This research was conducted using sociological juridical method. In accordance with the topics and problems reviewed, this research uses normative and sociological legal research methods. As normative research, studying the legal values that exist in society, in this case the Tolaki Mekongga customary law society related to the process of resolving criminal cases through the Tolaki Mekongga customary court. Primary data is used to observe the Existence of Mekongga Customary Court in Settling Crimes according to Kalosara Tolaki Mekongga Customary Law in Kolaka Regency. In addition, it also looks at criminal offenses that can be resolved through the Tolaki Mekongga customary court in Kolaka Regency and how the perception of Tolea Pabitara (Spokesperson / Customary Leader) about the possibility of the Existence of the Mekongga customary court in resolving criminal offenses according to Kalosara Tolaki Mekongga Customary Law in Kolaka Regency.

While primary data sources are directly related to related parties as the object of research either as resource persons or respondents. The resource persons are customary stakeholders in this case the Tolea pabitara Coordinator and his apparatus, and the community. While secondary data is carried out by reviewing Regional Regulations related to criminal offenses resolved through the Tolaki Mekongga customary court in Kolaka district.

## RESULTS

### **The Existence of Mekongga Customary Court in Settling Crimes in Tolaki Mekongga Indigenous Community, Kolaka Regency**

The Mekongga customary justice institution plays a central role in the settlement of criminal offenses in the Tolaki Mekongga indigenous community in Kolaka Regency. As part of a traditional institution, the customary court not only resolves customary cases but also criminal offenses based on applicable customary law. The case settlement mechanism is carried out by deliberation, in accordance with the provisions of local customary law and within the framework of broader laws and regulations. The existence of this customary court remains strong until now, partly driven by the philosophy of “Inae kona Sara ie Pinesara, Inae Lia Sara ie Pinekasara”, which means that anyone who obeys customary law will be treated well and fairly, while violators of customary law will be sanctioned according to their actions. This philosophy shows the discipline of the Tolaki indigenous people in maintaining social order based on customary norms.

In resolving criminal offenses, the Mekongga customary court acts as a facilitator, receiving complaints and aspirations from the community, and mediating disputes that arise. Its main function is as a mediator in resolving criminal and civil conflicts that occur in the Tolaki indigenous community. Case resolution always begins by gathering all parties involved, including the customary leader, community leaders, and the disputing parties, taking into account the level of offense that occurred. The punishment imposed is proportional, where serious violations will be subject to heavier sanctions, and minor violations receive lighter sanctions.

The conflict resolution process carried out in a meeting or customary court is arranged in the following order:

1. Mombesara with kalo sara in front of the pu'utobu (customary leader), with the essence of the conversation; introductory words containing the purpose and purpose of the meeting / trial; explaining in detail all the information / confessions of the perpetrator including evidence of his / her actions / violations and his / her request to the hearing; explaining in detail the information - the victim's information to the hearing panel; expressing opinions / suggestions about various alternative forms of punishment that are appropriate to be imposed on the perpetrator to the hearing panel in accordance with the form of actions committed by the perpetrator / violator.
2. The pu'utobu's personal response, advice and opinion
3. Advice and opinion of the traditional elders (toono motuo)
4. Advice and opinion from the customary elders / sara wonua customary institution officials.
5. A request for charges from the representative of the victim's family (pabitara)
6. Request and statement of apology from the representative of the perpetrator (pabitara)
7. Submission of the puutobu's (customary leader) conclusions of opinion as well as the legal decision handed down by the court to the perpetrator.
8. The decision made by the puutobu is final and cannot be challenged by anyone.
9. Determination of the implementation of the punishment for the perpetrator along with the realization of its implementation
10. Signing of the minutes of the proceedings, which is followed and witnessed by law enforcement and government representatives.
11. Closing ceremony with closing remarks from the pabitara as well as marking that the event and traditional ceremony of the case has been completed.

By continuing to prioritize the principles of deliberation and customary philosophy, the Mekongga customary court remains effective in maintaining social order and resolving various criminal offenses in the Tolaki indigenous community.

