

Legal Customary Law Counseling to the Community of Tanjung Mudo Village: Raising Awareness and Strengthening Customary Law in Social Life

Penyuluhan Hukum Adat kepada Masyarakat Desa Tanjung Mudo: Menumbuhkan Kesadaran dan Penguatan Hukum Adat dalam Kehidupan Sosial

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Abstract:

Legal counseling on customary law to the community of Tanjung Mudo Village aims to raise awareness about the importance of customary law in their social lives. Customary law, as part of an unwritten legal system, plays a crucial role in regulating social relations and resolving conflicts within indigenous communities. This counseling is carried out using an interactive communication method, involving customary leaders and active participation from local community members. This study demonstrates that the counseling successfully increased the community's understanding of their rights and obligations in the context of customary law, as well as the importance of preserving customary law as part of their cultural identity. Despite challenges in overcoming the differences in understanding between the older and younger generations, the strategies used in the counseling proved effective in fostering a better understanding of customary law and its relevance in everyday life. Therefore, this counseling makes a significant contribution to strengthening customary law as an instrument for resolving social issues and preserving culture in Tanjung Mudo Village.

Abstrak:

Penyuluhan hukum adat kepada masyarakat Desa Tanjung Mudo bertujuan untuk meningkatkan kesadaran masyarakat tentang pentingnya hukum adat dalam kehidupan sosial mereka. Hukum adat, yang merupakan bagian dari sistem hukum yang tidak tertulis, memainkan peran penting dalam pengaturan hubungan sosial dan penyelesaian konflik dalam masyarakat adat. Penyuluhan ini dilakukan dengan menggunakan metode komunikasi interaktif, yang melibatkan tokoh adat serta partisipasi aktif dari masyarakat setempat. Penelitian ini menunjukkan bahwa penyuluhan hukum adat berhasil meningkatkan pemahaman masyarakat tentang hak dan kewajiban mereka dalam konteks hukum adat, serta pentingnya pelestarian hukum adat sebagai bagian dari identitas budaya. Meskipun terdapat tantangan dalam mengatasi perbedaan pemahaman antara generasi tua dan muda, strategi yang digunakan dalam penyuluhan terbukti efektif dalam mendorong pemahaman

yang lebih baik tentang hukum adat dan relevansinya dalam kehidupan sehari-hari. Dengan demikian, penyuluhan ini memberikan kontribusi signifikan dalam menguatkan hukum adat sebagai instrumen penyelesaian masalah sosial dan pelestarian budaya di Desa Tanjung Mudo.



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INTRODUCTION

Indigenous peoples in Indonesia have a long-standing legal tradition and are applied in daily life, known as customary law. This customary law is an integral part of the identity and culture of the community, in which there are norms and regulations that govern the social, economic, and political life of the community. The existence of customary law in Indonesia has a very important role, not only in maintaining local cultural values, but also in resolving disputes and other problems in indigenous peoples (Sulistiani & Sy, 2021).

This modern era makes customary law often marginalized by the development of the country's formal legal system. This happens due to the lack of understanding and awareness of the community about the importance of customary law in their lives. Therefore, it is important to make efforts to educate the community about the course of customary law and how it is applied in their lives. This counseling aims to increase public understanding of the role of customary law in maintaining social harmony and preserving local culture.

Tanjung Mudo Village is one of the villages that has a rich culture and customary law. Customary law in this village has been implemented for a long time and regulates many aspects of people's lives. However, along with the development of the times and outside influences, there are concerns that this customary law is starting to be ignored by the younger generation who prioritize the approach of state law. Therefore, it is important for the people of Tanjung Mudo Village to get a better understanding of the course of this customary law, as well as how it plays a role in building peace and prosperity in their village.

In this context, customary law counseling is an important step to reintroduce customary law to the village community. Chandra (2020) stated that customary law can be a very effective instrument in preserving the environment and cultural traditions that exist in indigenous peoples. This shows that the application of customary law is not only applicable in social and economic aspects, but also has a positive impact on the preservation of local nature and culture.

In addition, this counseling can also function to strengthen the relationship between the younger generation and local wisdom in their village. By understanding customary law, the younger generation can better appreciate the existing cultural heritage and apply it in their daily lives. A good understanding of customary law can also increase public awareness of the importance of maintaining the integrity and sustainability of customary law in the future. The benefits of customary law counseling can also be felt in the field of dispute resolution. Sari et al. (2023) in their research show that the application of clear customary law sanctions can be a solution to solve social problems in indigenous peoples. Through a deeper

understanding of customary law, the people of Tanjung Mudo Village can be wiser in resolving disputes that may arise in their lives.

