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The Existence of Rejang Customary Law in Case Settlement in Rejang Lebong Regency

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ABSTRACT: This paper will examine the existence of Rejang customary law along with the times regarding how the validity and role of Rejang customary law in solving cases in Rejang Lebong Regency. This research uses normative juridical study method. The results showed that the Rejang Customary Law Community still practices how to resolve cases through the Customary Law mechanism if community members face cases in addition to settlement within the framework of the National Law system. Fresh flour in the Rejang language is called *tpung stawe'a*. is a customary ritual that is still maintained and applied in the community related to disputes or disputes in the community. Rejang Customary Law plays a role in resolving cases or disputes through out-of-court or non-litigation channels. The existence of Rejang Customary Law in Rejang Lebong Regency can be a consideration for the Government in making Government Regulations regarding the procedures for determining the law that lives in the community mandated in article 2 paragraph (3) of Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code.

Keywords; Customs Law; Rejang Lebong; Solution of Things.

I. INTRODUCTION

Customary Law is an unwritten law that has lived and developed since ancient times and has been rooted in society. Although unwritten, customary law has legal consequences against anyone who violates it. Existing norms and values are adhered to and upheld by indigenous peoples.¹ Customary law is the original law of the Indonesian people that reflects the personality and culture of the Indonesian nation which is the incarnation of the soul of the nation from century to century. The customs owned by the regions are different, although the basis and nature of one is to Indonesia. Therefore, the customs of the Indonesian people are said to be *Bhineka Tunggal Ika* which has different meanings but is still one. These customs are always developing and always follow the development of the community and are closely related to folk traditions, so that customs are deposits (*Renapan*) decency in a Society whose truth has received general recognition in that Society.²

In addition to customary law in Indonesia, other laws apply, namely Western Law and Religious Law, as a consequence when after independence based on Article II of the Transitional Rules of the 1945 Constitution, the Dutch East Indies colonial legal order was still applied.

In its development, the practice that occurs in customary law communities the existence of customary law often raises questions whether these customary law rules can still be used to regulate the daily activities of the community and resolve a case that arises in the customary law community. On the other hand, the existence of customary law has been officially recognized by the state, but with limited use. Referring to article 18B paragraph (2) of the 1945 Constitution which states:

"The State recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as stipulated in law"

This means that the state recognizes the existence of customary law and constitutional rights in the Indonesian legal system.³

¹ A. Suriyaman Masturi Pide, *Customary Law Past, Present and Future*, Cet.9, Jakarta, Kencana, 2022, p. 87.

² Siska Lis Sulistiani, *Customary Law in Indonesia*, Cet.1, Jakarta, Sinar Grafika, 2020, p. 17.

³ Aulia Maharani <https://heyilaw.id/blog/eksistensi-hukum-adat-dalam-sistem-hukum-nasional-masih-relevankah> be downloaded on January 05, 2024 at 14:06 WIB.

One of the customary law communities in Indonesia is the Rejang Customary Law Community in Bengkulu Province and some in Rejang Lebong Regency. C Van Vollenhoven has created customary law environments in Indonesia which resulted in 19 customary law environments. One of the customary law environments is South Sumatra in which there is Bengkulu with its customary law environment Rejang.⁴

The development of an increasingly advanced era and an increasingly modern society, resulting in an impact that is in harmony with the existence of customary law in Indonesia. Therefore, in this paper, the author is interested in discussing the existence of Rejang customary law in solving cases in Rejang Lebong Regency.

With the background that has been described, the author will consider the following problems:

1. How does Rejang Customary Law apply in Rejang Lebong Regency?
2. What is the role of the Adat Rejang Law in the settlement of matters in Kabupaten Rejang Lebong?

The research method used in this writing is normative juridical, namely normative legal research that uses secondary data or literature materials.⁵

II. LITERATURE REVIEW

1. Customary Law

a. Definition of Customary Law

The term customary law is a translation of the term in Dutch *adatrecht*. Snouck Hurgröje was the first to use the term *adatrecht* that. Term *adatrecht* later cited and used later by Van Vollenhoven as a juridical technical term. Van Vollen Hoven, whose opinion is quoted by Kusumadi, states that *Adatrecht* is the whole rule of conduct for Earth Sons and Foreign Easterners, who have coercive efforts, after all, are not codified.⁶

Soekanto's opinion in his book *Reviewing Indonesian Customary Law*, quoted by Suriyaman Mustari Pide, suggests that it is this complex of customs, most of which are not booked, not codified (*unindicated*) and is coercive (*dwang*), has sanctions, so it has legal consequences (*rechtgevolg*), this complex is called customary law (*adat law*).⁷ Thus customary law is the whole of adat (unwritten) and lives in society in the form of decency, customs, and customs that have legal consequences.

