

Implementation of Customary Court Policy in Parigi Moutong Regency

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Abstract: This study focuses on 1 (one) problem formulation: How is the Implementation of Customary Court Policy in Parigi Moutong? The theory used is the theory of Policy Implementation Thomas B Smith, using 4 (four) factors, namely, (1) Idealized policy, (2) Target group, (3) Implementing organization, (4) Environmental factor. This research uses qualitative research methods with observation, interviews, and documentation data collection techniques. Snowball determination of informants. Miles, Huberman, and Saldana interactive data analysis, including data collection, condensation, presentation, and conclusion drawing. The study results show that implementing the Customary Court Policy in Parigi Moutong Regency has been running, but it has not been effective. Even in some villages and sub-districts, it is getting weaker and forgotten. Factors causing the ineffectiveness of policy implementation: inaccurate and consistent communication, both internally and externally, the implementing organization is not supported by an excellent organizational structure and sufficient corporate resources, Social, economic, and political environment is not supportive. The Central Sulawesi Governor's Regulation No. 42 of 2013, concerning Guidelines for Customary Courts in Central Sulawesi, should be a policy that encourages and directs customary stakeholders but has not been used as a guideline and reference in implementing the traditional justice process.

Keywords: Customary Court, Policy Implementation.

I. INTRODUCTION

The ability of the State to provide access to justice (access to justice) to the community is not commensurate with the area and geographical conditions of Indonesia. So, in a situation like this, customary courts can be empowered to fill the inability of the State to provide access to justice in regions in Indonesia. This condition makes the National Strategy for Access to Justice (SNAK), launched by BAPPENAS in 2009, relevant because it has recommended strengthening the informal justice or Customary Courts as one of the strategies to strengthen access to justice for the community, especially for the poor. Who live in remote areas and have almost no access to formal justice.

Conceptually, customary justice, according to Bushar Muhammad (1983:67), is a judicial institution for peace between the members of the orthodox law community within the existing customary law community. However, juridically, the meaning of customary justice is according to the Central Sulawesi Governor Regulation number 42 of 2013 concerning Guidelines for Customary Courts. It is an institution that is

assigned or authorized to receive, examine and decide disputes based on customary law that lives in the community. Whereas customary court position according to Law Number 21 of 2001 concerning Special Autonomy for Papua, article 51 paragraph (2) mentions that the customary court is not a state judicial body but a judicial institution for indigenous peoples.

Sociologically, according to Ewa Wojkoswka (2006:11), Several customary law unit communities refer to customary court institutions with various terms, for example, "customary assembly", "customary para-paras", "customary courts", or "customary meetings", as well as various terms according to the peculiarities of the local language. In these deliberations, the role of traditional heads is crucial and prominent, namely as leaders of the deliberations.

Although, the Customary Courts do not receive proper recognition in state law. The existence of the Customary Court can be revealed as a form of state protection against the existence and rights of indigenous peoples that have been guaranteed in the Constitution, among others in Article 18B paragraph (2) and Article 28I paragraph (3) of the 1945 Constitution.

In Central Sulawesi Province, the recognition and existence of customary courts have been regulated by Governor Regulation Number 42 of 2013 concerning Guidelines for Customary Courts in Central Sulawesi. This policy is the basis for written law to protect customary justice practices in Central Sulawesi. In addition, the policy of Governor Regulation Number 42 of 2013 is as follows: guidance for customary stakeholders in carrying out the customary justice process. The following are the basic matters regulated in the Governor's Regulation Policy Number 42 of 2013 concerning Guidelines for Customary Courts in Central Sulawesi, namely:

- 1) The principles of customary justice.
- 2) Examples of cases handled by customary courts.
- 3) Procedures for administering customary justice.
- 4) Types of customary court sanctions and their implementation.
- 5) Procedure for Writing and Archiving Customary Court Decisions
- 6) The procedure for delegating cases from customary courts to formal courts.

- 7) The procedure for resolving cases by deliberation in customary courts.
- 8) Establishment of Provincial and Regency/Municipal Customary Judiciary Forums.