### **Perceptions of Customary Leaders Towards the Existence of Mekongga Customary Courts in Settling Crimes According to Kalosara Tolaki Mekongga Customary Law in Kolaka Regency.**

In Indonesia, there are two mechanisms for resolving cases, namely litigation through the courts and non-litigation through out-of-court dispute resolution. Non-litigation settlement is an alternative that is often used by indigenous communities, where the court is the last option if no agreement is reached. One form of non-litigation settlement that is still practiced is customary justice, which in some areas such as Aceh, customary justice has a significant role in resolving issues such as inheritance distribution, marriage, engagement, and land disputes. The Tolaki Mekongga customary court in Kolaka Regency is one form of local wisdom that remains alive in the community. Its existence is formally recognized through Kolaka Regency

Regional Regulation Number 31 of 2001 concerning the empowerment, preservation and development of customs, as well as Kolaka Regency Regional Regulation Number 11 of 2016 which regulates the empowerment of the Mekongga Customary Council. This confirms that customary courts have legitimacy in resolving various customary cases, including crimes such as maltreatment.

According to Amrin Bana, Coordinator of Tolea Pabitara Kolaka District, customary courts are more often used to resolve cases of maltreatment than through law enforcement officials. The settlement process starts with adat court, where the victim and perpetrator are invited to discuss to reach an amicable agreement. However, if customary deliberations are unsuccessful, the case will be transferred to the Kolaka Police. This shows the community's trust in customary law in providing a fair solution and in accordance with local values. In the Tolaki Mekongga customary legal system, there is the principle of personality, where punishment or sanctions for perpetrators of customary crimes are applied based on individual responsibility. Tolaki customary law does not strictly distinguish between crimes and offenses, but determines the severity of punishment based on how much the act shocks the feelings of humanity and the local community. Perpetrators of customary crimes must take personal responsibility and pay customary fines according to the requests of victims and their families. Tolaki Mekongga customary law also does not clearly separate between minor and serious crimes, focusing instead on the social impact of the act.

The existence of Mekongga customary courts that are formally recognized through local regulations provides space for indigenous communities to continue implementing their traditional legal values. This customary court is also part of an effort to maintain social harmony in the Tolaki Mekongga community, where dispute resolution is carried out by way of consensus deliberation in accordance with the principle of restorative justice. In addition, support from the local government through formal recognition of the existence and practice of customary justice further strengthens the position of customary law in the legal framework in Indonesia. The continuation of Mekongga's customary justice practices shows that indigenous communities still believe in the effectiveness of customary law in resolving cases, especially in the context of maltreatment crimes. This is not only evidence of the existence of local wisdom that is still alive, but also an example of the application of customary law in line with the principles of restorative justice and dispute resolution that does not only focus on punishment, but also the restoration of social relations.

## **DISCUSSION**

### **The Existence of Mekongga Customary Court in Settling Crimes in Tolaki Indigenous Community, Kolaka Regency**

Mekongga customary court has a very important role in resolving criminal offenses in the Tolaki indigenous community in Kolaka Regency. Its existence shows that customary justice is still recognized and respected as part of the legal system that lives in the community. The strong existence of customary courts reflects recognition of the autonomy of indigenous communities in implementing their own rules, in accordance with the principle of "Inae kona Sara ie Pinesara, Inae Lia Sara ie Pinekasara". This principle serves as a moral and social guide, where respect for customary law carries the consequence of fair treatment, while violation of customary law carries strict sanctions (Badu et al., 2021; Ilham et al., 2022). This is in line with the view that customary law not only functions as a social norm, but also as a mechanism to maintain harmony in society (Aditya, 2019).

In the context of customary law, the settlement of criminal offenses that is prioritized through deliberation is a reflection of the concept of restorative justice, where the resolution of disputes or criminal offenses focuses more on restoring social relations than simply punishment. Mekongga customary justice with a deliberation and consensus approach places peaceful conflict resolution as the main goal, where all parties involved, both victims and perpetrators, are involved in the process of finding a satisfactory solution (Ilham et al., 2022). The structured resolution process, from the Mombesara to the pronouncement of the decision by the pu'utobu, emphasizes the importance of transparency and community involvement in the customary law process (Ilham et al., 2022). This reflects a positive peace model, where constructive and inclusive dialog is key to ensuring the sustainability of peace in the community.