Customary law has distinctive characteristics, in which existing norms are derived from customs or traditions that have existed for a long time in society. Customary law emphasizes more on resolving disputes through deliberation and consensus, and often involves traditional leaders or religious leaders in the settlement process. In this case, customary law is more flexible and can be adjusted to the situation and conditions that exist in society (Chandra, 2023). Therefore, counseling on the course of customary law can help the community to better understand how the legal process is carried out, as well as how dispute resolution is carried out in a customary manner.

Customary law counseling conducted in Tanjung Mudo Village not only focuses on theory, but also on practices that apply in daily life. With a participatory approach, the community will be invited to engage in discussions and understanding of the importance of customary law. In addition, through the trainings carried out, the community can better understand how to solve legal problems that occur with a wise and fair customary approach.

Along with efforts to introduce customary law, it is also important to educate the public about the challenges faced in its implementation. In this era of globalization, indigenous peoples are often faced with conflicts between customary law and state law. Therefore, there needs to be a synergy between state law and customary law to achieve the same goal, namely creating a just and prosperous society (Sutrisno, Harmaini, & Chandra, 2023). This also requires regulations that support the application of customary law in the country's legal system.

This customary law counseling is expected to provide a better understanding to the community about the importance of preserving customary law and making it a guideline in their social life. Thus, customary law is not only seen as a legacy of the past, but also as a relevant instrument in resolving legal problems in modern society.

Along with the times, it is also important to conduct further research on customary law and how it is applied in the context of modern society. In this study, it is hoped that the best solution will be found to integrate customary law into the national legal system, so that the existence of customary law can continue to exist and play an active role in people's lives in the future (Manengkey et al., 2023). Thus, counseling on the course of customary law to the people of Tanjung Mudo Village is an important step in efforts to preserve and strengthen customary law as part of the culture and identity of indigenous peoples. This counseling is expected to have a positive impact on the community in applying customary law wisely and in accordance with the context of their lives.

METHOD

This community service uses a participatory approach, which aims to provide counseling on the implementation of customary law to the people of Tanjung Mudo Village. This method was chosen because it is in accordance with the purpose of the research that wants to educate the public about the importance of customary law and how it is applied in their daily lives. In this service, the approach used consists of several stages, namely planning, implementation, evaluation, and sustainability monitoring.

At the planning stage, the community service team identifies problems and community needs related to the understanding of customary law. This is done by holding initial discussions with traditional leaders, village governments, and local communities to find out how much they know about customary law and its role in daily life. This activity also includes collecting information related to customary customs that apply in the village as well as legal issues that often arise in people's lives. At this stage, counseling materials were also prepared in accordance with the cultural context and customary law that applies in Tanjung Mudo Village. This counseling material includes the meaning of customary law, the history and origins of customary law in the village, as well as ways to resolve disputes based on customary law. The service team also prepares counseling media that will be used, such as leaflets, posters, and presentation materials that are easy for the community to understand.

The implementation of counseling was carried out in the form of workshops and group discussions involving the people of Tanjung Mudo Village directly. This activity aims to increase people's understanding of customary law and its role in their lives. The workshop began with a presentation on the basic concepts of customary law, accompanied by case examples that are relevant to people's daily lives. In addition, in the discussion session, the community was given the opportunity to ask questions about the legal problems they face in the context of customary law, as well as explanations on ways to solve them in accordance with local customs. Practical training is also carried out by involving the community in the simulation of dispute resolution using customary law. In this simulation, participants are expected to understand the steps that must be taken in resolving conflicts through deliberation and consensus in accordance with the principles in customary law in the village.

After the implementation of counseling, the evaluation stage is carried out to assess the extent to which the community's understanding of customary law has increased. This evaluation was carried out through a questionnaire distributed to extension participants, which contained questions about their knowledge before and after participating in the counseling. The questions include an understanding of the basic concepts of customary law, examples of its application in daily life, and their understanding of the dispute resolution process based on customary law. The evaluation was also carried out by observing changes in people's attitudes and behaviors in resolving disputes and legal problems after participating in counseling. The service team will conduct in-depth interviews with several community members to find out if they have applied the knowledge gained in their daily lives.