Bushar Muhammad by summarizing the opinions of Soepomo and Hazairin argues that customary law is a law that regulates especially the behavior of Indonesian people in relation to each other, both which is the whole of customs and customs (decency) that really live in indigenous peoples because they are adopted and maintained by members of these indigenous peoples, as well as which are the entire regulations that recognize sanctions for violations and are stipulated in The decisions of the customary rulers, namely those who have authority and power to give decisions in the indigenous people, are those consisting of lurah, land guardians, traditional chiefs and judges.⁸

b. The basis for the enactment of customary law.

According to Purnadi Purbacaraka and Soerjono Soekanto, the legal method is what is called "*geltung*" in German or "*gelding*" in Dutch. According to him, in legal theory, the application of legal methods is divided into three types, namely juridically, sociologically and philosophically.⁹ The basis for the enactment of customary law according to Siska Lis Sulistiani is divided into several aspects including:¹⁰

1) Philosophical Basis

The values and nature of customary law are very identical and have even been contained in the points of Pancasila, such as, magical religio, gotong royong, consensus deliberation and justice.

2) Sociological Basis

Empirically, the enactment of customary law in the community has been accepted and implemented by the community voluntarily and without coercion. So customary law is *the living law*

3) Juridical basis.

a) Article 18B paragraph (2) of the 1945 Constitution which states:

"The State recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as stipulated in law"

⁴ Soerjono Soekanto, *Customary Law in Indonesia*, Cet.14, Jakarta, Rajawali Pers, 2015, pp. 18-19.

⁵ Ronny Hanitijo Soemitro, *Legal and Jurimetric Research Methodology*, Jakarta, Ghalia Indonesia, 1988, p. 10.

⁶ Bushar Muhammad, *Asas-Asas Hukum Adat*, Cet.14, Jakarta, Balai Pustaka, 2013, hlm. 1.

⁷ A. Suriyaman Masturi Pide, *Customary Law Past, Present and Future*, Cet.9, Jakarta, Kencana, 2022, p. 5.

⁸ Bushar Muhammad, *Asas-Asas Hukum Adat*, Cet.14, Jakarta, Balai Pustaka, 2013, hlm. 19.

⁹ Purnadi Purbacaraka and Soerjono Soekanto, *About Legal Methods*, Bandung, Alumni, 1979, p. 113-119.

¹⁰ Siska Lis Sulistiani, *Customary Law in Indonesia*, Cet.1, Jakarta, Sinar Grafika, 2020, p. 30.

This means that the state recognizes the existence of customary law and constitutional rights in the Indonesian legal system

b) Article 10 paragraph (1) of Law Number 48 of 2009 concerning judicial power states: "The court is prohibited from refusing to examine, try and decide cases submitted under the pretext that the law does not exist or is unclear, but is obliged to examine and try it", and Article 50 paragraph (1) of Law Number 48 of 2009 concerning judicial power. State: "The decision of the court in addition to containing the reasons and basis for the decision, also contains certain articles of the relevant laws and regulations or unwritten legal sources that are used as a basis for trial".

c) Law Number 1 of 2023 concerning the Criminal Code. Article 2 paragraph (1) states that the enactment of laws that live in society also determines that a person should be punished even though it is not regulated in the Criminal Code by requiring in paragraph (2) that the law that lives in the community is not regulated in the Criminal Code and is in accordance with the values contained in Pancasila, the 1945 Constitution, human rights, and general law principles recognized by the community of nations.

d) Law number 1960 concerning UUPA. That the Land Law is prepared based on the Customary Law of the Land, stated in consideration of the UUPA. The statement of customary law in the UUPA can be found in the General Explanation article number III(1), article 5, explanation to article 5, article 16 and article 58.

e) Law Number 1 of 1974 concerning Marriage. In article 35, article 36 regulates marital property including joint property, acquired property and property whose arrangements are in line with customary law. If the marriage breaks up, the joint property is regulated according to their respective laws. This means that it is also possible to use customary law.

c. Custom Matters Solution

In the customary law system, any act that contravenes customary law regulations is illegal and there are efforts to restore the law if it is violated.¹¹ The existence of violations of customary law causes social imbalances that occur in the lives of indigenous peoples. Therefore, indigenous peoples will solve the problem through customary law mechanisms.

