

Surya Kencana Tiga :

MASALAH HUKUM, Keadilan dan GOVERNMENT

Editorial Office : Pasca Sarjana Ilmu Hukum Universitas Pamulang,

Jalan Raya Puspitak Buaran Kec Pamulang Tangerang Selatan

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Website: <http://openjurnal.unpam.ac.id/index.php/sakti>

Model of Application of Dayak Kantuk Customary Law in Handling the Crime of Rape (Pasung Nyelanung) in West Kalimantan

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Article	Abstract
<i>Received: ; Reviewed: ; Accepted: ; Published:</i>	Implementasi penegakan hukum adat dianggap lebih efektif dalam menyelesaikan perkara tindak pemerkosaan yang terjadi di masyarakat Suku Dayak Kantuk. Tindakan pemerkosaan dianggap sebagai salah satu perbuatan amoral yang sanksi hukumnya masih dianggap tidak setimpal dengan akibat yang ditimbulkan. Jenis penelitian ini adalah kualitatif dengan pendekatan studi yuridis empiris. Tempat pelaksanaan penelitian dilakukan di Kecamatan Bika, Kabupaten Kapuas Hulu, Kalimantan Barat. Sanksi adat terhadap perbuatan pemerkosaan menurut hukum adat Suku Dayak Kantuk diklasifikasikan dalam beberapa level menurut akibat yang ditimbulkan. Sanksi adat berupa denda adat wajib dibayarkan oleh setiap pelaku, bentuk sanksi adatnya adalah membayar denda adat berupa “pingai” (piring) yang jumlahnya bervariasi antara 100-500 buah, harga pingai adalah Rp. 25.000,-/ buah. Selain itu, juga ada hal lain yang wajib dilakukan oleh para pelaku pemerkosaan, yaitu: <i>buang pantang (pemali)</i> atau buang sial, yang wajib dibayar oleh setiap pelaku, bantuannya berupa 7 ekor babi yang beratnya adalah 15 kg per ekor akan dihanyutkan ke sungai. Kata kunci: Dayak Kantuk, Hukum Adat, Pemerkosaan, Tindak Pidana <i>The implementation of customary law enforcement is considered more effective in resolving rape cases that occur in the Kantuk Dayak tribe community. The act of rape is considered an immoral act whose legal sanctions are still considered disproportionate to the consequences.. This type of research is qualitative with an empirical juridical study approach. The place where the research was carried out was Bika District, Kapuas Hulu Regency, West Kalimantan. Customary sanctions for acts of rape according to the customary law of the Kantuk Dayak Tribe are classified into several levels according to the consequences they cause. Customary sanctions in the form of customary fines must be paid by each perpetrator. The form of customary sanctions is to pay customary fines in the form of "pingai" (plates) whose quantity varies between 100-500 pieces, the price of pingai is Rp. 25,000,-/piece. Apart from that, there are also other things that the perpetrators of rape must do, namely: throwing away abstinence (pemali) or throwing away bad luck, which must be paid for by each perpetrator; the aid is in the form of 7 pigs weighing 15 kg each which will be washed into the river.</i> Keywords:; Customary Law, Crime, Dayak Kantuk.

INTRODUCTION

Indonesia is a country of law that has a rich diversity of tribes, cultures, and traditions. As a country of law, Indonesia upholds the supremacy of law, which is regulated in the 1945 Constitution of the Republic of Indonesia, especially in Article 1 paragraph (3) which states that "The State of Indonesia is a country of law." This principle means that every action of the government and citizens must be in accordance with applicable laws, and justice must be pursued through a fair and independent judicial system. Thus, a legal product is needed to regulate community life in order to achieve order and public order. According to Soepomo (1967), every legal product is written and there is also an oral (unwritten) form, enforced on a national scale or regionally, be it public law or private law¹.