The existence of customary justice in the Tolaki indigenous community is also inseparable from the support of strong local values. Tolaki customary law, known as Kalosara, serves as a symbol of unity and peace in resolving cases. Kalosara is not only a legal symbol, but also a mechanism for restoring social harmony within indigenous communities (Badu et al., 2021; Ilham et al., 2022). The existence of symbols such as Kalosara helps maintain social cohesion and strengthens the legitimacy of customary law in the eyes of the community (Badu et al., 2021; Aditya, 2019). In addition, this study supports previous research showing that customary courts still function effectively in many indigenous communities in Indonesia, especially in areas with strong customary values, such as in Southeast Sulawesi and Papua (Ilham et al., 2022). Mekongga as part of the Tolaki customary court also confirms that local autonomy in the application of customary law plays an important role in maintaining social stability.

Thus, the existence of the Mekongga customary court makes a significant contribution to the legal system that applies in the Tolaki customary territory. This court not only meets the needs of indigenous peoples for customary conflict resolution, but also complements the national legal system recognized in Indonesia. This hybrid legal system recognizes legal plurality and provides space for indigenous communities to apply their own rules and norms, while still respecting the national legal framework (Aditya, 2019; Ilham et al., 2022). This shows that customary justice is not only relevant, but also essential in maintaining social stability and justice in indigenous communities.

### **Perceptions of Traditional Leaders Towards the Existence of Mekongga Customary Courts in Settling Crimes According to Kalosara Tolaki Customary Law in Kolaka Regency**

The existence of the Mekongga customary court in resolving criminal offenses according to Kalosara Tolaki customary law in Kolaka Regency shows that customary law still has an important role in the lives of local communities. Dispute resolution mechanisms through customary law, as applied by the Tolaki Mekongga indigenous community, offer a more inclusive and restorative approach than the formal justice system.

Amrin Bana, Coordinator of Tolea Pabitara in Kolaka District, revealed that customary justice is more often used to resolve cases of abuse. This shows that the Tolaki Mekongga community prefers a settlement that prioritizes consensus and agreement between the two parties, namely the victim and the perpetrator. This is in line with the principle of restorative justice, where the main goal of dispute resolution is the restoration of social relations between the parties to the dispute, not just punishment for the perpetrator (Amiruddin et al., 2017; Ipendang & Laksana, 2021). This is in line with the principle of restorative justice, where the main goal of dispute resolution is the restoration of social relations, not just punishment for the perpetrator (Ramadhanti, 2022; Arief & Ambarsari, 2018).

Tolaki Mekongga customary courts are recognized by positive law through Kolaka District Regulation No. 31/2001 and Kolaka District Regulation No. 11/2016, which regulate the empowerment and preservation of customary institutions. This recognition reflects the importance of customary justice as a form of Alternative Dispute Resolution (ADR), which has been widely recognized in various countries to resolve disputes peacefully outside of court (Sopian, 2023; Yoserwan, 2023). In Indonesia, ADR through customary courts is the choice of people who prioritize local values and a sense of justice that lives in the community (Muhtadli, 2020). Although Mekongga customary justice does not clearly separate between minor and serious offenses, the determination of punishment based on the severity of the offense and its impact on the community provides flexibility in the dispute resolution process. Mekongga customary law adopts an approach similar to the concept of social control known in the sociology of law, where social rules aim to maintain balance and order in society (Anjari, 2018; Dandi, 2023). One of the strengths of Mekongga customary law is the principle of personality, which attributes legal responsibility to the individual regardless of where the individual is located. This principle allows communities to resolve conflicts directly with offenders and their families, including through the payment of customary fines determined by negotiation between the two parties (Arliman, 2018; Suartina, 2020). This reduces the burden on the formal justice system and provides a quick solution for the community.

However, despite the advantages of Mekongga's restorative and flexible approach to adat justice, there are some challenges in its implementation. One of the main challenges is coordination with the formal legal system. If the adat deliberations fail to reach an agreement, the case is referred to the police. This is where tensions between customary law and formal law often occur, especially in relation to the implementation of customary judicial decisions within the national legal framework (Bahreisy, 2020). The involvement of customary stakeholders such as Amrin Bana in the resolution of criminal cases demonstrates the important role of local leaders in maintaining social harmony and ensuring that justice is served in accordance with customary norms (Ipendang & Laksana, 2021).

Overall, Mekongga customary courts play a very important role in providing fair and effective solutions for the Tolaki Mekongga community in Kolaka Regency. Support from the local government through local regulations, as well as the application of flexible and restorative customary law principles, allows communities to retain their local values in conflict resolution. However, strengthening coordination between customary justice and the formal justice system needs to be improved to ensure better integration between the two legal systems (Dewi et al., 2021; Hadi, 2018).