Customary Law does not establish a separation between violations of law that require prosecution to improve the law in the field of criminal and civil law, so there is no difference in procedures or procedures in terms of civil and criminal prosecutions. If there is a violation of the law, the Customary officers (Customary Chiefs and so on) take action to restore the violated law.

The tradition of solving cases in indigenous peoples is based on the philosophical values of togetherness (communal), sacrifice, supernatural values and justice. In customary law communities, common interests are upheld beyond individual interests so that common interests are known. Cases that occur between individuals and between groups in the view of customary law communities are actions that interfere with common (communal) interests so that they must be resolved immediately wisely using customary settlement mechanisms. Customary law communities prioritize the path of deliberation in solving cases with the aim of realizing peace in the community. The deliberation path is the main route used because in deliberation a peace agreement will be made that benefits the parties. The resolution of cases, both through deliberation and customary court channels, remains dominated by the emphasis of deliberation in case resolution, because deliberation is one of the philosophies and characteristics of customary law communities.¹²

2. Rejang Customary Law

Rejang customary law is the law of the Rejang Tribe. The Rejang tribe is a tribe spread in various regions in the province of Bengkulu, in addition to Rejang Lebong Regency also in Kepahiyang Regency, Central Bengkulu Regency, North Bengkulu Regency and Lebong Regency. The Rejang people, who are scattered in various districts in Bengkulu, not only have customary laws that have been in effect for a long time, but also have a wealth of cultural customs. One of them is to have a language, namely Rejang language with rikung letters or known as ka ga nga letters.

The culture owned by the Rejang people is very much a reference in their lives so that the values of the culture are reflected in customary law that is guided in community life. The function of culture is as a guide and direction of life for humans, so that they understand how to act, behave, behave, both individually and in groups so that social shocks do not occur. Therefore, to avoid the occurrence of things that have bad consequences, humans must be guided by the values, norms and all customs that apply in society. The Rejang community is guided by Kelpeak Ukum Adat Ngen Ca'o Kutei Jang, Rejang Lebong Regency. If there is a problem in the Rejang community, it will be resolved by Jenang Kutai as the village judge responsible for solving each case. Rejang customary law applies to all Rejang people. What is said to be a Rejang person in this case is a person

¹¹ Iman Sudiayat, *Hukum Adat Sketsa Asas*, Cet.5, Yogyakarta, Liberty, 2007, hlm. 175.

¹² Siska Lis Sulistiani, *Customary Law in Indonesia*, Cet.1, Jakarta, Sinar Grafika, 2020, p. 189.

who lives and lives in the land of Rejang. Anyone who massages the land of Rejang, must submit to the customary law of Jang where the sky is stepped on where the sky is upheld.¹³

III. DISCUSSION

1. Enforceability of Rejang Customary Law in Rejang Lebong Regency

In theory, in discussing the enforceability of customary law, it can be viewed from juridical, sociological and philosophical aspects, then in discussing the enforceability of customary law, Rejang can also be viewed from juridical, sociological and philosophical aspects.

a. Juridical Applicability.

Juridically, the enforceability of Rejang Lebong's customary law cannot be separated from the enforceability of customary law in general, the difference is the existence of regional regulations issued by the local government of Rejang Lebong Regency.

1) a) 1945 Constitution. In article II of the transitional rules, it states that all existing state bodies and regulations are still in effect as long as there is no new one according to this Constitution, this means that we inherit the Dutch heritage law which recognizes three systems, namely western law, religious law and customary law. Then, after the amendment of the 1945 Constitution, article 18B paragraph (2) states that the State recognizes and respects the unity of indigenous peoples and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are stipulated in law. Thus, Rejang customary law is also guaranteed and respected by the 1945 Constitution.

b) Law Number 48 of 2009 concerning Judicial Power. Article 10 paragraph (1) states that judges are prohibited from rejecting cases on the grounds that the case has no law and is unclear but is obliged to examine and try it. Then in article 50 paragraph (1) states that court decisions in addition to containing the reasons and basis for the decision, also contain certain articles from the relevant laws and regulations or unwritten legal sources that are used as a basis for trial. The existence of an obligation to examine and prosecute even though the law is unclear and the obligation to contain unwritten law in court decisions if used as a basis for trying cases indicates the enforceability of customary law recognized by Law Number 48 of 2009 concerning Judicial Power.