To ensure the sustainability of this counseling program, the service team will conduct periodic monitoring. This monitoring aims to find out whether the knowledge provided can be applied in daily life and whether customary law is still respected and applied in dispute resolution by the community. In addition, monitoring is also carried out to assess whether there is a need for further counseling or additional training for the people of Tanjung Mudo Village. The service team will also coordinate with traditional leaders and the village government to maintain the sustainability and application of customary law in this village.

The data obtained during service activities will be analyzed using a qualitative approach. This analysis was carried out by grouping information obtained from discussions, interviews, and questionnaires, then analyzed to find out the extent to which the community's understanding of customary law has improved after

participating in counseling. In addition, an analysis will also be carried out to find out whether there is a change in people's attitudes and behaviors in applying customary law, especially in dispute resolution. The results of this analysis will be the basis for providing recommendations related to the development of customary law in the future, as well as steps that can be taken to strengthen the understanding and application of customary law in the community.

RESULT AND DISCUSSION

The Importance of Customary Law Counseling in the Community of Tanjung Mudo Village

Customary law counseling in Tanjung Mudo Village is very important to reintroduce and strengthen community awareness of customary law that has existed for a long time in their lives. As an unwritten form of law rooted in local culture, customary law plays a vital role in regulating social relations between citizens and dispute resolution within the community. The existence of customary law in this context is not only a guideline for behavior, but also an instrument that allows people to maintain social stability, reconcile conflicts, and respond to problems that arise fairly and in accordance with existing cultural norms.

The people of Tanjung Mudo Village have strong roots in customary law that is used to solve various problems, ranging from land issues to interpersonal relationships. However, with the modernization and influence of the country's legal system, many young generations have begun to understand and ignore customary law as a legitimate instrument in dispute resolution. Therefore, the counseling conducted aims to provide an understanding of how customary law can be integrated with national law, as well as to provide an explanation of the importance of applying customary norms in people's daily lives.

Customary law counseling is also very important to introduce various types of violations that can occur in indigenous peoples. One type of violation that often occurs is violations related to the use of customary land or natural resources that have been regulated by customary law. Many village communities still do not understand the boundaries set by customary law regarding the use of customary land or forests. This counseling is very useful to educate the community not only to understand their rights, but also their obligations in preserving the environment and natural resources around them.

It is important to make people aware that customary law is not an outdated legal system, but a system that is still relevant in solving problems in daily life. With proper counseling, the community can understand that customary law has legal power and position in the eyes of the law, even though it is not recorded in state legislation. In many cases, dispute resolution using customary law is more effective, because it is based on the values of mutual cooperation and deliberation that are highly upheld in indigenous peoples. With a better understanding, people will be more confident in using customary law to solve their problems.

As part of local culture that plays an important role in regulating people's lives, customary law is also a tool to maintain cultural identity. In an increasingly homogeneous global society, it is important for indigenous peoples to preserve and promote their customary legal values. This counseling provides opportunities for the community to explore and re-recognize the noble values contained in customary law, such as respect for individual and community rights, as well as the obligation to maintain social and environmental harmony. Chandra (2020) emphasizes that

customary law communities have a very important position in environmental conservation, where they apply customary law as a tool to protect their natural resources. Therefore, this counseling not only touches on social aspects, but also environmental aspects that are very closely related to the lives of indigenous peoples.

This counseling opened the eyes of the people of Tanjung Mudo Village about the importance of understanding the relationship between customary law and the state legal system. As explained by Chandra et al. (2024), customary law and state law are not two things that contradict each other, but can complement each other in creating social justice. The community needs to be given an understanding that in some ways, customary law can be used as a faster and more effective solution, while in certain matters involving greater interests, state law can be a more appropriate choice. Therefore, customary law counseling is expected to help people better understand how these two legal systems can function harmoniously in their lives.

This counseling is also very relevant to answer the challenges faced by indigenous peoples in facing the changing times. In the era of globalization and modernization, many local cultures, including customary law, are endangered or forgotten. Therefore, through this counseling, it is hoped that the community can remember and appreciate their customary law as a cultural asset that must be maintained and preserved. Customary law has noble values that can be a guideline for life in facing increasingly complex life challenges. This counseling also provides an opportunity for the community to update their understanding of customary law and apply it in their daily lives.