Parigi Moutong District is one of the districts where there are current customary justice practices by the Indigenous Law Community of Kagaua Patanggota Parigi and Olongian Moutong. Customary stakeholders, in carrying out their role as implementers of the entire customary justice process, can provide justice and peace and able to maintain harmony in people's lives by adhering to the cultural values of customary law that grow and develop in the customary law communities of Kagaua Patanggota Parigi and Olongian Moutong. The cultural values of these customary laws, such as Salam bivi (speech error), Salam pale (theft/fight), Salamate/Gumpate/Ne bualo (serious error/adultery/infidelity), Nepe makodi (belittling), No sintatu (disputes). In the household) and Givu (sanctions) for those who are proven to have violated the cultural values of customary law. The following cases that occurred in Parigi Moutong Regency from 2016-to 2021, in table 1 below:

Table.1 Cases in the Customary Court by the Parigi Kagaua Patanggota ship Institution and the Moutong Olongian Institution in Parigi Moutong Regency, 2016-2021.

No	Case	Number of Cases	Judgment accepted	Decision rejected
1	2	3	4	5
1.	Mouth Error (Halam Bivi/ salam bivi)	9	7	2
2.	Big mistake (Hala Kono)	8	8	-
3.	Underestimating (Negau Taraga / Nepe makodi))	1	1	-
4.	Adultery (Nebuelohi/Ne bualo)	7	7	
5	Fights (Pale Halam)	1	1	-
6	Disputes in the household (No sintatu)	14	14	-
7	Disputes over Property	6	4	2

Source: Primary data of the district's traditional stakeholders. Parigi Moutong, the Year 2021

According to Thoha (2006:87) public administration is a series of standardized activities carried out by the public for various interests and benefits that are packaged in a policy that produces a common goal. Furthermore, in the concept of implementation, According to Smith (1973) (in Tachjan 2006:38), *Governmental policies have been defined as deliberate cation by a government to establish new transaction patterns or institutions or to change established patterns within ol institutions. Policy formulated by a government then, serves as a tension generating force in society. While policies are implemented, tensions, strains, and conflicts are experienced by those implementing the policy and by those affected by the policy.*

According to Smith (1973:200), the success of policy implementation is strongly influenced by factors, 1). Idealized

Policy (Ideal Policy), 2) Target Groups (Target Group), 3). Implementing Organization (Organization Implementing Policy), 4) Environmental factors (Environmental Factors).

Idealized Policy related to policies that become the basis and reference for implementing customary justice policies in Parigi Moutong Regency. Goals and objectives for implementation of customary justice policies will be achieved through required activity in the Kagaua Patanggota ship of the Parigi and Olongian Moutong traditional institutions. Organizing activities are needed in the context of distributing tasks and functions to each customary stakeholder at all levels according to the organizational structure. Activity interpretation related to technical explanation the content of the policy to be implemented, following the cultural values in customary law communities and established justice principles in receiving, examining, hearing and deciding case disputes and Standard Operating Procedure (SOP). Service activity(application) is related to various stages in providing services, starting with the reporting stage, the stage of the case settlement process and the decision-making stage in implementing customary justice.

The target group is the target group for implementing customary justice policies, customary stakeholders as implementers and customary law community groups who will feel the impact of the implementation of customary justice policies. Customary stakeholders as parties who are expected to accept and adapt to the policy. Likewise, the people who have hopes and guarantees to receive and enjoy the results of the implementation of customary justice policies, in the form of a sense of justice and peace, without distinguishing between indigenous and tribal communities, groups of women, children and anyone who wants to fight for their rights, all of which are enforced same.

Implementing organization is a policy implementing organization. Who have strengths and weaknesses in the organization? Kagaua Patanggota s Parigi and Olongian Moutong traditional institutions as policy implementing organizations need to be supported by good organizational structure and organizational Resourcesadequate.

Environmental factors external environmental conditions, including social, economic and political in Parigi Moutong Regency. policy implementation Customary justice will succeed must be supported by conducive external environmental conditions.

Based on the above background, the formulation of the research problem is as follows: "How is the Implementation of Customary Court Policy in Parigi Moutong Regency?"

This research aims to find out the Implementation of the Customary Court Policy in Parigi Moutong Regency.

III. RESEARCH METHODS

This study uses a qualitative research method with observation, interviews, and documentation data collection techniques. Snowball determination of informants. Informants consist of: Village Officials, Customary Stakeholders, and People who have and have never resolved cases through the Customary Court. Miles and Huberman and Saldana (2014) interactive data analysis, including data collection, data condensation, data presentation and conclusion.