c) Law Number 1 of 2023 concerning the Criminal Code. Article 2 paragraph (1) states that the enactment of laws that live in society also determines that a person should be punished even though it is not regulated in the Criminal Code by requiring in paragraph (2) that the law that lives in the community is not regulated in the Criminal Code and is in accordance with the values contained in Pancasila, the 1945 Constitution, human rights, and general law principles recognized by the community of nations. Then in paragraph (3) it specifies that the provisions regarding the procedures and criteria for determining the law that lives in society are regulated by the Government Government.

d) Law number 1960 concerning UUPA. In the UUPA the conception of national land law is the conception of Customary Law, which is a communalistic religious conception that allows individual land tenure with private land rights and at the same time contains elements of togetherness as contained in articles 1 and 2 of the UUPA.¹⁴

e) Law Number 1 of 1974 concerning Marriage. In article 35, article 36 regulates marital property including joint property, acquired property and property whose arrangements are in line with customary law. If the marriage breaks up, the joint property is regulated according to their respective laws. This means that it is also possible to use customary law.

f) Regional Regulation of Rejang Lebong Regency Number 2 of 2007 concerning the Implementation of Rejang Lebong Customary Law in the Area of Rejang Lebong Regency. Article 1 regulates the enactment of Rejang Customary Law in the Rejang Lebong Regency Area, then in article 3 regulates Customary Law as referred to in Article 1 of this Regional Regulation is implemented by Rejang Customary Stakeholders/Customary Institutions in Rejang Lebong Regency. The Customary Stakeholders/Customary Institutions themselves are known as BMAs (Customary Consultative Bodies).

g) Decree of the Regent of Rejang Lebong Number 58 of 2005 containing the implementation of customary law of Rejang and Decree of the Regent of Rejang Lebong Number 93 of 2005 dated March 17, 2005 which was

¹³ Silvia Devi, The Rejang People and Their Customary Law: Interpretation of Kelpak Ukum Adat Ngen Ca'o Kutei Jang Rejang Lebong Regency, JOURNAL ANTHROPOLOGY: Socio-Cultural Issues. June 2016 Vol. 18 (1): 39-50. ISSN 1410-8356.

¹⁴ Boedi Harsono, Indonesian Agrarian Law, Part I Volume I, Jakarta, Djambatan, 1975, p. 206.

followed up by BMA of Rejang Lebong Regency by issuing Letter Number 26a / BMA / III / 2005 dated March 23, 2005.

The letter states that any problems are raised

The implementation of customary law is settled in Kelurahan and handled by Jenang Kutai using customary law.

h) Regional Regulation of Rejang Lebong Regency Number 5 of 2018 concerning the Recognition and Protection of Customary Law Peoples in Rejang Lebong Regency.

b. Sociological Applicability

Sociological enforceability means that customary law is accepted and implemented as a living law in indigenous peoples.

Rejang customary law is a norm that grows and develops and is obeyed and binds the Rejang indigenous people in a unified Rejang customary law area, which contains family values, mutual assistance, deliberation, consensus, propriety, magic, religious, wise and wise in solving every problem that arises within the boundaries of Rejang customary law.¹⁵

The Rejang indigenous people in Rejang Lebong in Bengkulu Province have customary law rules that they hold until now, and have even been enforced through the Decree of the Regent of Rejang Lebong Number: 180.250.IV of 2019 concerning the Establishment of the Committee of Customary Law Peoples of Rejang Lebong Regency in 2019. The rules used include *Kelepeak Ukum Adat Ngen Riyen Ca'o Ukum Kutei Jang* which contains norms, ways of life, points of rules, customary trees, language, writing, wrong deeds / words, sanctions and so on.¹⁶

