



Customary sanctions in resolving violations of the “aluk todolo” of the Tana Toraja community

Pratama Yoland Suryamodjo¹, Nur Azisa², Haeranah³.

¹**Pratama Yoland Suryamodjo**; Master of Law, Faculty of Law, University of Hasanudin; Perintis Kemerdekaan Street, KM-10 Tamalanrea, Makasar City; 90245; Indonesia.

²**Nur Azisa**; Master of Law, Faculty of Law, University of Hasanudin; Perintis Kemerdekaan Street, KM-10 Tamalanrea, Makasar City; 90245; Indonesia.

³**Haeranah**; Master of Law, Faculty of Law, University of Hasanudin; Perintis Kemerdekaan Street, KM-10 Tamalanrea, Makasar City; 90245; Indonesia.

ARTICLE INFO

Article history:

Received 2022-05-06

Received in revised form
2022-07-24

Accepted 2022-08-01

Keywords:

Aluk Todolo; Customary Law;
Customary Violations.

DOI: <https://doi.org/10.26905/idjch.v13i2.5655>.

How to cite item:

Suryamodjo, PY, Azisa, N., Haeranah. (2022). Customary sanctions in resolving violations of the “aluk todolo” of the Tana Toraja community. *Jurnal Cakrawala Hukum*, 13(2) 214-223. doi:10.26905/idjch.v13i2.5655.

Abstrak

Customary law must be able to protect and serve as a legal umbrella for indigenous peoples in terms of resolving customary violations committed by tourists, so this research is to determine the effectiveness of the application of customary sanctions in resolving violations of customary “Aluk Todolo” communities in Tana Toraja and North Toraja Regencies and observe the application of sanctions customary law in resolving violations of the “Aluk Todolo” custom which can provide a deterrent effect for violators and become the basis for legal protection for people in Tana Toraja Regency and North Toraja Regency who carry out this rule, using empirical research by collecting data based on observed facts obtained from the results of interviews and direct observation. The results of this study indicate that the application of customary sanctions in resolving violations of the traditional “Aluk Todolo” community in Tana Toraja Regency and North Toraja Regency is very effective in preventing customary violations and is the basis for legal protection for people in Tana Toraja Regency and North Toraja Regency who carry out the rules.

Corresponding Author:

* **Pratama yoland suryamodjo.**

E-mail address: yolandpratama23@gmail.com

1. Introduction

One of the customary violations can occur on social media in the form of posting something that contains insults or defamation or creates feelings of hatred or hostility towards specific individuals or community groups based on ethnicity, religion, race, and inter-group (SARA) (Hikmawati, 2019) as happened in 2017 the Indonesian people were shocked by the circulation of a video of a man using the trail attribute at the “Offroader Reunion Mt. Agung Charity Rider” who abused the Joged Bungbung dancer who was performing among the audience so that the Hindu Nusantara Network Foundation and its alliance officially filed a report to the authorities. (Hidayat, 2017)

In addition to this incident, in 2018, there was a violation of customs at the Ke'te' Kesu' tourist attraction carried out by local tourists visiting the Ke'te' Kesu' tourist attraction named Randy and Kiki. (Liputan 6, 2018) The incident of the customary violation of the Ke'te' Kesu' tourist attraction was discovered after circulating several photos of Randy and Kiki, which were uploaded on social media. One tribe in Indonesia, especially in South Sulawesi, is the Toraja Tribe. Because of this case, Randy and Kiki had to deal with the Toraja Cultural Observer Community as victims to solve the problem at the Tana Toraja Resort Police (Polres). Ke'te' Kesu' itself is located in Kesu' District, North Toraja Regency, and is a tourist attraction that presents views by showing the tombs of the ancestors of the Toraja people in ancient times. In this tourist spot, there are many skulls of the ancestors of the Toraja people. (Pratama, 2019)

The phenomenon of violations of customs committed by tourists who have just visited a tourist attraction due to lack of experience and ignorance of a pattern of behavior can lead to perceptions of violations of customs in the mindset of indigenous peoples in the area where the tourist attraction is located so that the perpetrators of

violations adat must receive punishment commensurate with their actions. In this case, the perpetrators of customary violations were given the customary sanction of “Aluk todolo” by the traditional stakeholders in Tongkonan Ke'te' Kesu.'