The richness of Indonesian culture is reflected in the diversity of tribes spread across various regions, such as the Acehnese, Batak, Minangkabau, Javanese, Sundanese, Dayak, Bugis, Minahasa, Papuan and other tribes. Each tribe has customs and customary laws that serve as guidelines in the lives of local communities. These customary laws regulate various aspects of life, including: inheritance, morality, dispute resolution, land ownership, criminal acts and other disputes².

As a country that values diversity, Indonesia recognizes and respects customary law, as stated in Article 18B paragraph 2 of the 1945 Constitution which states that the state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia. This customary law gives local communities the authority to practice their cultural values and local wisdom, which play an important role in maintaining social order and harmony. The application of customary law in the national legal system still has challenges, especially in the process of harmonization between customary law and national law, especially if there are conflicting values or norms. This integration effort is expected to strengthen Indonesia's identity as a country of law based on Pancasila and Bhinneka Tunggal Ika, which reflects unity in diversity.

Written and unwritten laws originate from the habitus that has been built in a society, which is continuously continued by the next generations and has binding power accompanied

¹ Soepomo. 1967. *Bab-bab Tentang Hukum Adat*. Jakarta: Penerbit PT.Paradnya Paramitha

² Soerjono Soekanto, 2003, *Hukum Adat Indonesia*, PT.Raja Grafindo Persada, Jakarta

by sanctions. This rule is called customary law. This law is intended to regulate and force all members of society to obey, if anyone violates it, they will be subject to customary sanctions, and it is the customary figure/community leader who will give customary sanctions to members of society who violate it (Nasution Riza, 2024)³.

The implementation of customary law is not much different from state law, if there are individuals who commit acts that are contrary to the provisions in customary law, then it is called a customary violation. An act of violating customs is a wrong act that has an impact on disrupting the balance of society so that it must be resolved by providing customary witnesses so that justice and balance are present in society. The provision of customary sanctions must be carried out, considering that the existence of criminal law in Indonesia has regulated almost all criminal acts as written in the Criminal Code (Criminal Code) or which are distributed in various other criminal laws, but the ability of criminal law is only limited to the context of the court and will not be able to serve all the interests of the sense of justice of the community, especially indigenous peoples throughout Indonesia. Due to these conditions, action is needed from indigenous peoples to be able to restore the customary balance that has been disturbed due to the occurrence of customary violations. The application of customary sanctions carried out in each region in Indonesia varies from one to another (Hamid, 2023)⁴.

There is one tribe in Indonesia in the West Kalimantan region that still maintains and applies customary law as a rule/provision that must be obeyed by all indigenous people, the tribe in question is the Dayak Kantuk Tribe. In the Dayak Kantuk customary law community, customary law still exists and applies and is obeyed by the entire community, and in facing every problem, the solution always uses customary law, because customary law sanctions have been proven to be able to provide a deterrent effect and are able to create order and justice in the Dayak Kantuk Indigenous community in Kapuas Hulu Regency, West Kalimantan (Soerjono, 2003)⁵.

The Dayak Kantuk Tribe is one of the Dayak sub-tribes in Kapuas Hulu Regency whose community life patterns are still thick with customs and culture, almost every activity in their lives is always carried out based on customary law orders. Of the many roles of customary law,

³ Nasution, M. R., & Riza, F. (2024). Analisis Hukum Pidana Adat Melayu Jambi Terhadap Pelaku Tindak Pidana Pelecehan Seksual (Studi di Lembaga Adat Melayu Jambi Tanah Pilih Pusako Batuah).

⁴ Hamid, A. (2023). *Bab 3 sistem hukum adat. Hukum Adat*, 32

⁵ Soerjono Soekanto, 2003, *Hukum Adat Indonesia*, PT.Raja Grafindo Persada, Jakarta

one of the most obvious roles in the lives of the Dayak Kantuk indigenous community is acts of violation of the law or criminal acts. Often people choose to resolve cases with a local customary law approach (non-litigation). Especially for criminal acts that are considered to be able to cause disgrace and can bring disaster to the families and communities of the Dayak Kantuk Tribe. One of the crimes that usually must be resolved according to custom is rape, there are customary sanctions that must be carried out by the perpetrators and the family.