The Rejang people practice the custom of Flour Setawar in the Rejang language called by the term *Stawe's Tpung*. namely customary rituals that are still maintained and applied in the community, especially people who live in rural areas. *Stawe's Tpung* It is a ritual/way for the community to engage in problems resolved peacefully, and mutual agreement between various parties. Who is wrong or right, if one party is really guilty, sanctions will be given in the form of fines, compensation, and treatment if related to accidents and so on that are usually handled by the village government and the village customary consultative body (BMA). This has been arranged in the book *I'm going to take a look at what i'm going to say* and Lepeak of Jang Customary Law of Rejang Lebong Regency issued by the Customary Consultative Body (BMA). After the process runs smoothly, to strengthen the relationship between the two parties, continued in a peaceful way, sometimes done by praying together, and will be held in Rejang language to non-siblings will be appointed as their own brothers, complemented by eating sawo together, which is white glutinous rice food with coconut mixed with brown sugar. Then a fresh flour ritual is carried out, which is to sprinkle leaf water as cold as / cocor duck and betel leaves in the container, whether the bowl / plate / vessel containing water to the disputing party / dispute. And it is done alternately between them.¹⁷

c. Physiological Applicability

Philosophical enforceability means that the values and nature of customary law must not conflict with Pancasila. In reality, the values and nature of customary law are very identical and even contained in the points of Pancasila.

Rejang customary law, in which contains family values, mutual assistance, deliberation, consensus, propriety, magic, religious, wise and wise in solving every problem that arises within the boundaries of the Rejang customary law area which is in line with the values contained in Pancasila.

2. The Role of Customs Law in the Settlement of Matters in the District of Rejang Lebong.

Each tribe in Indonesia has its own customary law. The number of customary laws in Indonesia is a form of wealth owned by the Indonesian nation. Although state law is above all else, customary law often has a positive role to always be maintained and preserved, which is important not to contradict national law.

Rejang customary law in Rejang Lebong has a role in solving problems or cases faced by the community. Customary stakeholders or customary institutions play a role in solving cases. The Customary

¹⁵ Akar Global Initiative, <https://akar.or.id/hukum-adat-rejang-catatan-riset-aksi-meniti-jalan-pengakuan-masyarakat-hukum-adat-rejang/> download on December 4, 2023 at 13:05 WIB.

¹⁶ Ibra Alfaroug, <https://www.kompasiana.com/mukminalfaruq/5ffee63d8ede4821b2678252/tepung-setawar-dan-cuci-kampung-sebagai-sanksi-adat-dalam-masyarakat-rejang?page=2> download on December 11, 2023 at 1:31 PM.

¹⁷ Ibra Alfaroug, <https://www.kompasiana.com/mukminalfaruq/5ffee63d8ede4821b2678252/tepung-setawar-dan-cuci-kampung-sebagai-sanksi-adat-dalam-masyarakat-rejang?page=2> download on December 11, 2023 at 1:31 PM.

Stakeholders/Institutions in Rejang Lebong Regency are the Customary Consultative Body known as BMA (Badan Musyawarah Adat).

The Customary Consultative Body is defined as a customary institution which is authorized to regulate, straighten out, and resolve various life problems that refer to applicable customary customs and customary law. The party that has a role in solving problems that occur in the community is Jenang Kutai or Village Judge which is an extension of BMA.¹⁸

Jenang Kutai is a customary judicial apparatus consisting of several personnel who are representatives of the Rejang customary government structure and have the authority and capacity to run the customary law system.¹⁹

Every case resolved by Jenang Kutei is actually the same as the state legal process, which must be accompanied by evidence, witnesses and news of the peace event, then it is submitted to the Regent and the chairman of the District BMA. This is in accordance with the Decree of the Regent of Rejang Lebong No. 338 of 2005 which states that Jenang Kutei in carrying out all his duties is responsible to the Regent of Rejang Lebong, through the village BMA, sub-district BMA and district BMA.²⁰

Until now, the people of Rejang, especially in Rejang Lebong Regency, have solved many cases in their community life based on customary law. Disputes, divorce, inheritance, and other criminal or civil cases. For the community, the peaceful settlement is considered fair because the Rejang customary law used is perpendicular and impartial to any side. With the result of the enactment of the customary law to settle the case, the bad grudge of the people is exhausted as the customary proverb says *neither crossing the pumpkin to the stone nor crossing the gourd to the water* (to the water) the goods lifted appear to have no trace anymore (BMA, 2012: 30).