Customary law develops and grows together in the life of community groups that are used as rules of life or regulators of community behavior. Until now, they are still adhered to and maintained by every community group. The customary law contained in the Unitary State of the Republic of Indonesia experiences vast differences in each group from one another, and the authenticity and purity of the elements in it are maintained as a hereditary inheritance from the ancestors to the current generation in the group.

Likewise, in the customary law of “Aluk todolo” in Tana Toraja Regency and North Toraja Regency, there are various types of customary law and customary criminal sanctions that are not the same as other customary laws; for example, the customary sanctions of “Aluk todolo” are different from the traditional sanctions. Customary sanctions in other areas outside Tana Toraja Regency and North Toraja Regency because customary law is a law that only applies to customary law communities who inhabit the customary law area. In another sense, in another place, the customary law applicable in the area is different.

A custom must get protection from law enforcement officers and customary holders in an area that aims to preserve tribes and cultures, such as the Toraja Tribe. Even tourists who visit must maintain behavior to minimize the possibility of customary violations. And customary law must be able to protect and become the legal umbrella for indigenous peoples in resolving customary violations.

Based on the research entitled “Effectiveness of Sangaskara Danda Customary Sanctions in Banjar Tanggahan Tengah Bangli Regency,” Ningrum, P. A. P., & Suseni, K. A. (2022). The ef-

fectiveness of Sangaskara Danda customary sanctions in Banjar Tanggahan Tengah, Bangli Regency. *Pariksa: Journal of Hindu Religion Law*, 6(1), 18-26., as well as the results of a study entitled "The effectiveness of parak as a customary sanction" Ihsan, I. (2019). effectiveness of parak as a customary sanction. *Resam Legal Journal*, 5(2), 95-113., also the results of a study entitled "Effectiveness of social sanctions against violations of customary law in the people of Iha Kulur, West Seram Regency" Pikahulan, M. S. (2022). The effectiveness of social sanctions against violations of customary law in the people of Iha Kulur, West Seram Regency. *TAHKIM*, 17(2), 189-208. Each of these sanctions effectively is applied to provide a deterrent effect on perpetrators of violations of customary law from each region. For that, because in different places, the traditional law applicable in the area is foreign, the author is finally interested in raising the issue of how practical the application of customary sanctions is in settlement of violations of the traditional "Aluk Todolo" community in Tana Toraja Regency and North Toraja Regency.

2. Methods

This legal research is empirical legal research, namely the type of legal research that uses empirical facts from human behavior, verbal behavior obtained from interviews, and actual conduct carried out through direct observation. Empirical research is also used to observe the results of human behavior in the form of physical and archive relics. (Hikmawati, (2019) This type of empirical research is carried out by interviewing traditional stakeholders who live in the Ke'te' Kesu' tourist attraction regarding the settlement and imposition of customary sanctions on perpetrators of customary violations. To find out the process, the author must look at how the traditional arrangement of "Aluk todolo" in the customary law of the Tana community is carried out. Toraja and the settle-

ment of "Aluk todolo" customary violators by traditional stakeholders in dealing with everyday violations at the Ke'te' Kesu' tourist attraction.

3. Result and Discussion

3.1 The effectiveness of the application of customary sanctions in resolving violations of the customary "Aluk todolo" community in Tana Toraja Regency and North Toraja Regency

According to Lawrence M. Friedman in his book entitled "Law and Society," the effectiveness of a piece of legislation is strongly influenced by three factors, which we know as legal effectiveness. The three factors are legal substance, legal structure, and legal culture. (Handoyo, 2021) Legal substance, the customary violation committed by several tourists at the Ke'te' Kesu' tourist attraction located in North Toraja Regency, South Sulawesi Province, is an act that significantly insults the customs of the Tana Toraja people. As a verbal form of law, customary violations are included in the legal substance, where according to (Handoyo, 2021), the legal substance is the core of the legislation itself.