IV. RESULTS AND DISCUSSION

Indigenous Law Community in Parigi Moutong Regency

Customary law communities, according to Husen alting (2011: 43), are communities that arise spontaneously in certain areas, their establishment is not determined or ordered by higher authorities or other authorities, with a very large sense of solidarity among members, views non-community members as people. and use its territory as a source of wealth that can only be fully utilized by members. According to Djamanat Samosir (2013: 80) the main elements as a means of determining the existence of customary law communities are:

- 1) The existence of a group of people who live together regularly as a standard unit.
- 2) This group of people is bound and subject to their customary law order.
- 3) There is a leader/ruler of the group.
- 4) The existence of an area with certain territorial boundaries.
- 5) The group's attachment is based on the similarity of residence or descent.

The customary law community in Parigi Moutong Regency consists of the Kagaua Patanggota ship of the Parigi Customary Law Community and the Olongian Moutong Customary Law Community. Customary Law Community Kagaua Patmember Parigi has been led by a magau named H.Andi Tjimbu Tagunu since 2009 until now, as the 21st (twenty-first) Magau Parigi. In the administration of customs, Magau is assisted by Madika Malolo, who is the deputy or assistant or assistant for Magau's internal affairs, Madika Matua as prime minister as well as foreign affairs and serves as chairman of the government council, Kapitalau as Coordinator of Justice Enforcement, Galara as executor of the judicial process, Kukumi as Coordinator implementation of services to the community, Doetoe Nani as Commander of the Soeroe Gentie Troops as Magau's Personal Guard.

Kagaua Patanggota Parigi uses the Kota Patanggota system because Kagaua Patanggota Parigi consists of four villages, Maradika Toboli, Maradika Lantibu, Maradika masigi (Jogugu) and Maradika Dolago. Each customary head has a territory of power. Maradika Toboli, with the current jurisdiction, are all villages located in North Parigi District, Siniu District, and parts of Ampibabo District. Maradika Lantibu covers villages in the West Parigi sub-district. Maradika Masigi (Jogugu) includes Villages/Urban located in the Parigi District. Maradika Dolago includes villages located in the southern Parigi District to Sausu District.

Meanwhile, the Central Parigi District is led by a Mayor. The dialect used in the territory of the Patanggota customary law community is kaili which consists of kaili tara, kaili rai and kaili taa. The following is the structure of Kagaua Patanggota Parigi.

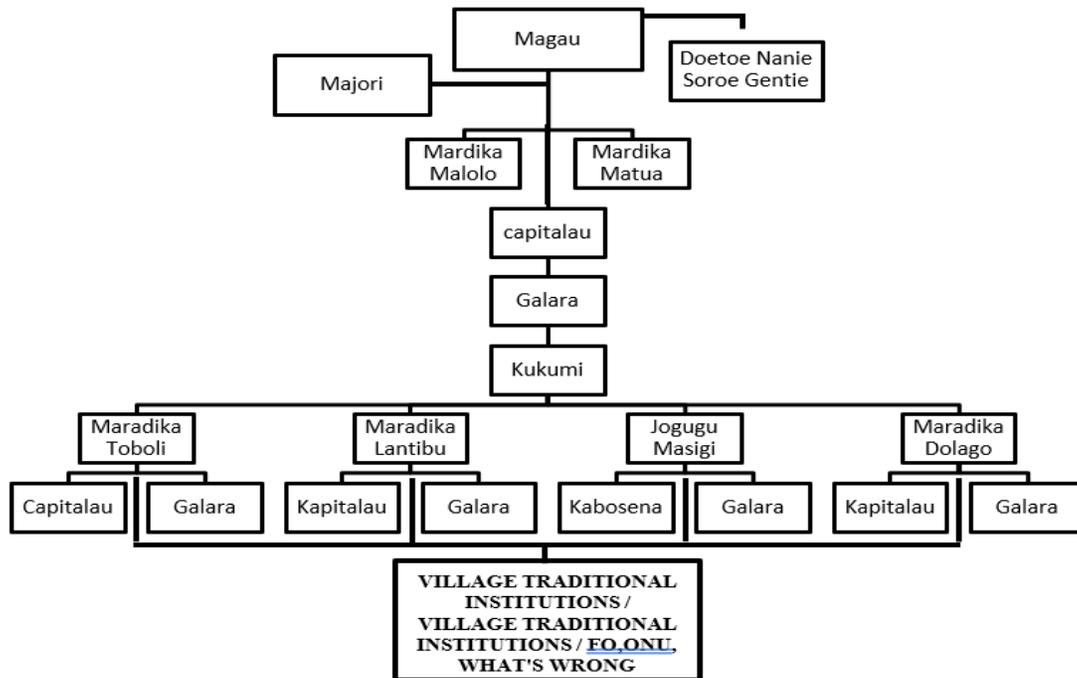


Figure 1. Structure Of Kagaua Traditional Institutions Pataggota Parigi (Results of Primary Data 2021)