On average per year cases are resolved by the ritual of fresh flour with various cases ranging from immorality, infidelity, adultery, mouth quarrels, laka lanta, fights and other cases of approximately 50 to 60 cases. For the past laka or accident in 2022, there were 19 cases that were reconciled through the Customary Consultative Body.²¹

The Customary Consultative Body (BMA) of Rejang Lebong Regency, Bengkulu Province, from early January to March 2023 has resolved nine cases of violations using customary law and has been sanctioned according to customary law, in the form of fines and flogging. Head of BMA Rejang Lebong Regency Ahmad Faizir said cases handled using customary law included cases of infidelity in Babakan Baru Village, Bermani Ulu Raya District; a case of house throwing in Jambu Keling Village, Bermani Ulu Raya District; and theft cases in Curup sub-district. In addition, customary law is applied in handling five cases delegated by the Rejang Lebong Regional Police to the Customary Consultative Body including cases of theft, fighting, infidelity, and minor criminal cases involving children, including cases of theft of heirlooms belonging to the BMA Rejang Lebong Museum. Head of BMA Rejang Lebong Regency Ahmad Faizir said "There has been an MoU with the Rejang Lebong Police Station which states that if small things can be resolved by our customary consultative body, incidentally the Rejang Lebong Police delegate it to the Rejang Lebong BMA to be resolved".²²

The settlement of the case was carried out by a traditional procession of "fresh flour", which was witnessed by village officials, TNI and Polri officials, and the perpetrator's family. The position of Tepung Setawar must be successful and unsuccessful, for those who succeed in settlement by the Customary Consultative Body, this success is what is highly expected by the police, dandim, the prosecutor's office, so that not all cases go to trial (Restorasi Justice) this is where the expertise of the Customary Consultative Body and members with indigenous languages can be seen to touch the hearts of those who are sensitive by upholding existing customs. This procession of fresh flour is sometimes feared by the community, but also sometimes awaited by the community. For the failure of Fresh Flour, it is carried out if the negotiation process has reached an agreement between the two parties through mediation by the Customary Consultative Body (kelurahan, village, district). If there is no agreement on mediation, then renegotiation is carried out, both the timing of implementation and customary sanctions and who will be present in the peace negotiations. Rituals are

¹⁸ Silvia Devi, *The Rejang People and Their Customary Law: Interpretation of Kelpak Ukum Adat Ngen Ca'o Kutei Jang Rejang Lebong Regency*, JOURNAL ANTHROPOLOGY: Socio-Cultural Issues. June 2016 Vol. 18 (1): 39-50. ISSN 1410-8356.

¹⁹ Global Roots Initiative, <https://akar.or.id/hukum-adat-rejang-catatan-riiset-aksi-meniti-jalan-pengakuan-masyarakat-hukum-adat-rejang/> download on December 4, 2023 at 1:05 PM

²⁰ Silvia Devi, *The Rejang People and Their Customary Law: Interpretation of Kelpak Ukum Adat Ngen Ca'o Kutei Jang Rejang Lebong Regency*, JOURNAL ANTHROPOLOGY: Socio-Cultural Issues. June 2016 Vol. 18 (1): 39-50. ISSN 1410-8356.

²¹ Abbril Jang Putri Imansyah, *Restorative Justice Against Diversion of Child Crime in Traffic Accident Case in Rejang Lebong Regency*, Yogyakarta, UII, 2023, p. 67

²² Nur Muhamad, <https://bengkulu.antaranews.com/berita/278502/bma-rejang-lebong-telah-selesaikan-sembilan-kasus-gunakan-hukum-adat>. Downloaded on December 11, 2023 at 13:59 WIB.

traditionally carried out first in carrying out peace, after that correspondence is carried out in peace negotiations (peace treaty letters). The process of peace negotiations rarely cancels, because when custom has been carried out, it means that the process of fresh flour must have been carried out, otherwise customary fines will be even heavier for the canceling party. For matters that have been included in reporting to the police, this peace letter is the basis for the revocation of the case. In the police, this is a form of community obedience to customary provisions (*It's customary to be with a civil suit, we're going to have to do it.*)²³

IV. CLOSING

From the discussion described above, the author concludes that the existence of Rejang Customary Law in Rejang Lebong Regency still exists as follows:

1. The enforceability of Rejang Customary Law juridically has a legal basis; sociologically accepted and practiced by the Community, Customary Institutions and Government Institutions in the Rejang Lebong area. Philosophically, the values and nature of Rejang's customary law are in harmony with the values in Pancasila.
2. The role of Customary Law in solving cases carried out by the Customary Consultative Body and Jenang Kutai contributes positively, because it can resolve cases complained by the community and delegation from the Police to light cases with its customary ritual of Fresh Flour.

The existence of Rejang Customary Law in Rejang Lebong Regency can be a consideration for the Government in making Government Regulations regarding the procedures for determining the law that lives in the community mandated in article 2 paragraph (3) of Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code.

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