The customary violation that occurred at the Ke'te' Kesu' tourist attraction was known by the general public after the circulation of several photos of tourists named Randy and Kiki. They visited the Ke'te' Kesu' tourist attraction on social media, namely Facebook, on March 21, 2018. In the photo, we can see that Randy is doing a photo scene that looks like he wants to step on the head's skull while Kiki is seen taking a photo with the crown of the hand bones as if the bones were a musical guitar instrument.

On March 22, circulated 2018, or the day after the photo of the Tana Toraja customary violation on social media, finally, the perpetrators of the Tana Toraja everyday violation, namely Randy and Kiki, were arrested in Ternate, North Maluku,

thanks to the assistance of the North Maluku Police which was then handed over to the South Sulawesi Police. Furthermore, on March 23, 2018, the South Sulawesi Police Cybercrime Team examined Randy and Kiki at the Panakukang Police. In connection with the incident of customary violation, Randy and Kiki provided information to the police that: a). Randy and Kiki were right to take photos as circulated on social media; b). Randy and Kiki's motivation for taking pictures was to be stylish and to show that they had gone sightseeing in Toraja; c). Randy and Kiki explained that there was no intention to insult or demean the Toraja tribe in the photo.

Furthermore, we will meet the two perpetrators of violation of Toraja customs with the Toraja Cultural Observer Forum (FPHT), which is ready to facilitate the two people to be satisfied with the management, the Tongkonan Ke'te' Kesu' family, and traditional stakeholders to apologize directly related to customary violations. (Yulinda, 2020)

The following are violations of Toraja customs at the Ke'te' Kesu' tourist attraction that has occurred 2 (two) times to date (Based on Interview with Yulinda, 2020); a). Foreign tourists commit offenses by stealing skulls and bringing them to their home country. The incident took a long time, and the customary sanctions imposed were the slaughter of buffalo and pigs; b). Domestic tourists (Randy and Kiki) violated the custom by discourteously taking a selfie with a skull (possessing stepping on a crown and turning the crown into a guitar). Carried out The time of the incident was on March 21, 2018, with customary sanctions imposed in the form of cutting a pig and making an apology directly in front of the indigenous community at the tourist attraction.

Violation of the Aluk Todolo custom is an act that does not respect the ancestors. One example of people's actions that are considered to have no respect for their ancestors is cleaning

graves at inappropriate times or insulting ancestral relics such as skulls, and so on. Violation of the Aluk Todolo customs by tourists by circulating several photos with scenes of wanting to step on the crown while Kiki is seen taking pictures with the height on the hand as if it were a guitar is an act that significantly insults the Tana Toraja culture, especially for the Ke'te community. 'Kesu' because most Toraja people think that ancestors or ancestors are highly respected because Toraja people believe that ancestors are gods who can give blessings to their children and grandchildren. Accepting their ancestors as one of the gods does not mean that the Toraja people are blaming God. Still, the Toraja people believe that if a person who has died or an ancestor is in the puya or for those who are Catholic Christians is called Purgatory. This makes the Toraja people believe their ancestors can give their children and grandchildren blessings because they are closer to God.

Based on the explanation above, the skull, which is the object of a customary violation, in this case, is an ancestral relic, so if people take photos with inappropriate scenes, they can say that they do not respect their ancestors who are a source of blessing for the Toraja people and greatly insult the culture in Tana Toraja (Yulinda, 2020).

