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Optimizing the Moronene Customary Oath (*Tanduale*) as a Mechanism for Dispute Resolution in Bombana Regency

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Abstract: This study aims to analyze the implementation mechanism and application of the Moronene Customary Oath (*Tanduale*) as a means of dispute resolution in Bombana Regency. This research employs an empirical normative legal method using both conceptual and statutory approaches. Data were collected through literature review, observation, interviews with Moronene customary leaders, and analysis of relevant documents. The findings reveal that the implementation of *Tanduale* consists of several stages, namely the emergence of a dispute, submission of the case to customary institutions, customary deliberation, ritual preparation, oath administration, issuance of a customary decision, and monitoring of customary consequences. Its effectiveness is supported by the community's adherence to customary law, belief in the spiritual consequences of the oath, and the social legitimacy of customary authorities. *Tanduale* is commonly used in resolving disputes related to customary land rights, inheritance, allegations of theft, and violations of customary norms. This study confirms that *Tanduale* represents a form of living law that remains functional within the Moronene community and possesses significant potential to be optimized as a non-litigation dispute resolution mechanism that promotes peace and social harmony in Bombana Regency.

Keyword: *Tanduale*, Moronene customary law, dispute resolution, non-litigation, living law, Bombana Regency

INTRODUCTION

Out-of-court dispute resolution (non-litigation) has emerged as a significant alternative mechanism within contemporary legal systems. This approach emphasizes procedural efficiency, cost-effectiveness, and the restoration of social relationships, objectives that are often difficult to achieve through formal judicial processes. Unlike conventional legal classifications that distinguish between criminal, civil, and administrative matters, non-litigation dispute resolution offers a more flexible framework that can accommodate diverse forms of conflict. In Indonesia, particularly within indigenous and local communities, disputes have long been resolved through customary institutions and deliberative consensus-building mechanisms. Such approaches enable the incorporation of customary legal values and local

wisdom, provided that they remain consistent with national legal principles and human rights standards. Consequently, dispute resolution becomes more contextual, culturally responsive, and closely aligned with the social realities of the community. Furthermore, non-litigation mechanisms tend to produce mutually acceptable outcomes because settlements are achieved through negotiation and deliberation among the parties involved. These processes foster consensus-based decisions that are more likely to be voluntarily complied with by all parties. In addition, non-litigation proceedings ensure a greater degree of confidentiality, as they are not subject to the public hearings and publication requirements that characterize formal court proceedings (Bush & Folger, 2005).

Formal legal dispute resolution mechanisms often impose significant financial burdens on the parties involved, including court fees, attorney fees, and other operational expenses. In contrast, non-litigation mechanisms generally involve simpler procedures and require substantially lower costs. This characteristic is particularly beneficial for individuals and communities with limited economic resources. Within Indonesian legal scholarship, Alternative Dispute Resolution (ADR), commonly referred to as *Alternatif Penyelesaian Sengketa* (APS), is recognized as a viable approach to resolving disputes outside the formal judicial system. ADR is considered an effective alternative because it emphasizes *win-win solutions*, whereby all parties have the opportunity to achieve mutually satisfactory outcomes. Moreover, ADR offers several advantages, including comprehensive conflict resolution, procedural flexibility, simplicity, efficiency, and lower costs when compared to formal court proceedings, which are often characterized by expensive legal processes and prolonged delays in obtaining judicial decisions. These advantages have contributed to the increasing preference for alternative dispute resolution mechanisms among disputing parties. Mediation, as one of the most widely utilized forms of ADR, is commonly employed in the resolution of civil disputes, including matters relating to marriage, divorce, and land disputes, and has also been applied in certain criminal cases. More broadly, various forms of Alternative Dispute Resolution have been adopted both in Indonesia and internationally, including mediation, arbitration, conciliation, negotiation, restorative justice, and dispute resolution through customary mechanisms. These approaches provide alternative pathways for achieving justice while promoting consensus, social harmony, and the restoration of relationships among the parties involved (UNDP, 2014).

In contemporary Indonesian society, customary law has increasingly been utilized as an alternative mechanism for resolving disputes arising within communities. The growing reliance on customary dispute resolution reflects its capacity to address conflicts in a manner that is culturally relevant, socially accepted, and closely aligned with local values and traditions. Customary law-based dispute resolution serves several important objectives, including the restoration of social equilibrium through restorative justice principles, the re-establishment of harmonious relationships between disputing parties, and the maintenance of public order in accordance with local norms and customary values. Furthermore, customary mechanisms are designed to prevent the escalation of conflicts that may threaten social cohesion and disrupt community structures. At the same time, they contribute to the preservation of the cultural identity, traditions, and legal heritage of indigenous communities. Consequently, customary dispute resolution continues to function as a significant manifestation of living law within Indonesia's pluralistic legal system, complementing formal legal institutions while promoting social harmony and cultural continuity (Tamanaha, 2008).