Furthermore, the Olongian Moutong Customary Law Community was strengthened by seven olongians, namely: Olongian Lambunu, Olongian Lampasio, Olongian Bolano, Olongian Boinampal, Olongian Siavu, Olongian Sipayo, and Olongian Sidole. The seven olongian were the forerunners of the Moutong Kingdom. Currently, the customary law community is led by a Puang/Raja named Samsurisal Kunciotutu. Olongian is led by an Olongian Head as the highest leader, in carrying out the Olongian Government assisted by Jogugu as the regional security agency, Kapitalau as the coastal and marine ruler, Ukkumi as the executor of law

enforcement/courts, Walapulu as the executor of general affairs, Madinu as the executor of security affairs, Passobo as executor of agricultural affairs, Pangata as regulator of public order, pasori to control royal assets, Tolamato as an identifier of problems that occur (intel). At the same time, the members of this grouping system consist of several dialects or languages, such as the Tialo dialect used by the Tomini and Moutong people, the Lauje dialect spoken by the Tinombo, Kasimbar, Palasa and Ampibabo communities. The following is the structure of the Olongian Moutong customary institution.

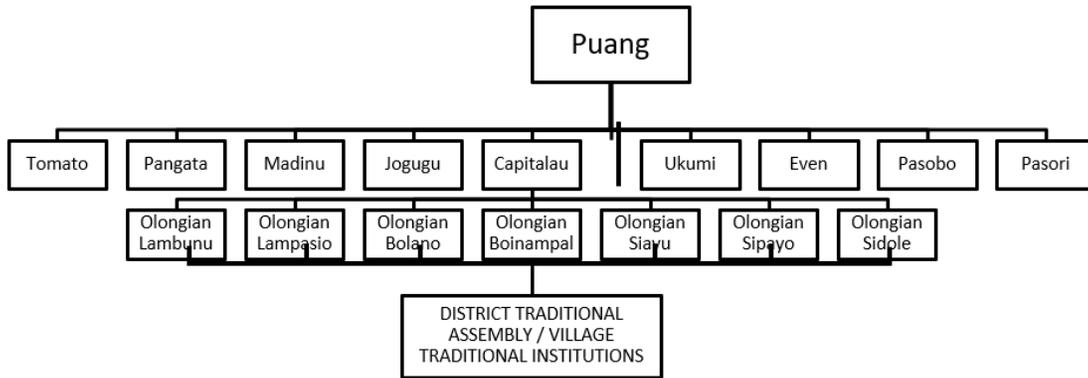


Figure .2. Structure Of Olongian Moutong Traditional Institutions

(Source: Results of primary data processing 2021)

In this study, using the Bottom-Up Policy Implementation Model, according to Smith (1973:200), factor, 1 strongly influences the success of policy implementation). Idealized Policy (Ideal Policy), 2) Target Groups (Target Group), 3). Implementing Organization (Organization Implementing Policy), 4) Environmental factors (Environmental Factors).

Idealized Policy

To achieve goals and objective policy implementation, According to Jones (1986) (in Widodo 2001: 194-195) suggests that in implementing a public policy there are 3 (three) activities that must be carried out, namely: 1). Organizing Activities (Organization). 2). Interpretation Activities (interpretation). 3). Application activity (application).

Organizing activities for the indigenous Kagaua Patanggota of Parigi and Olongian Moutong communities. Customary institutions carry out the practice of customary justice in resolving cases in the community at all levels, both at the district level (Kagau Patanggota Parigi, District Ada Council and Village customary institutions), the practice of customary justice in the customary law community of Kagaua Patmember Parigi is known as "Gombo nu ada, mojaritas, moka busu, libu nu no patmember". While the practice of customary justice in the Olongian Moutong indigenous people is known as "ne nguja de adae, pogomboan adae". Traditional institutions in the village more often carry out these customary justice practices. However, the practice of

customary justice can be carried out by the customary institutions of the Kagaua Patmember Parigi district,