Rapid technological and information advances allow access to pornographic information through writing, images and videos, opening up opportunities for certain members of society to act immorally. This encourages indigenous people to take action to regulate, discipline and prevent and create a deterrent effect for people who want to and will commit rape⁶. Based on a preliminary study conducted by the researcher in the Dayak Kantuk community, it was found that people are often dissatisfied with the criminal sanctions imposed on perpetrators of rape because the community considers that the application of customary sanctions contained in customary law is more appropriate to the perpetrator's actions and also provides a greater deterrent effect on perpetrators of rape, so that the Kantuk community prefers to resolve rape cases through customary law. The difference in perspective and the sanctions given makes the Dayak Kantuk customary law community have their own way of applying customary sanctions when resolving rape cases that occur in their community in accordance with applicable customary law. The purpose of this study is to determine legal efforts for rape crimes according to the Dayak Kantuk customary law perspective.

In the perspective of several indigenous community groups, positive law has not been able to accommodate the local wisdom of the local community in terms of handling the criminal acts that arise, because there is a community understanding of the threat of disaster that can arise from rape. Therefore, the community needs to apply customary law that is considered appropriate to the criminal act committed, which is expected to not only provide a deterrent effect on the perpetrator but can prevent disasters from occurring for the village and local community.

⁶ Putri Fransiska Purnama Pratiwi, Suprayitno, Triyani. Upaya Hukum untuk Menjerat Tindakan Pelakor dalam Perspektif Hukum Adat Dayak Ngaju

FOCUS OF PROBLEMS

The local community's view of the crime of rape that has been used according to positive law has not accommodated the local wisdom of the local community so that it is considered necessary to enforce punishment according to customary law that applies in the community. Based on the explanation of the problem above, a research question arises which becomes a research problem, namely how is the implementation of Dayak Tidur customary law in handling the crime of rape (pasung nyelanung) in West Kalimantan?

RESEARCH METHODS

The type of research method used in this study is an empirical legal technique, meaning that the researcher collects and finds data and information through field studies in Bika Village, Bika District, Kapuas Hulu Regency, West Kalimantan to find data and information on issues according to the topic as an assumption or basic assumption used in answering the problems in this study. In completing this study, the researcher used 2 types of data, namely primary and secondary data. The data in this study were collected using secondary data in the form of a literature study of the Customary Law, namely the Provisions of the Customary Law of the Dayak Kantuk Tribe, Kapuas Hulu Regency in Amendment VI, and also through primary data, namely interviews with customary officials, such as: Temenggung (the highest customary holder who leads one or several sub-districts), Kadat Desa (customary leader at the village level and the hamlet head (customary leader at the hamlet level).

FINDING & DISCUSSION

Literacy References

Customary law is an unwritten traditional legal system that grows and develops from the customs and norms of local communities, functions to regulate social interaction and community behavior, and has sanctions for violations. The term customary law comes from the Dutch "adat-recht" which was first introduced by Snouck Hurgronje. Customary law is a traditional legal system that applies in indigenous communities or indigenous tribes. Customary law in Indonesia has existed since pre-Hindu times and has developed along with the influence of religions such as Hinduism, Islam, and Christianity. The term "customary law" was first used by Snouck Hurgronje in his book *De Atjehers* in 1893-1894⁷

⁷ Sulistiani, S. L., & Sy, M. E. (2021). *Hukum adat di Indonesia*. Bumi Aksara.