Customary law counseling in Tanjung Mudo Village is expected to open up community insights into the forms of disputes that can be resolved through customary deliberations. In many cases, indigenous peoples prefer to resolve problems internally through indigenous institutions, which are often more effective and understandable to all parties involved. This counseling provides knowledge about various steps that can be taken in resolving disputes in accordance with the customary law that applies in the village, starting from the deliberation stage to decisions taken based on mutual agreement. With this understanding, the community will be better prepared to solve their problems fairly and wisely, in accordance with applicable customary values.

This customary law counseling will also make an important contribution to strengthening the social capacity of the community in managing conflicts that occur. In many cases, conflicts in the community are often protracted due to the lack of a clear understanding of how to resolve them in accordance with customs. With counseling, the community will be provided with provisions to resolve conflicts peacefully and avoid the use of violence which often harms many parties. Therefore, this counseling not only provides knowledge about customary law, but also about how to build a more harmonious relationship between citizens through deliberation and consensus.

Challenges and Strategies for Customary Law Counseling in Tanjung Mudo Village

Customary law counseling in Tanjung Mudo Village, although very important, faces various challenges in its implementation. One of the main challenges is the difference in perception between the older and younger generations regarding the importance of customary law. The older generation in the village may still hold fast to the values of customary law, while the younger generation tends to be more influenced by the formal legal system or state law. Therefore, one of the main strategies in this counseling is to create a bridge of communication between the two generations, so that they can understand and appreciate the importance of customary law.

Another challenge faced is the lack of in-depth understanding from the community of the relationship between customary law and the country's legal system. Customary law is often considered a legal system that is limited in scope, so many people do not see its relevance in solving more complex problems. For this reason, customary law counseling needs to be carried out in a more innovative way, for example by linking relevant case examples in daily life involving customary law issues and state law, so that the community can better understand how the two can complement each other.

Another strategy that can be done is to involve traditional leaders who are respected by the community in extension activities. Indigenous leaders have an important role in convincing the community of the relevance and importance of customary law in solving their problems. Chandra (2023) noted that indigenous leaders are holders of social power who have a highly respected position in indigenous communities. Therefore, involving them in the counseling process can have a great influence in strengthening the message conveyed.

One of the other important things in the extension strategy is the use of media that is in accordance with the characteristics of the people of Tanjung Mudo Village. Counseling is not only carried out orally, but also by using visual media such as images or videos that illustrate the application of customary law in the context of daily life. This media can be more easily understood by the public, especially the younger generation, who may be less interested in technical and verbal counseling materials. The use of information technology, such as short videos or apps that introduce customary law, can be an effective solution to reach more people. Customary law development also needs to be supported by a good evaluation system in order to measure the success of the program. One way of evaluation is to conduct surveys or interviews with extension participants to assess the extent to which their understanding of customary law has improved. This evaluation can provide a clear picture of whether this counseling is really effective in increasing people's legal awareness and whether there are aspects that still need to be improved.

Another major challenge that needs to be faced is the lack of support from the local government in terms of strengthening customary law. Although many villages in Indonesia have rich and relevant customary laws, government support for integrating customary law into the national legal system is still limited. Therefore, the strategy of customary law counseling in Tanjung Mudo Village must also include lobbying efforts to related parties, such as the local government, so that they better support efforts to preserve and apply customary law in dispute resolution in the community. For this reason, this service must pay attention to a sustainable long-term strategy, not just limited to momentary counseling. This is important so that

customary law is not only temporary knowledge, but really a living and applied part of the life of the people of Tanjung Mudo Village.

CONCLUSION

Customary law counseling to the people of Tanjung Mudo Village has proven to be effective in increasing community legal awareness regarding the importance of customary law in their social life. This counseling program succeeded in educating the community about the role of customary law in solving various social problems and maintaining harmony in the community. With an interactive approach and involving traditional leaders as resource persons, the community becomes more aware of their rights and obligations in the context of customary law. This also strengthens the position of customary law as an integral part of the cultural life of the Tanjung Mudo community that has existed for a long time. Despite the challenges in dealing with differences in understanding between the older and younger generations, this counseling has succeeded in creating a space for constructive dialogue between the two generations, thereby enriching the community's perspective on the relevance and sustainability of customary law.