At this time, Positive Law in Indonesia still consists of (Widnyana, 2013); a). Customary law; b). Islamic law; c). Western Law. The National Law drawn up after the Proclamation of Independence was based on Pancasila and the 1945 Constitution of the Republic of Indonesia (Handoyo, 2021). Regarding the violation of Aluk Todolo customs, the settlement is carried out using customary law. According to Supomo, customary law as unwritten law in legislative regulations includes living regulations which, although not stipulated by the authorities, will still be obeyed and supported by the people based on the belief that these regulations have the power of law. (Butarbutar, 2019)

The customary judge of Peace resolves the legal structure and violations of the Aluk Todolo customs in the village or sub-district where a typical breach occurred because each everyday area in Tana Toraja has different procedures for administering expected sanctions related to acts of violating customs or norms of decency. The traditional judge of Peace in the life of the Toraja people is Ambe' Tondok, the leader of the collective community in a village. Ambe' Tondok belongs to the legal structure group proposed by Soekanto. (Handoyo, 2021)

The legal structure is law enforcers and includes law enforcers who are directly involved in law enforcement. The task of Ambe' Tondok is pluralistic, both as a ruler and as a customary judge to maintain the stability of his village community. The imposition of customary sanctions given by Ambe' Tondok is a mutual agreement between customary institutions and the indigenous peoples where the customary violation occurred. (Butarbutar, 2019)

Meanwhile, there is the term Topareng, namely people who are in charge of customs and religion. The customary peacekeeping judge has the task of facilitating violations that occur in the community. Suppose the customary reconciliation judge cannot resolve or give a decision, even if the facilitated party is not satisfied with the performance of the customary reconciliation judge. In that case, the parties involved in a violation of the Aluk todolo adat have the right to bring the topic to the District Court where the violation occurred. Violations of the Aluk Todolo customs rarely happen in the Ke'te' Kesu' area because the indigenous people living in the Ke'te' Kesu' site are still obedient to the castes that exist in the Tana Toraja indigenous community, in contrast to people in other places who are already modern-minded, if you already have property or wealth, sometimes your social status in the social order is equated, while the people who live in the Ke'te' Kesu' tour-

ist attraction area still upholds both the ordinary people and their nobility.

Customary sanctions given by customary judges are sanctions in the form of slaughtering sacrificial animals, considered by people in Tana Toraja Regency and North Toraja Regency as a procedure for atonement for sins committed in the world. The indigenous peoples of Tana Toraja Regency and North Toraja Regency do not believe in Hell. Indigenous people in the Toraja area only believe in the term "puya," which is a gathering place for the spirits before going to heaven to face the Creator. Based on this belief, indigenous peoples believe that atonement for sins must be done worldwide through slaughtering animals as sacrifices (Tarran, 2020).

Meanwhile, customary law actions against violations of the Aluk Todolo customs in the Ke'te' Kesu' tourist attraction are Mangrambu Langi.' Mangrambu Langi' is a traditional ceremony of the Tana Toraja people. In the implementation process, there is a tradition of slaughtering animals, be it chickens, pigs, or buffaloes, as a sign of offering to their ancestors. The Mangrambu Langi ceremony will be carried out by individuals who violate the Aluk Todolo customs and will be subject to customary sanctions based on the severity or severity of the violation (Yulinda, 2020). The Mangrambu Langi ceremony is a ceremony that must be carried out by individuals who commit wrongdoing because they are believed to be able to wreak havoc on those who violate the Aluk Todolo customs and the indigenous peoples who live in the area where the customary violation occurred.

The perpetrators of violating the Aluk todolo customs at the Ke'te' Kesu' tourist attraction, namely Randy and Kiki, with the courage to come to admit their violation of the Aluk todolo customs in front of traditional officials of the Ke'te' Kesu' tourist attraction and call themselves still students and do not have enough money if they

are given severe customary sanctions so that based on the consultation of the traditional stakeholders together with the customary conciliatory judge, Randy and Kiki were sentenced to the Mangrambu Langi' customary sanction by cutting a pig.

In Tana Toraja culture, the intention of Randy and Kiki, who dared to admit their wrongdoing because of not understanding that what they did was a fatal violation, was called “Mengkasala,” or confessing sins and mistakes (Tarran, 2020).

The application of customary sanctions against perpetrators of violations of the Aluk Todolo customs at the Ke'te' Kesu' tourist attraction is the perpetrators, namely Randy and Kiki, standing in front of the Toraja Indigenous Peoples Alliance (AMAN) and other high-ranking officials in the Ke'te' area. Kesu' and the Toraja people admit their mistakes, apologize, and promise never to set foot on the Aluk Todolo customary violation site in the Ke'te' Kesu' area.