The organizational structure of the customary justice institution that exists at the village level of the Kagaua Patanggota Parigi customary law community has a specific position structure held by each customary holder, such as maradhika, kapitalau, galara and pumpu ada. The structure of the village traditional institutions is only found in the four jurisdictions of Kagaua Patmember Parigi, namely the customary institutions in the village of Toboli (Maradhika Toboli), the customary institutions of the Parigimpu'u village (Maradhika Lantibu), the customary institutions of Masigi Village (Jogugu Masigi) and the traditional institutions of the dolago village. (Maradhika Dolago). As for the structure and division of duties of traditional institutions domiciled in other villages, they are only referred to as traditional village institutions and have a structure consisting of a traditional chairperson, secretary, treasurer and members. In the division of tasks and powers, the traditional institution of Kagaua Patanggota Parigi is still being implemented in a state that has not been regulated in writing with a policy. The traditional holders have their respective positions and duties

The existence of organizational structure of traditional village institutions spread over 275 (two hundred and seventy-four) villages and 5 (five) Kelurahan, all of which are under the control and authority of the Kagaua Patanggota of Parigi and Olongian Moutong customary institutions and are directly coordinated by the customary chiefs (maradhika/olongian).

Thus, the organizing activities of the Kagau Patanggota Parigi customary institutions and the Olongian Moutong customary institutions are not formally regulated, but the customary law community still recognizes their existence. This structure provides an overview of the duties and authorities of each existing structure, which serves as a guide in the distribution and division of tasks and functions of each customary stakeholder. The organization focuses more on people, not tasks, tries to reduce hierarchical roles, has a flexible group structure, prioritizes mutually agreed values and norms and emphasizes self-control and mutual adjustment. Adat institutions are flexible networks of talented individuals who carry out various tasks.

Interpretation activity explains the substance of a policy in a language that is more operational and easy to understand so that the substance of the policy can be implemented and accepted by policy actors and targets. Koontz (1989: 18) defines communication as the delivery of information from the sender to the recipient, and the recipient understands the information. Communication is the exchange of information, ideas, attitudes, thoughts, and opinions. According to the findings, the limitations of communication within the Kagau Patmenger Parigi and Olongian Moutong customary institutions have resulted in the Governor's Regulation Number 42 of 2013, which the leaders of traditional stakeholders have not conveyed at the Kagau Patanggota Parigi and Olongian Moutong Regency level in stages, both at the sub-district and village levels, in the form of socialization or regular and periodic meetings between existing traditional administrators.

The limitations of communication within the Kagau Patanggota traditional institutions of Parigi and Olongian Moutong cause interpretation Activities and creates differences in understanding/knowledge between customary stakeholders in carrying out the process/stages of customary justice. The customary holders who are domiciled in the jurisdiction of Patanggota Parigi, namely Maradhika Lantibu, Maradhika Toboli, Maradhika Dolago and Jogugu Masigi. Traditional holders occupy positions for generations (hierarchy). They are people who have knowledge and experience gained naturally based on experience carried out from generation to generation. they have understood principles of customary justice and cultural values, which aim to provide justice and peace in people's lives.

On the other hand, traditional stakeholders based in traditional village institutions cause traditional stakeholders based in customary village institutions, especially in the expansion village, to do not understand the process of technically implementing customary justice policies. In practice, if the customary stakeholders in carrying out the normal justice process do not carry out the stages and adhere to the principles of customary justice. Besides that, Regulatory Policy The Governor of Central Sulawesi Number 42 of 2013, concerning Guidelines for Customary Courts in

Central Sulawesi, has not been effectively used as a guide in implementing customary justice policies.

Application activities are provisions that are permanent in service to achieve program goals. In carrying out App Activity, customary stakeholders have carried out the stages starting from the reporting stage, the stage of the case settlement process, and the decision-making stage. They have respected the principles of customary justice, following the cultural values of the indigenous peoples of Kagau Patmenger Parigi and Olongian Moutong.

In certain cases, such as *Gummate/ Salamate/Hala Kono* (big mistake/adultery / adultery / adultery/wife or husband has been married to someone else before the divorce). The resulting decision is not only limited to providing a sense of justice by giving customary sanctions (Givu) to the guilty party but how to restoring harmony in life in society so that a safe and peaceful atmosphere can be realized in people's lives. in this case, the stage of reconciling and restoring the harmony of family life and between families was not carried out properly by the traditional stakeholders. Especially if the customary court decision ends with a divorce decision between husband and wife in a case that impacts family self-esteem, it takes a long time to restore harmony in life in society.

From the various activities carried out above, the Implementation of the Customs Court Policy in Parigi Moutong Regency in terms of the idealized policy factor (Ideal Policy) has referred to the goals and objectives. Although in the process of implementing customary justice policies, there are still differences between customary stakeholders in carrying out the stages and a set of standard procedures contained in the Central Sulawesi Governor Regulation Number 42 of 2013, concerning Guidelines for Customary Courts in Central Sulawesi.