Customary criminal law is a law that grows and develops in a society, based on traditional norms and cultural values. This law is an original Indonesian law that has existed for a long time. The customary law of the Dayak people of West Kalimantan, especially the Dayak Kalis Tribe, regulates various aspects of community life. In resolving customary violations, Dayak customary law applies customary sanctions, such as fines, forced labor, social isolation, and others. In the Dayak customary community, customary violations can be prosecuted with customary sanctions, such as fines, forced labor, social isolation, or other forms of punishment. These customary sanctions are adjusted to the values and cultural context of the local community.⁸

Dayak Kantuk Customary Law

The Dayak Kantuk Tribe is one of the Dayak sub-tribes found in Kapuas Hulu Regency, West Kalimantan. In the Kapuas Hulu Regency area there are 23 sub-districts, 4 urban villages and 278 villages, and there are 9 sub-districts (34 villages) inhabited by the Dayak Kantuk Tribe, namely: North Putussibau, South Putussibau, Empanang, Bika, Embaloh Hilir, Boyan Tanjung, Sberuang, Semitau and Silat Hilir Districts. The pattern of community life in the area inhabited by the Kantuk tribe is still thick with customs and culture, in every daily activity the community always starts and ends it with a customary approach. One of the most obvious roles of customary law in the life of the Dayak Kantuk tribe is violations of the law or criminal acts. Often people choose to resolve cases with a local customary law approach, because it is considered fairer, more equitable and can eliminate disasters or threats of disaster in the area. One of the crimes that is usually resolved through customary law is rape, there are customary sanctions that must be accepted by the perpetrators and their families (KHASHDK, 2021).⁹

After the researcher conducted an interview with the Temenggung of the Dayak Kantuk Tribe in Bika District, it was explained that in the Kantuk culture there is a term known as Pemali, namely: an obligation that must be paid by the perpetrator of a crime to cleanse, restore the physical and spiritual state so as not to bring disaster to the family/village. The levels of pemali also vary, consisting of the lowest pemali of 1 chicken, 1 gantang of rice and a knife/machete, and the highest level of pemali is 7 pigs weighing at least 15 kg/head (pigs are

⁸ Krithy, M. E., Farina, T., Mahar, S., & Kristanto, K. (2022). Pengakuan Dan Perlindungan Hukum Terhadap Hak-Hak Tradisional Masyarakat Hukum Adat Dayak Ma'anyan Di Kecamatan Awang Kabupaten Barito Timur. *Jurnal Komunikasi Hukum (JKH)*, 8(2), 27-43.

⁹ Ketentuan-Ketentuan Hukum Adat Suku Dayak Kantuk Kabupaten Kapuas Hulu (Dalam Perubahan Ke VI). Disepakati Pada Musyawarah Adat Dayak Kantuk Pada Tanggal 8-9 Desember 2021 di Rumah Misi Deo Soli Putussibau Selatan

slaughtered and thrown into the river). Every violation of customs committed by members of the community has legal consequences that must be obeyed, including acts of rape.

1. Dayak Kantuk Customary Law Efforts to Ensnare Criminal Acts of Rape.

Based on the results of the interview with the Temenggung of the Dayak Kantuk Tribe, it was explained that: the application of this customary law aims to regulate and punish people who commit the crime of rape. Further explanation of criminal sanctions according to the Dayak Kantuk customary law is contained in the document Provisions - Provisions of the Dayak Kantuk Customary Law of the Kapuas Hulu Regency, West Kalimantan in 2021, in Amendment VI (KHASDK, 2021). The following is an explanation of criminal sanctions, levels of case resolution, court costs and case resolution and the application of customary law, as follows:

a. Sanction for Adat Violation

Article 2 Paragraph (1-3):

1. Violation of this customary law is a fine in the form of plates (pingai) or something similar.
2. Plates (Pingai) are called fruits
3. Plates (Pingai) can be replaced with money worth Rp. 25,000,-/piece

b. Case Resolution Level

Article 3 Paragraph (1-2):

1. Cases are resolved by village apparatus management
2. The structure of the village apparatus consists of:
 - a) Temenggung, is the highest customary holder who leads one or several sub-districts.
 - b) Komplit/kadat desa, customary leader at the village level
 - c) Head of hamlet customary, customary leader at the hamlet level

The customary apparatus (Temenggung) is directly elected by members of the customary community in their respective areas for a term of office of 8 years and can be re-elected for one term

c. Case Expense

Article 6:

In each case, both parties are required to pay a court fee called a table sweep, as follows:

- 1) At the lowest level, the village traditional leader has 6 pingai (plates)

- 2) At the complete level / village traditional leader, 8 pingai (plates)
- 3) At temenggung level there are 10 pingai (plates)

d. Case Solution

Article 7 Paragraph (1-5):

- 1) In resolving a case or dispute whose provisions are not clearly stated in this customary book, the customary administrators can adjust based on previous decisions that have been taken as long as there are similarities and do not deviate greatly.
- 2) The disputing parties can present a maximum of 5 people for each party to be included together with the customary administrators in resolving the dispute in question.
- 3) In resolving a case where one party does not comply with the case regulations as they should or is reneged, he or she will be subject to a management fine of 6 even if he or she wins the case.
- 4) In a neutral area where both parties are subject to different customary laws or customary law dualism, the customary administrators of both parties will deliberate to determine which customary punishment applies and if there is no agreement then positive/national law will be chosen.
- 5) In every incident that occurs within the customary territory of the Dayak Kantuk tribe, the customary law of the Dayak Kantuk tribe applies even if one party is subject to another customary law, without disregarding state law.

e. Implementation of Adat Law

The application of customary law sanctions for rape (pasung nyelanung) varies based on the consequences caused, so that the amount of customary sanctions received by the perpetrators varies. Customary sanctions/customary reactions/customary corrections are forms of actions or efforts to restore imbalances including imbalances of a magical nature due to disturbances that constitute customary violations. Based on Article 17 concerning the crime of rape (pasung nyelanung) the Provisions of Customary Law of the Dayak Kantuk Tribe "In Amendment VI" are explained as follows:

- 1) Attempted rape, against a child under the age of 16 years is punished with 100 (one hundred) pingai and if it has been done, it is punished with 500 (five hundred) pingai;
- 2) Attempted rape against an adult is punished with 100 (one hundred) pingai and if it has been done, it is punished with 300 (three hundred) pingai;

- 3) Rape committed against a helpless person, such as: dead, unconscious, abnormal, drunk and or who can be equated with being helpless, then the perpetrator of the rape is punished with a penalty of 500 (five hundred) pingai;
 - 4) Rape committed by means of threats, whether carried out with sharp objects, blunt objects or the like, then the rape is subject to the punishment as regulated in paragraph 1 (one) and paragraph 2 (two) of this article, subject to a threat penalty of the threat penalty;
 - 5) All medical expenses of the victim are fully borne by the perpetrator if they die, the penalty is added to the coffin.
 - 6) Rape committed by more than one perpetrator, then each perpetrator of rape will be subject to a penalty of 500 (five hundred) lashes.
2. The Trial Process According to Dayak Kantuk Customary Law.

Criminalization efforts against rape committed by members of the Dayak Kantuk tribe or anyone living in the Dayak Kantuk community area will be processed according to applicable Dayak Customary Law:

- a. The alleged rape committed by the perpetrators will be reported to the village-level customary administrator.
- b. The village-level customary administrator will conduct a confirmation and brief investigation to collect data/evidence related to the rape. Furthermore, the village-level customary administrator will report the rape case to the Temenggung to be immediately tried according to customary law.
- c. The village-level customary administrator will immediately inform the families of the perpetrators to immediately prepare the place, time and all the necessities for the implementation of the customary trial.
- d. The house of the perpetrator suspected of committing rape will be visited by the “Temenggung” (District-Level Customary Head) to immediately carry out the customary trial according to the schedule that has been mutually agreed upon by the parties.
- e. The trial will be led directly by the Temenggung, customary administrator, the perpetrators, witnesses, family and the surrounding community.
- f. If the perpetrators are proven to have committed the customary violation of “pasung nyelanung” then the perpetrators are required to carry out taboos (pemali), pay customary/customary sanctions and customary fees.

g. If the perpetrators are unable to carry out all customary consequences, they will be given time to pay all customary sanctions that are written in the Kantuk Customary Regulations book.