The success of this program is not only limited to increasing public understanding, but also has a positive impact on the preservation of indigenous culture. Customary law, which is often considered a backward legal system, turns out to have a very important role in regulating social life, especially in the context of resolving disputes and maintaining the values that exist in society. Therefore, this customary law counseling can be a model that can be applied in other villages as an effort to revive and strengthen customary law in solving social problems and community development based on local wisdom. It is hoped that in the future, collaboration between the government, universities, and indigenous peoples can be further enhanced to create policies that better support the empowerment of indigenous peoples in order to strengthen the sustainability of customary law in Indonesia.

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CONFLICT INTEREST

The author states that there is no conflict of interest in the implementation and writing of this article.

BIBLIOGRAPHY

- Anwas, O. M. (2011). Kuliah Kerja Nyata Tematik Pos Pemberdayaan Keluarga Sebagai Model Pengabdian Masyarakat Di Perguruan Tinggi. *Jurnal Pendidikan dan Kebudayaan*, 17(5), 565-575.
- Chandra, F. (2020). Peran Masyarakat Hukum Adat Dalam Mewujudkan Pelestarian Lingkungan Hidup. *Ekopendia*, 5(1), 103-110.
- Chandra, F. (2023). Antropologi Hukum Dalam Masyarakat. *Adagium: Jurnal Ilmiah Hukum*, 1(1), 1-11.
- Chandra, F., Arqon, M., Bahri, R. A., & Al Jamili, M. F. (2024). Ritual Adat Sebagai Instrumen Hukum Tidak Tertulis Masyarakat Jambi dalam Perspektif Filsafat Hukum. *Legalitas: Jurnal Hukum*, 16(2), 122-132.
- Harmaini, H., Supeno, S., Sari, F. K., Kusaimah, K., & Antoni, E. (2024). Petatah Petitih sebagai Pedoman Etika dalam Hukum Adat. *Legalitas: Jurnal Hukum*, 16(2), 133-142.
- Manengkey, V. T., Tanati, D., Palenewen, J. Y., Pondayar, Y., Solossa, M., & Rongalaha, J. (2023). Penyuluhan Hukum Terhadap Peraturan Menteri Agraria Nomor 5 Tahun 1999 Tentang Pedoman Penyelesaian Masalah Hak Ulayat Masyarakat Hukum Adat Di Kampung Nendali Distrik Sentani Timur Kabupaten Jayapura. *Jurnal Pengabdian Masyarakat Bangsa*, 1(8), 1342-1348.
- Muskibah, M., Hasan, U., Sasmiar, S., Suhermi, S., & Pebrianto, D. Y. (2020). Sosialisasi Keberlakuan Hukum Adat Dalam Sistem Hukum Indonesia Pada Masyarakat Adat Kedepatian Semerap Kabupaten Kerinci. *Jurnal Karya Abdi Masyarakat*, 4(1), 48-53.
- Nurdin, F., & Defrianti, D. (2018). Eksistensi dan penerapan hukum adat melayu di kota jambi. *Titian: Jurnal Ilmu Humaniora*, 2(02), 341-350.
- Salam, S., Slamet, A., Hezradian, R. F., & Hezraria, R. F. (2024). Penyuluhan hukum membangun kesadaran hukum lingkungan berbasis kearifan lokal pada wilayah pesisir di desa Bahari Tiga kabupaten Buton Selatan. *SELAPARANG: Jurnal Pengabdian Masyarakat Berkemajuan*, 8(3), 2456-2463.
- Savitri, M., & Hidayat, M. N. (2017). Penyuluhan Penerapan Upaya Penyelesaian Sengketa Pembagian Warisan Di Desa Purwosekar Kabupaten Tajinan Malang Berdasarkan Waris Adat Jawa. *JPM (Jurnal Pemberdayaan Masyarakat)*, 2(2), 124-129.
- Sutrisno, R., Harmaini, H., & Chandra, F. (2023). Peran Badan Penelitian Dan Pengembangan Kabupaten Merangin Dalam Pengelolaan Geopark Merangin Berbasis Kearifan Lokal. *SEMBILAN: Jurnal Hukum Dan Adat*, 1(1), 24-36.
- Tome, A. H., & Dungga, W. A. (2023). Peningkatan Pemahaman Masyarakat Desa Molotabu Sebagai Upaya Menjadikan Desa Sadar Hukum. *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora*, 3(2), 131-144.

Yusrizal, Y. (2023). Corak Hukum Adat Dalam Tradisi Lisan Peribahasa Adat Jambi.
SEMBILAN: Jurnal Hukum dan Adat, 1(2), 59-74.