Target Group

According to Islamy (2001; 67, what influences the target group to be able to comply or adapt to the implemented policies depends on (1) the suitability of the policy content with their expectations; (2) the characteristics of each target group, such as gender, level of education, experience, age, and socioeconomic conditions; (3) communication between policy implementers (implementors) and policy recipients (target groups) so that poor communication processes will become a weak point in achieving the effectiveness of policy implementation.

Conformity of the content of the policy with expectations, according to research results that there is the involvement of customary stakeholders in the policy formulation process central Sulawesi Governor Regulation Number 42 of 2013, related to the content of the policy, it is more similar to the customary court in Sigi District (Kulawi). Stakeholders' suggestions for the problems faced so far have been included in the contents of the Governor's Regulation

policy central Sulawesi Number 42 of 2013. the policies made are appropriate with the cultural values of customary law and the principles of customary justice that apply and can fulfill the hopes and desires of the traditional stakeholders and the targeted community (target group). Of course, this policy of course They can answer the problems faced by customary stakeholders in carrying out the customary justice process in Parigi Moutong Regency. and ready to implement process/interaction pattern implementation of customary justice policies with full of responsibility.

Furthermore, the community as the target group can also accept the existing customary court policies, especially with Governor's Regulation Number 42 of 2013. The customary justice policy follows the community's expectations of who will gain access to justice through the customary court, following the values of the community. Cultural values of customary law that apply to communities in Parigi Moutong Regency. The community's concerns have seen that the existence of stakeholders as enforcers of justice through customary courts have been answered because they already have a written legal basis, and the rights of conflicting communities have been protected. They have provided legal certainty for people who choose customary courts to resolve cases.

Target Group Characteristics, According to the research results of the traditional stakeholders, the target group have ages between 55 years to 83 years, and all of them are male besides that the target group also has a variety of educational backgrounds, namely Elementary School (SD) to Bachelor (S1). The stakeholders who occupy positions in the customary structure have an ancestral lineage and have experience with existing customary laws and regulations in the area; customary stakeholders are not just anyone. They acquire knowledge not through education but from direct experience hereditary. The people who become customary holders are community leaders and religious leaders who have experience and exemplary attitudes and are highly respected and appreciated in the community.

Social conditions. The differences in the community's social conditions lead to differences in customary stakeholders in implementing customary justice policies in Parigi Moutong Regency. Suppose the village population still consists of the indigenous people of the Kaili tribe, or most of the population is still inhabited by the indigenous people. In that case, the customary holders are from the Kaili Indigenous tribe. Suppose the village community consists of a heterogeneous/multi-ethnic community. In that case, the customary holder who carries out the customary justice is the customary holder of the most ethnic tribes in the village. Furthermore, if most immigrant tribes inhabit the villagers, the customary holders are those from the ethnic groups. Thus, the traditional stakeholders as implementers of the implementation are adjusted to the existing social conditions of the community.

Economic conditions, according to the research results, most of the stakeholders have jobs as farmers with variable incomes. The stakeholders in carrying out their roles as executors of customary justice in several villages have received honorariums/incentives sourced from the village government, although the amount varies and is very small. On the other hand, several villages do not budget for honorariums/incentives for traditional stakeholders in the village. In addition to honorariums or incentives from the village government, customary stakeholders in carrying out the normal justice process have determined several costs incurred by the community based on applicable customary provisions, but the amount has not been determined. For example, pombukaganga (money/goods to start a conversation),

Next is the target group. In this case, the extent to which the community can accept and acknowledge the existence of customary courts. The level of community compliance can be seen from the number of cases that have been resolved by customary stakeholders, where the guilty parties are willing to accept and implement sanctions in the form of fines (Givu) as a result of customary court decisions. According to Teuku Muttaqin Mansur and Faridah Jalil (2013), legal compliance is not only explained by the mere presence of the law but also by a human willingness to obey it. Cases that occur can be resolved quickly, easily and cheaply. The conflicting parties do not need to incur high costs for transportation if they want to settle cases in the customary courts.