### **CONCLUSION**

The existence of the Mekongga customary court which has existed and has been inherited from generation to generation throughout the custom, is still seen to function to resolve criminal cases which are limited to minor criminal cases, in addition to resolving cases related to customs. Therefore, the existence of customary courts in resolving minor criminal cases is something that is important to consider. Because customary courts in resolving minor criminal cases are imbued with nature, the priority is not individual justice but a sense of family justice, with the aim of restoring the turmoil that arises in society as a result of criminal

offenses.

The existence of the Mekongga Tolaki customary court is one solution in providing justice and satisfaction to the customary law community, the settlement is carried out by customary institutions by holding deliberations and calling the parties to facilitate the process of resolving the criminal case. The settlement of criminal cases is carried out in a fast and easy way and does not require costs. Sanctions given by customary institutions are also in accordance with the capabilities and customs prevailing in the local community and do not harm both parties.

## REFERENCES

1. Aditya, Z. (2019). Romantisme sistem hukum di indonesia : kajian atas kontribusi hukum adat dan hukum islam terhadap pembangunan hukum di indonesia. *Jurnal Rechts Vinding Media Pembinaan Hukum Nasional*, 8(1), 37. <https://doi.org/10.33331/rechtsvinding.v8i1.305>
2. Anjari, W. (2018). Eksistensi delik adat dan implementasi asas legalitas hukum pidana materiil indonesia. *Masalah-Masalah Hukum*, 46(4), 328. <https://doi.org/10.14710/mmh.46.4.2017.328-335>
3. Arief, H. and Ambarsari, N. (2018). Penerapan prinsip restorative justice dalam sistem peradilan pidana di indonesia. *Al-Adl Jurnal Hukum*, 10(2), 173. <https://doi.org/10.31602/al-adl.v10i2.1362>
4. Arliman, L. (2018). Hukum adat di indonesia dalam pandangan para ahli dan konsep pemberlakuannya di indonesia. *Jurnal Selat*, 5(2), 177-190. <https://doi.org/10.31629/selat.v5i2.320>
5. Arsyad, I., Sunito, S., & Kartodiharjo, H. (2016). Analisis aktor dalam pembentukan kebijakan pengakuan masyarakat hukum adat pasca putusan mk 35 (studi atas peran aman dan jaringannya dalam mendorong pengakuan masyarakat hukum adat melalui uu desa dan ruu ppmha). *Sodality: Jurnal Sosiologi Pedesaan*, 4(3). <https://doi.org/10.22500/sodality.v4i3.14431>
6. Badu, L., Kaluku, J., & Kaluku, A. (2021). Perlindungan hak-hak konstitusional masyarakat adat di kabupaten boalemo dalam penerapan sanksi adat. *Jurnal Konstitusi*, 18(1), 219-239. <https://doi.org/10.31078/jk18110>
7. Bahreisy, B. (2020). Peran lembaga adat di aceh dalam penyelesaian perkara anak yang berkonflik dengan hukum. *Jurnal Penelitian Hukum De Jure*, 20(1), 25. <https://doi.org/10.30641/dejure.2020.v20.25-36>
8. Dandi, Y. (2023). Hukum adat tarangk dalam filsafat hukum perspektif thomas aquinas. *BR*, 2(2), 75-82. <https://doi.org/10.52075/br.v2i2.182>
9. Dewi, A., Dharmawan, N., Yanti, A., & Dwijyanthi, P. (2021). Percepatan penanganan covid-19 di bali: konteks pluralisme hukum. *Masalah-Masalah Hukum*, 50(4), 447-459. <https://doi.org/10.14710/mmh.50.4.2021.447-459>
10. Hadi, S. (2018). Hukum positif dan the living law (eksistensi dan keberlakuannya dalam masyarakat). *Dih Jurnal Ilmu Hukum*. <https://doi.org/10.30996/dih.v0i0.1588>
11. Hadi, S. (2018). Hukum positif dan the living law (eksistensi dan keberlakuannya dalam masyarakat). *Dih Jurnal Ilmu Hukum*. <https://doi.org/10.30996/dih.v0i0.1588>
12. Ilham, M., Rakia, A., Hidayat, W., Markus, D., & Mahmudah, M. (2022). Proses penyelesaian tindak pidana berdasarkan adat suku moi (studi kasus di polres kota sorong). *Justisi*, 8(1), 40-54. <https://doi.org/10.33506/js.v8i1.1503>
13. Ipanang, I. and Laksana, S. (2021). Membangun kesadaran keberagaman inklusif di masyarakat segreratif di sulawesi tenggara. *Adimas Jurnal Pengabdian Kepada Masyarakat*, 5(1), 43. <https://doi.org/10.24269/adi.v5i1.3744>
14. Ipanang, I. and Laksana, S. (2021). Membangun kesadaran keberagaman inklusif di masyarakat segreratif di sulawesi tenggara. *Adimas Jurnal Pengabdian Kepada Masyarakat*, 5(1), 43. <https://doi.org/10.24269/adi.v5i1.3744>
15. Isyanawulan, G. (2023). Mediasi dalam penyelesaian konflik lahan perkebunan di kabupaten ogan kemering ilir (oki), sumatera selatan. *Jurnal Ilmiah Ilmu Sosial*, 9(2), 125-135. <https://doi.org/10.23887/jiis.v9i2.66453>
16. Muhtadli, M. (2020). Recognition of traditional villages as local government administrators in indonesia based on the principle of autonomy. *Constitutionale*, 1(1), 57-70. <https://doi.org/10.25041/constitutionale.v1i1.2008>
17. Rahmadeni, Y. and Septian, D. (2023). Mekanisme penyelesaian konflik pada program bantuan subsidi meteran listrik pasang baru di pulau semembang desa semembang. *Jurnal Socius: Journal of Sociology Research and Education*, 10(2), 61-72. <https://doi.org/10.24036/scs.v10i2.467>
18. Rahmasari, B., Umami, A., & Gautama, T. (2023). Pengaruh hukum adat dalam pengaturan pemerintahan desa: perspektif normatif. *Muhammadiyah Law Review*, 7(2), 60. <https://doi.org/10.24127/mlr.v7i2.2770>
19. Ramadhanti, S. (2022). Konsep restorative justice dalam perbandingan hukum pidana di indonesia dengan hukum islam. *PESHUM*, 1(4), 417-423. <https://doi.org/10.56799/peshum.v1i4.533>
20. Ramdhany, M. F. D. (2023). Implementasi undang-undang nomor 30 tahun 1999 tentang arbitrase dan adr. *Indonesia Berdaya*, 4(4), 1263-1270. <https://doi.org/10.47679/ib.2023549>