1. Legal Culture

Toraja people usually believe in the phrase “cannot separate custom and culture “ because they think that if some go abroad to seek knowledge or work, they are always equipped with customs and say that on their shoulders lies the burden of tradition and culture. Toraja people, especially those in the tourist attraction area of Ke'te' Kesu', believe that they cannot separate their customs and culture from Aluk Todolo because they realize that Aluk Todolo is the first teaching or way of life before the entry of religion in Tana Toraja so that the customary law of Aluk Todolo is very binding and has a crucial role in the life of the Tana Toraja people.

Because of its binding nature, there will be significant consequences if the decision against the perpetrators of violating the Aluk Todolo customs at the Ke'te' Kesu' tourist attraction is not carried out. The Aluk Todolo indigenous people believe

that if the perpetrators of the violation of the Aluk Todolo customs at the Ke'te' Kesu' tourist attraction do not carry out the customary decisions or sanctions given by the traditional stakeholders, the Aluk Todolo indigenous people will feel ashamed and the wider community will not consider the skulls as ancestral relics. It is a sacred relic. In other words, the customs and culture of the Tana Toraja people are no longer preserved and make other people not respect the Toraja people who are famous for their culture, traditions, and tourism and will become a moral burden to the peacekeeper's customary judges and officials of the Ke' tourism object foundation. Te' Kesu' to their children and grandchildren if they cannot resolve the customary violation.

The indigenous people of Tana Toraja have always adhered to the motto “dare to act, must dare to be responsible” so that a substitute punishment if the perpetrators of violating the Aluk todolo customs in Ke'te' Kesu' Tourist Attraction do not carry out the customary sanctions given by the customary conciliatory judges and high-ranking officials. Officials of the Ke'te' Kesu' tourism object foundation, the perpetrators, namely Randy and Kiki, will be bought by the Toraja people and will become servants or enslaved people until their last offspring or, in other words, “kaunan di alli” if they are unable to carry out the customary sanctions given. The people of Tana Toraja also believe that if the sanctions from customary law contained in “Aluk Todolo” are not implemented, it is believed to be able to have an impact on a disturbed psyche, endangered lives, and miserable descendants.

In the process of applying customary sanctions and their resolution to violators of Aluk Todolo customs by traditional stakeholders at the Ke'te' Kesu' tourist attraction, not only does the peacemaker customary judge and senior officials of the Ke'te' Kesu' tourism object foundation involve the local government in this is represented

by the Tourism and Culture Office of North Toraja Regency whose task is to monitor the implementation of customary sanctions given to traditional violators, namely Randy and Kiki. The Department of Tourism and Culture of North Toraja Regency, represented by Drs. Yonathan Manturino as secretary of the Tourism and Culture Office of North Toraja Regency emphasized that the people who live in Tana Toraja adhere to an oral tradition called Aluk todolo which applies to the life of the Tana Toraja people and is highly respected; the oral tradition does not conflict with the law with the principle that all problems those related to Rambu Solo' or more specifically regarding the issue of violations of customs and cultural values are resolved according to the Tana Toraja custom in the form of deliberations or customary courts led by a customary conciliatory judge along with traditional leaders and whatever agreement has been obtained in the consideration must be committed by perpetrators of violations of Tana Toraja customs because the people of Tana Toraja respect and uphold their cultural traditions through an agreement even though it is not in written form.