However, in some Olongian Moutong customary law communities, it is somewhat different in recognizing the existence of customary stakeholders as executors of customary justice. In fact, it is very lacking and not working. This lack of recognition is caused by several things as follows:

- 1) Remote village communities have a habit of living nomadic. They want every case that is resolved to have a deterrent effect for those who violate it, so they choose their settlement to be resolved by the government or the police,
- 2) Traditional leaders do not appoint the customary holders who carry out the judicial process according to lineage, but by the government
- 3) There is no written legal basis, so the decisions made at the customary court seem far-fetched,
- 4) Stakeholders who are located in the sub-district and the village do not have a straightforward program for implementing the implementation of customary justice,
- 5) and the lack of support from the village and sub-district governments for traditional stakeholders and the limited guidance carried out by the customary district administrators.

The characteristics of the target group in implementing customary justice policies in Parigi Moutong

Regency show that the customary stakeholders as implementers of the implementation of customary justice policies (Implementors) have the determination and enthusiasm to carry out the normal justice process following the principles of customary justice and cultural values. Likewise, the characteristics of the community with different socioeconomic conditions in each village cause differences in the community to accept and implement the implementation of customary justice policies.

Communication between Policy Implementers and Policy Recipients. According to the results of the research, communication activities between the implementers of customary justice to the community as a target group in Parigi Moutong Regency have been carried out but are not yet accurate. The limited communication carried out by customary stakeholders as implementers to the community regarding the implementation of customary justice makes the knowledge and understanding of the village community vary. For villages whose inhabitants are inhabited by indigenous villagers (kaili), they receive information about customary courts from generation to generation/natural; customary courts are one of the options for the community to settle cases. On the other hand, rural communities whose residents are inhabited by migrant/multi-ethnic communities receive minimal information about customary courts, causing them not to know/have forgotten the existence of customary courts in the village. This, of course, causes people to prefer formal courts to settle cases rather than courts. Custom. It is as if the customary court is only for the indigenous people of the Kagau Patanggota of the Parigi and Olongian Moutong tribes.

Thus the implementation of customary justice policies in Parigi Moutong Regency is reviewed by factors *target Group*, showing good policy implementation performance. The Target Group can accept and carry out the implementation of customary justice policies with grace.

Implementing organization

According to Smith (1973: 204), An organization is an organization implementing policies. As an organization, of course, some strengths and weaknesses exist within the organization. According to Edwards III in Winarno (2016: 176-177), an excellent organizational structure needs to support policy implementation. The organizational structure of implementing the policy has an essential influence in the implementation process. Two characteristics which can boost the performance of bureaucratic/organizational structures in a better direction, namely by implementing: Standard Operating Procedures (SOP); and Fragmentation;

Standard Operating Procedures (SOP); According to the results of the research, the customary justice institution in Parigi Moutong Regency has a Standard Operating Procedure (SOP) which is contained in the Central Sulawesi Governor Regulation number 42 of 2013, concerning the guidelines for customary justice in Central Sulawesi Province. However, the

Regulation of the Governor of Central Sulawesi Number 42 of 2013, as a Standard Operating Procedure (SOP) has not been used as a guide for customary stakeholders in implementing customary justice policies. This condition makes the stakeholders not pay attention to the steps that must be taken to identify the type of case. there are several cases that we found in practice not according to the stages stipulated in the custom. Stakeholders in carrying out the customary justice process, there are still inequalities, justice.

Fragmentation, it is found that organizational structure, there is a high fragmentation process where every time the formation and expansion of villages requires the formation of new village customary institutions and stakeholders. The fragmentation of the organizational structure that is scattered and divided with the formation of customary institutions in villages is too numerous and extensive and requires adat stakeholders as new personnel in carrying out these tasks. This condition requires intensive communication and adequate resources. Meanwhile, communication and coordination are not carried out intensively between the traditional stakeholders of Kagau Patanggota Parigi who are domiciled in the Regency to the existing customary institutions at the sub-district and village levels, distorting information. In addition, the existing human resources are inadequate, so it will be difficult for an implementing organization based in the village to implement the customary justice policy following Governor Regulation Number 42 of 2013 as a Standard Operating Procedure (SOP).

Thus, the implementation organization is not supported by a good organizational structure and adequate human resources, so that the performance of the implementation of customary justice policies does not run well in the newly formed village customary institutions, following Central Sulawesi Governor Regulation Number 42 of 2013.