3. The Crime of Rape Reviewed from a Positive Legal Perspective

Based on the opinions of several traditional figures of the Kantuk Dayak Tribe who said that there was dissatisfaction and discomfort among the community regarding the use of positive law in criminalizing perpetrators, there were other things that had to be punished based on customary views, because the crime of rape was a disgrace and could cause disaster for the villagers.

The crime of rape is an immoral act that can damage the life of the nation. In the Indonesian Criminal Code (KUHP) Article 285 has regulated and explained about rape which states that: "Anyone who with violence or threat of violence forces a woman to have sexual intercourse with him outside of marriage, is threatened for committing rape with a maximum imprisonment of twelve years." This article emphasizes that the act of rape involves the use of violence or threat of violence to force the victim, and this article also emphasizes that the victim is a woman, in addition this article also emphasizes that this act occurs outside of marriage. This article also emphasizes that the perpetrator of rape is threatened with a maximum imprisonment of twelve years, indicating that this act is considered a serious crime with severe sanctions. This article aims to protect the rights and dignity of women and provide strict sanctions for perpetrators of rape.

Article 285 of the Criminal Code only explains the threat of criminal acts of rape against adult women, while the threat of criminal acts of rape against children uses a different article, namely Article 287 of the Criminal Code which states that: "Anyone who has sexual intercourse with a woman who is not his wife, and it is known or reasonable to suspect that the woman is not yet 15 years old, can be sentenced to a maximum of nine years in prison." In addition to Article 285 of the Criminal Code, the threat for perpetrators of rape against children can use Law Number 35 of 2014 concerning child protection and Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS), which stipulates that there is no resolution of cases of sexual violence against children outside the judicial process.

PENUTUP

Customary legal efforts against rape (pasung nyelanung) according to the Dayak Kantuk Tribe are carried out with the aim of restoring the physical and spiritual state and cleansing/freeing individuals or families and communities from the threat of disasters and natural disasters/diseases. Pasung nyelanung is considered despicable, reflecting actions that will bring disaster, so customary legal efforts must be enforced to protect families and communities from the dangers of disasters and disasters. Customary sanctions against rape vary from one to another depending on the level of consequences caused. Customary sanctions in the form of customary fines must be paid by each perpetrator of rape and then there will be a banishment (pemali) which must be paid by each perpetrator, in the form of 7 pigs weighing 15 kg each. Furthermore, customary sanctions in the form of paying a fine in the form of "pingai" (plates) the number of which varies between 100-500 pieces (the price of pingai is IDR 25,000/piece). The implementation of customary legal efforts by the Kantuk Dayak Tribe is a form of community responsibility in maintaining and controlling immoral behavior in society that has the potential to damage the foundations of national life.

The suggestion of this research that, the application of customary sanctions against perpetrators of pasung nyelanung (rape) is expected to be able to create a deterrent effect on the perpetrators and at the same time be able to regulate community behavior in order to avoid immoral behavior that is believed to be threatening, bringing disaster and calamity to the local community. The government, community leaders and the community must support the implementation of this customary law if it has been agreed upon by all elements of society in order to realize an orderly, safe and cultured Dayak Kantuk community.

REFERENCES

BOOK

- Bushar Muhammad, *Asas-Asas Hukum Adat (Suatu Pengantar)*, PT. Pradnya Paramita, Jakarta.
- Ketentuan-Ketentuan Hukum Adat Suku Dayak Kantuk Kabupaten Kapuas Hulu (Dalam Perubahan Ke VI). Disepakati Pada Musyawarah Adat Dayak Kantuk Pada Tanggal 8-9 Desember 2021 di Rumah Misi Deo Soli Putusibau Selatan.
- Manan, H, *Aspek-aspek pengubah hukum*, Prenada Media, Jakarta.
- Mutawali, Muhammad, *Kontestasi Dan Akomodasi Hukum Adat Bima, Hukum Positif, Dan Hukum Islam Pada Kasus Tindak Pidana Kesusilaan*, Arus Baru Pemikiran Islam: Catatan Kritis dari Gang Buni Ciputat.