The Department of Tourism and Culture of North Toraja Regency also emphasized that regarding the phenomenon of customary violations, there has never been a report from the people of North Toraja Regency if this phenomenon occurs. The customary breach was discovered by the Tourism and Culture Office of North Toraja Regency through social media, namely Instagram and Facebook, because it was viral among people throughout Indonesia. In the Tana Toraja Regency and North Toraja Regency, there are 32 customary areas and 12 customary areas in North Toraja Regency. Each of these traditional areas may not interfere with each other's authority from each customary area and must also respect the power of each customary site even though the authority from each customary area is slightly different. The indigenous people of Tana Toraja adhere to the

habit of "tang sitengkan tang si lembaan" which means that they should not interfere with each other but must respect each other. Based on this, the Tourism and Culture Office of North Toraja Regency does not have the slightest authority to resolve or interfere in applying customary sanctions and their settlement against violators of Aluk Todolo customs by traditional stakeholders at the Ke'te' Kesu' tourist attraction. The Department of Tourism and Culture of North Toraja Regency only serves as a representative of the local government of North Toraja Regency to facilitate and participate in maintaining the well-preserved customs and culture of Tana Toraja.

In the Tana Toraja area, the settlement of cases of customary violations begins with reporting to the police. Then the police will confirm whether it has been resolved by custom or not because Tana Toraja is a traditional area. If a customary settlement has not been carried out, it will return the phenomenon of customary violations to the community. The customary conciliatory judge in the area where the customary violation occurred, if it has gone through a traditional settlement, will be processed and ended in the district court where the phenomenon of the customary violation occurred⁴². Currently, written regulations through national law related to customary violations in Indonesian territory are only considered because the local governments of Tana Toraja and North Toraja districts are still trying to maintain traditional cultural values in solving problems. After all, by continuing to use unwritten customary law, the government has to respect and maintain the customs and culture in the Tana Toraja area.

To preserve the customary law of Aluk Todolo, an oral law, the Department of Tourism and Culture of North Toraja Regency makes efforts; a). Running a government program, namely the Principles of Regional Progress (PPKD), Tana Toraja has been known for its oral or unwritten

culture and customary law. With the PPKD program, the North Toraja Regency Tourism and Culture Office conducted an inventory of the existing culture in Tana Toraja, including the rules of Aluk Todolo; b). Management of Cultural Conservation in tourist attraction areas in North Toraja. The Ke'te' Kesu' tourism object is a cultural heritage that is still a Living Monument, so the government plays a role in managing the Ke'te' Kesu' tourist attraction, including its maintenance and utilization as a tourist attraction; c). Support the drafting of regional regulations to protect the rights and obligations of the indigenous peoples of Tana Toraja Regency; d). It understands each phrase used in Toraja terms and proverbs carried out by the Tourism and Culture Office of North Toraja Regency in preserving cultural values and promotion.

The application of customary sanctions in resolving violations of the “Aluk todolo” custom of the community in Tana Toraja Regency and North Toraja Regency is very effective in providing a deterrent effect to indigenous people and tourists visiting tourist areas in Tana Toraja Regency and North Toraja Regency. The application of customary sanctions in resolving violations of the “Aluk todolo” customary law provides legal protection for the people of the Tana Toraja Regency and North Toraja Regency.

The customary sanction given to the perpetrators for violating the Aluk Todolo customs in the Ke'te' Kesu' tourist attraction area is a typical fine for cutting a pig. The verdict of the customary witness was given by the customary conciliatory judge together with traditional stakeholders and officials of the Ke'te' Kesu' Tourist Attraction Foundation with the consideration that the perpetrators already had good etiquette and the courage to come to admit the violation of the Aluk Todolo customs in front of high-ranking officials. Traditional officials at the tourist attraction of Ke'te' Kesu' or Mengkasala, which means confess-

ing the sins and mistakes that have been made and calling themselves still students and do not have enough money if they are given severe customary sanctions so that based on the consultation of the traditional stakeholders together with the customary conciliatory judge, the Mangrambu Langi' customary sanction was imposed by cutting a pig.

In determining the criteria for applying the customary sanctions of Aluk Todolo, whether it is a minor or a serious violation, it is through the decision of the customary conciliatory judge, where the customary conciliatory judge or the so-called Ambe' Tondok takes into account; a). Social Strata, namely the status of the perpetrators of customary violations in society, whether nobles or ordinary citizens. The sanctions for ordinary people and nobles are certainly not the same. The higher the degree of the perpetrators of customary violations in the community, the more severe the sanctions they will receive, and ordinary people who commit customary breaches, of course, will receive sanctions for which they can be held accountable; b). Types of Errors, namely the rules or social order that have been set for a long time and are violated. The greater the violation committed by the perpetrators of customary violations, the greater the sanctions they will receive.