In Bombana Regency, Southeast Sulawesi Province, the indigenous Moronene community maintains a customary institution known as *Tanduale*. *Tanduale* is a customary oath of brotherhood that may be established between individuals or among different ethnic groups. This customary oath possesses a profound degree of sacredness and social legitimacy, such that once it has been solemnly undertaken, it is regarded as morally binding and strictly

upheld by the parties involved. The enduring respect accorded to *Tanduale* reflects its significance as a cultural mechanism for fostering trust, solidarity, and social cohesion within the community. Accordingly, the *Tanduale* customary oath has the potential to serve as an effective dispute resolution mechanism for the people of Bombana Regency, not only for members of the Moronene ethnic group but also for the diverse ethnic communities residing within the region. By promoting reconciliation, mutual respect, and social harmony, *Tanduale* embodies the principles of customary justice and contributes to the preservation of indigenous legal values within Indonesia's pluralistic legal system.

The use of customary institutions as mechanisms for dispute resolution has attracted increasing scholarly attention within the broader discourse of legal pluralism and alternative dispute resolution (ADR). Previous studies have demonstrated the significant role of customary law in maintaining social harmony and resolving conflicts at the community level. Research on the settlement of customary land disputes in Minangkabau, West Sumatra, revealed that customary institutions continue to function effectively in resolving communal land conflicts through consensus-based decision-making (Sabila, 2020). Similarly, studies on the Gampong customary court system in Aceh have shown that customary justice mechanisms provide accessible and culturally legitimate avenues for resolving inheritance and family disputes while preserving social cohesion (Nurhaliza & Mansur, 2021). Furthermore, research on customary dispute resolution among the Tolaki-Mekongga community highlighted the important role of customary leaders and institutions in mediating land disputes and preventing the escalation of social conflict (Sahlan et al., 2021). These studies collectively confirm that customary law remains a living law that continues to operate alongside the formal legal system in Indonesia.

This study employed an empirical normative legal research method, integrating doctrinal legal analysis with field-based empirical investigation. The research was conducted in Bombana Regency, Southeast Sulawesi, Indonesia, where the Moronene indigenous community continues to practice the *Tanduale* customary oath. Data were collected from both primary and secondary sources. Primary data were obtained through field observations and semi-structured interviews with customary leaders, community elders, and other relevant stakeholders selected using purposive sampling based on their knowledge and involvement in the implementation of *Tanduale*. Secondary data consisted of statutory regulations, legal doctrines, scholarly books, journal articles, and other relevant literature concerning customary law and dispute resolution mechanisms. Data collection techniques included observation, interviews, and document analysis. The study adopted both a conceptual approach and a statutory approach to examine the implementation mechanism of the Moronene customary oath and its application as a dispute resolution mechanism. Data were analyzed qualitatively through data reduction, data display, and conclusion drawing to identify patterns, evaluate the effectiveness of *Tanduale*, and assess its role within Indonesia's pluralistic legal system.

METHOD

This study employed an empirical normative legal research design, combining doctrinal legal analysis with empirical field investigation to examine the implementation of the *Tanduale* customary oath as a non-litigation dispute resolution mechanism within the Moronene indigenous community. The normative dimension focused on analyzing legal principles governing customary law, alternative dispute resolution, and Indonesia's pluralistic legal system, while the empirical dimension explored how these legal norms operate in practice within the community.

The research was conducted in Bombana Regency, Southeast Sulawesi Province, Indonesia, where the Moronene indigenous community continues to preserve and implement the *Tanduale* customary oath. This location was purposely selected because *Tanduale* remains an active customary institution with recognized authority in resolving social disputes among

community members and across different ethnic groups. Data were collected from both primary and secondary sources. Primary data were obtained through direct field observations and semi-structured interviews with key informants, including customary leaders (*tokoh adat*), community elders, local government officials, and members of the Moronene community who had participated in or witnessed the implementation of *Tanduale*. Informants were selected using purposive sampling, based on their knowledge, experience, and direct involvement in customary dispute resolution processes.

RESULTS AND DISCUSSION

The Mechanism of the Moronene Customary Oath (*Tanduale*) in Bombana Regency

The history of *Tanduale* as a customary oath originated from an agreement between Raja Bugis and Raja Moronene (Raja has the same meaning to customary chief), who pledged to establish a bond of brotherhood despite the absence of blood relations. This customary oath emerged in response to the migration of the Bugis people into the territory of the Moronene Kingdom, which subsequently gave rise to a series of conflicts between the Moronene and Bugis communities. These conflicts persisted over an extended period and resulted in casualties on both sides. It was against this backdrop of prolonged inter-ethnic conflict that Raja Bugis and Raja Moronene agreed to undertake a customary oath, later known as *Tanduale*, as a means of establishing peace and social cohesion (Interview with Mokole Nippon Ali).