Nugroho, W. A, *Hukuman pelaku santet (tinjauan RKUHP dan hukum pidana Islam)*, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta.

Rizkia, N. D, *Sejarah Perkembangan Hukum Pengantar Ilmu Hukum*.

Soepomo, *Bab-bab Tentang Hukum Adat*, Paradnya Paramitha, Jakarta.

Soerjono Soekanto, *Sosiologi Suatu Pengantar*, Raja Garfindo Persada, Jakarta.

Soerjono Soekanto, *Hukum Adat Indonesia*, Raja Grafindo Persada, Jakarta.

Sulistiani, S. L., & Sy, M. E, *Hukum adat di Indonesia*, Bumi Aksara, Bandung.

JOURNAL

Ariskanis Delpada, *Proses Penerapan Sanksi Pidana Adat Bagi Pelaku Perzinahan (Tafuii) Pada Masyarakat Abui Dan Upaya Penanggulangannya Di Desa Lembur Barat*, Conserva Jurnal Penelitian dan Pengabdian Masyarakat, Vol. 03., No. 4.

Dhea S, Putri, Landia, *Pengaturan Tindak Pidana Perzinahan Dalam RKUHP*, Jurnal Studia Legalia : Jurnal Ilmu Hukum, Vol. 3., No. 1.

Hamid, A. (2023). *BAB 3 SISTEM HUKUM ADAT*. *Hukum Adat*, 32.

Hendra, M., & Hakim, N, *Kesetaraan Gender dalam Perspektif Hukum Islam*, The Indonesian Journal of Islamic Law and Civil Law, Vol. 4., No. 1.

Kristhy, M. E., Farina, T., Mahar, S., & Kristanto, K, *Pengakuan Dan Perlindungan Hukum Terhadap Hak-Hak Tradisional Masyarakat Hukum Adat Dayak Ma'anyan Di Kecamatan Awang Kabupaten Barito Timur*, Jurnal Komunikasi Hukum (JKH), Vol. 8., No. 2.

Kenedi, John, *Analisis Pidana Terhadap Pemerkosaan dalam Perspektif Hukum Positif dan Hukum Islam*, Nuansa: Jurnal Studi Islam dan Kemasyarakatan, Vol. 12., No. 1.

Martiasari, A, *Kajian Tentang Perilaku Kejahatan Dan Penyimpangan Seksual Dalam Sudut Pandang Sosiologis Dan Hukum Positif Indonesia*, Yurispruden: Jurnal Fakultas Hukum Universitas Islam Malang, Vol. 2., No. 1.

Nasution, M. R., & Riza, F, *Analisis Hukum Pidana Adat Melayu Jambi Terhadap Pelaku Tindak Pidana Pelecehan Seksual (Studi di Lembaga Adat Melayu Jambi Tanah Pilih Pusako Batuah)*, Ranah Research: Journal of Multidisciplinary Research and Development, Vol. 6., No. 5.

Purba, Simon, Mustamam Mustamam, and Adil Akhyar, *Penegakan Hukum Terhadap Pelaku Pemerkosaan Dalam Perspektif Kuhp Dan Qanun Di Lhoksukon Aceh Utara*, Jurnal Ilmiah Metadata, Vol. 3., No. 2.

Putri Fransiska Purnama Pratiwi, Suprayitno, Triyani, *Upaya Hukum untuk Menjerat Tindakan Pelakor dalam Perspektif Hukum Adat Dayak Ngaju*, Jurnal Cakrawala Hukum, Vol.10., No. 2.

Suadnyana, I. B. P. E., & Yuniastuti, N. W, *Kajian Sosio-Religius Penerapan Sanksi Adat Kanorayang di Desa Pakraman Bakbakan Kecamatan Gianyar Kabupaten Gianyar*, Widyanatya, Vol. 2., No.1.

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