Environmental factors

Tachjan (2006 :38) Environmental factors, namely elements in the environment that influence or are influenced by policy implementation, such as cultural, social, economic, and political aspects

The social conditions of the people in Parigi Moutong Regency are still extreme with the indigenous values of the Kaili, tajo, lauje and tialo tribes, which are geographically spread throughout the Parigi Moutong Regency. Along with the passage of time and the progress of the times, social conditions are increasingly changing with the entry of immigrant tribal communities, with the form of socio-cultural groups according to their respective ethnicities. The existence of ethnic immigrants with cultural backgrounds has slowly undergone a process of acculturation and assimilation with indigenous cultures. In this diversity, some of the immigrant tribes still respect and appreciate the traditional values of the indigenous people of Parigi Moutong. By sticking to the motto "where the earth is

stepped on there the sky is upheld" (rifa tana ri kajasi ritu langi rasu'u / li apetu no unja'a liae galuno no su'u nakau ni turu)" implied meaning that all people living in Parigi Moutong Regency, must obey and maintain cultural values, norms, habits, institutions, and customary law that is commonly practised by the community.

Meanwhile, the patterns of interaction carried out by traditional justice institutions still tend and still rely on traditional interaction patterns and do not have programs that can increase the human resources of members of customary institutions at the district, sub-district and village levels, who can adapt to environmental conditions, at the moment. This condition causes customary justice practices in most of the existing villages to be ineffective and will gradually erode information related to the existence of customary courts.

The condition of the economic environment, with the presence of any regulations and laws, it turns out that many are not in the same breath/inversely proportional to the spirit of the main Agrarian law. This condition causes the role of customary stakeholders to be minimal. The authority of the tribal chiefs (magau) of the customary law community in Parigi Moutong Regency. The leaders of the customary law community do not have the authority to regulate and manage these customary rights for the welfare of the existing customary law community. In addition, the traditional stakeholders also do not have the authority to maintain the balance of nature, the Government takes everything over. Today, there are so many community activities that have an unfavorable environmental impact, such as illegal logging and illegal mining activities.

The political environment of implementing customary justice policies in Parigi Moutong Regency. According to Van meter van horn in Winarno (2016:148) In this case, the extent to which elites support or oppose policy implementation. According to the study results, the regional government of Parigi Moutong Regency highly appreciates the existence of traditional stakeholders with existing cultural values. Still, local government support in the form of policies as a follow-up to several policies related to the implementation of customary justice policies is still minimal. The absence of a customary court forum in Parigi Moutong Regency as one of the clear evidences of the limited support of the local government in supporting and strengthening the existence of adat civilization. The customary justice forum is a forum for customary stakeholders together and consolidates and strengthens customary courts' existence. In addition, no policy regulates and protects the rights of indigenous peoples. This condition is undoubtedly one of the factors that hinder customary stakeholders from carrying out communication in uniting views to realize an advanced customary court according to the development and progress of the current era.

Therefore Environmental factors (Environmental factors) in terms of the external environment (social, economic and political), implementation of customary justice policies in Parigi Moutong Regency does not support

implementing standard justice policies. The inability of traditional stakeholders to predict the environment, which is rapidly changing and developing, to anticipate and control the environment is an obstacle for customary stakeholders in realizing a successful implementation of customary justice policies in Parigi Moutong Regency.

V. CONCLUSION

According to the results of research and discussion conducted to answer research problems on the implementation of customary justice policies in Parigi Moutong Regency based on several research factors sourced from the theory of policy implementation proposed by Thomas B. Smith, it can be concluded that: Implementation of Customary Courts Policy has been running but has not been effective even in some villages and sub-districts it is getting weaker and forgotten. Factors causing the ineffectiveness of policy implementation: inaccurate and consistent communication, both internally and externally, the implementing organization is not supported by an excellent organizational structure and sufficient organizational resources, Social, economic and political environment is not supportive. Central Sulawesi Governor Regulation No. 42 of 2013,

Suggestions

Practical Advice.

1. There needs to be good cooperation between customary stakeholders and regional leaders at the Regency, District, Village/Kelurahan and Formal Judicial Institutions to socialize the Central Sulawesi Governor Regulation Policy Number 42 of 2013, concerning Guidelines for Customary Courts in Central Sulawesi to all customary stakeholders and public.
2. It is necessary to have good cooperation between the leaders of traditional institutions and regional leaders at the district, sub-district levels, to carry out guidance and supervision of the formation, empowerment and utilization of traditional village institutions in all villages.
3. To Leaders at the Regency level and at the Village level to support traditional institutions, both in the form of legislation and adequate budget policies, to implement good customary justice policies.

Academic Advice

Further research is needed to examine the implementation of customary justice policies in Parigi Moutong Regency, considering that research time and budget are minimal.

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