In implementing the customary sanctions given by the traditional holders and the customary conciliatory judge in the Ke'te' Kesu' tourist attraction area, Randy and Kiki must first put betel, lime, and tools used by the Toraja people. If Ma'pangngan or in Indonesian, it is called eating betel at the place where the customary violation occurred. Then perform the Manta'da ritual, which is a ritual of worship to the ancestors of the Toraja people led by Tominaa; after that, Randy and Kiki visit the Toraja traditional house or what is called Tongkonan from the ancestral family of the skull to apologize and be witnessed by the customary holders along with the customary judge. Peacemakers and indigenous peoples in Ke'te' Kesu'

tourist attraction. After Randy and Kiki apologized, they would continue implementing the Mangrambu Langi's customary sanction by cutting a pig.

Settlement of violators of Aluk todolo customs by traditional stakeholders in the Ke'te' Kesu' tourist attraction area uses oral law, but with technological advances in the form of print and digital media which covers the process of resolving Aluk todolo customary violators by traditional stakeholders at Ke's tourist attraction. 'te' Kesu' resulted in the creation of history that will always be remembered and used as the basis for sentencing if the same customary violation occurs in the future because sanctions in customary law are considered to have a deterrent effect on perpetrators of customary violations.

In the process of resolving the violators of the Aluk Todolo customs by customary stakeholders at the Ke'te' Kesu' tourism object, the Nusantara Indigenous Peoples Alliance (AMAN) was involved, and the community of peacekeepers, including Ambe' Tondok and Toparenge', community leaders who were elderly at the tourist attraction. Ke'te' Kesu', the Tana Toraja Regency Resort Police, the North Toraja Regency Culture and Tourism Office, and the local government are represented by the cat and lurah.

Meanwhile, the role of law enforcement agencies such as the police from the Resort Police of Tana Toraja Regency in the process of implementing the decision is as a security party whose job is to create a safe, peaceful, and comfortable atmosphere because usually in the process of resolving and implementing customary sanctions given by the head of the suspect of customary violations. Will create anger in the community around the Ke'te' Kesu' tourist attraction by taking vigilante actions so that with the presence of law enforcement officers, in this case, the police from the Resort Police of Tana Toraja Regency, can realize safe, peaceful, and comfortable atmosphere.

The indigenous people of Tana Toraja have always adhered to the motto "dare to act, must dare to be responsible" so that a substitute punishment if the perpetrators of violating the Aluk todolo customs in Ke'te' Kesu' Tourist Attraction do not carry out the customary sanctions given by the customary conciliatory judges and high-ranking officials. Officials of the Ke'te' Kesu' tourism object foundation, the perpetrators, will be bought by the Toraja people and will become servants or enslaved people until the last offspring or, in other words, "kaunan di alli" if they are unable to carry out the customary sanctions given. The people of Tana Toraja also believe that if the sanctions from customary law contained in "Aluk todolo" are not implemented, it is believed to be able to have an impact on a disturbed psyche, endangered lives, and poor offspring.

The goal is to create harmony and peace for indigenous peoples to realize legal protection and certainty through customary law "Aluk todolo" to provide legal protection for indigenous peoples in Tana Toraja Regency and North Toraja Regency.

4. Conclusion

The application of customary sanctions in resolving violations of the "Aluk Todolo" customary community in Tana Toraja Regency and North Toraja Regency effectively prevents customary breaches. It provides legal protection guarantees for people who carry out customary law against customary violators. The customary violation of "Aluk Todolo" is an act of violating the law regulated in customary law in the Tana Toraja area as an act that does not respect the ancestors of the Tana Toraja people. The customary judge of Peace resolves the customary violation of "Aluk Todolo" in the village or sub-district where the incident of a customary breach occurred.