21. Sopian, S. (2023). Sistem pemerintahan masyarakat hukum adat baduy banten. *Jurnal Citizenship Virtues*, 3(2), 621-629. <https://doi.org/10.37640/jcv.v3i2.1877>
22. Suardika, I. and Anwar, M. (2017). Kalosara di kalangan masyarakat tolaki di sulawesi tenggara. *Mudra Jurnal Seni Budaya*, 32(2). <https://doi.org/10.31091/mudra.v32i2.111>
23. Suartina, T. (2020). Marginalisasi hukum adat pada masyarakat adat the marginalization of adat law on adat communities. *Jurnal Masyarakat Dan Budaya*. <https://doi.org/10.14203/jmb.v22i1.936>
24. Suprasetya, G. (2021). Kajian yuridis terhadap penerapan hukum adat dalam menyelesaikan kasus tindak pidana di papua.. *Jurnal Syntax Transformation*, 2(07), 971-984. <https://doi.org/10.46799/jst.v2i7.313>
25. Suprasetya, G. (2021). Kajian yuridis terhadap penerapan hukum adat dalam menyelesaikan kasus tindak pidana di papua.. *Jurnal Syntax Transformation*, 2(07), 971-984. <https://doi.org/10.46799/jst.v2i7.313>
26. Yoserwan, Y. (2023). Eksistensi hukum pidana adat dalam hukum pidana nasional setelah pengesahan kuhp baru. *Unes Law Review*, 5(4), 1999-2013. <https://doi.org/10.31933/unesrev.v5i4.577>
27. Zunaidi, A. H. and Najih, M. (2020). Analisis perbandingan kebijakan penyelesaian perkara pidana di luar persidangan di belanda, inggris, dan indonesia. *Audito Comparative Law Journal (ACLJ)*, 1(1), 1-15. <https://doi.org/10.22219/audito.v1i1.12781>