References

- Butarbutar, E. N. (2019). Perlindungan Hukum terhadap Prinsip Dalihan Natolu sebagai Hak Konstitusional Masyarakat Adat Batak Toba. *Jurnal Konstitusi*, Vol 16, No 3. DOI: <https://doi.org/10.31078/jk1633>.
- Handoyo, B. T. (2021). Suatu Kajian Sosiologi Hukum Terhadap Kepatuhan Hukum Di Dalam Masyarakat. *Justicia Sains: Jurnal Ilmu Hukum*, Vol 6, No 1. DOI: <https://doi.org/10.24967/jcs.v6i1.1432>.
- Hidayat, H. (2017). *Akhirnya, Pelaku Pelecehan Penari Bali Oleh Biker Dilaporkan Ke Polda*. Available at: <https://www.gridoto.com>. (diakses pada tanggal 5 Juni 2020).
- Hikmawati, P. (2019). Pengembalian Kerugian Keuangan Negara dari Pembayaran Uang Pengganti Tindak Pidana Korupsi, Dapatkah Optimal? (Return of State Financial Losses from The Payment of Substitute Money Corruption Criminal Act, Can It Be Optimal?). *Negara Hukum: Membangun Hukum untuk Keadilan dan Kesejahteraan*. Vol 10, No 1. DOI: <https://doi.org/10.22212/jnh.v10i1.1217>.
- Ihsan, I. (2019). Efektivitas Parak Sebagai Sanksi Adat. *Resam Jurnal Hukum*, 5(2), 95-113. DOI: <https://doi.org/10.32661/resam.v5i2.28>.
- Liputan 6. (2018). *Lecehkan Leluhur Toraja, Dua Wisatawan Menangis Jalani Hukum Adat*. Available at: <https://www.liputan6.com/regional/read/3411551/lecehkan-leluhur-toraja-dua-wisatawan-menangis-jalani-hukum-adat>. [Diupload 28 Maret 2018], (diakses pada tanggal 5 Juni 2020).
- Manturino, Y., Pakonglean, MP., Konda, J. (2019). Pegawai Dinas Pariwisata dan Kebudayaan Kab. Toraja Utara, *Wawancara*, di Kantor Dinas Pariwisata dan Kebudayaan Kab. Toraja Utara, 15 November 2019.
- Ningrum, P. A. P., & Suseni, K. A. (2022). Efektifitas Sanksi Adat Sangaskara Danda Di Banjar Tanggahan Tengah Kabupaten Bangli. *Pariksa: Jurnal Hukum Agama Hindu*, 6(1), 18-26. DOI: <https://doi.org/10.55115/pariksa.v6i1.2235>.
- Pikahulan, M. S. (2022). Efektifitas Sanksi Sosial Terhadap Pelanggaran Hukum Adat di Masyarakat Negeri Iha Kulur Kabupaten Seram Bagian Barat. *TAHKIM*, 17(2), 189-208. DOI: <http://dx.doi.org/10.33477/thk.v17i2.2265>.
- Pratama, Y. S. (2019). *Penerapan Sanksi Adat dalam Penyelesaian Pelanggaran Adat “Aluk Todolo”*. [Skripsi]. Malang: Jurusan Ilmu Hukum Fakultas Hukum Universitas Merdeka Malang.
- Sombolinggi, R. M. (2021). Ketua Asosiasi Masyarakat Adat Nusantara, *Wawancara*, di Rumah Kediaman Ibu Romba Marannu Sombolinggi Kab. Toraja Utara, 27 Januari 2021.
- Tarran, B. (2020). Pemerhati Budaya Toraja dan Ketua KNPI Kab. Toraja Utara. *Wawancara*, di Kantor KNPI Kab. Toraja Utara. 20 September 2020.
- Yulinda, B. R. (2020). Perwakilan Ketua Yayasan Daya Tarik Wisata Ke'te' Kesu', *Wawancara*, di Lokasi Daya Tarik Wisata Ke'te' Kesu' Kabupaten Toraja Utara. 10 Juni 2020.