The Moronene customary oath, known as *Tanduale*, constitutes a traditional mechanism for dispute resolution and truth verification that continues to exist within the indigenous Moronene community of Bombana Regency, Southeast Sulawesi. *Tanduale* functions as a dispute resolution mechanism when customary deliberations fail to produce an agreement or when the available evidence is considered insufficient to establish the truth. From the perspective of customary law, the oath possesses moral, social, and spiritual authority because it is believed to invoke supernatural forces that will impose consequences upon any individual who swears falsely. Consequently, *Tanduale* serves not only as a legal instrument but also as a moral and spiritual safeguard for maintaining social order within the community. The implementation of *Tanduale* generally involves several stages. The first stage is the emergence of a dispute or conflict within the community. Such disputes may involve customary land claims, boundary disputes, allegations of theft, inheritance conflicts, violations of customary norms, or accusations of conduct that harms another party. At this stage, the disputing parties are first encouraged to resolve the matter through family deliberations or customary consultations.

The second stage involves the submission of the dispute to a customary institution. When deliberation fails to achieve a settlement, one or both parties may request that the dispute be resolved through the *Tanduale* mechanism. Customary authorities then conduct a preliminary examination of the dispute, hear statements from the parties involved, receive testimony from community members who possess relevant knowledge of the incident, and assess whether the dispute is appropriate for resolution through a customary oath. The third stage consists of customary deliberation and the formal determination to conduct *Tanduale*. During this process, the customary council or community elders deliberate on the substantive issues of the dispute, the willingness of the parties to participate in the oath-taking process, the time and location of the ceremony, and the ritual procedures to be followed. The parties are also informed of the customary and spiritual consequences associated with the oath. The fourth stage is ritual preparation. Prior to the oath ceremony, various customary objects possessing symbolic significance are prepared. These may include water as a symbol of purity and honesty, sacred heirlooms, ritual offerings in accordance with local traditions, and a location considered sacred under Moronene customary law. Customary authorities are responsible for

ensuring that all procedures are conducted in accordance with traditions that have been passed down through generations.

The fifth stage is the administration of the customary oath itself. The ceremony is led by an authorized customary leader and includes the opening of the customary proceeding, the presentation of the dispute, a warning regarding the consequences of false testimony, the recitation of the oath by the disputing party, and the pronouncement of customary sanctions or curses should the oath prove to be false. During the oath, the individual declares the truthfulness of their statement and expresses willingness to accept punishment from God, ancestral spirits, or supernatural forces if the declaration is dishonest. The sixth stage concerns the determination of the outcome and the issuance of a customary decision. Following the oath ceremony, the indigenous community regards the truth as having been entrusted to divine authority and customary law. The final decision is based upon the results of customary deliberation, the willingness of the parties to accept the oath, and the community's confidence in the truthfulness of the oath that has been taken. Such decisions are generally respected and accepted because they possess strong social legitimacy within the community.

The seventh and final stage involves supervision and the enforcement of customary consequences. The Moronene community believes that individuals who swear falsely under *Tanduale* will experience various sanctions, including illness, misfortune, business failure, family difficulties, or social exclusion. Conversely, those who speak truthfully are believed to receive protection and justice from both God and their ancestors. From a customary law perspective, *Tanduale* represents a traditional form of indigenous adjudication that functions as both a mechanism of proof and a means of dispute resolution grounded in local values. Its continued existence reflects the recognition of customary law as a form of living law within Indonesia's evolving legal system. Nevertheless, *Tanduale* cannot replace the jurisdiction of state courts in matters that fall within the exclusive competence of the formal judiciary. Therefore, *Tanduale* should be understood primarily as a customary dispute resolution mechanism aimed at restoring social harmony and maintaining communal cohesion within Moronene society.

The mechanism of the Moronene customary oath (*Tanduale*) reflects the continuing relevance of customary law as a living legal system that regulates social relations and dispute resolution within indigenous communities. The procedural stages of *Tanduale* indicate that dispute resolution is not solely aimed at determining liability but also at restoring social harmony, rebuilding social relationships, and maintaining community cohesion. This orientation is closely aligned with contemporary restorative justice approaches, which emphasize reconciliation, participation, and social restoration rather than punitive sanctions (Widjantoet al., 2025). From the perspective of contemporary legal pluralism, the existence of *Tanduale* demonstrates that customary law continues to coexist with state law in regulating social life. The continued reliance on customary mechanisms by the Moronene community illustrates that legal legitimacy may derive not only from formal state institutions but also from social norms, cultural values, and customary authorities recognized by the community. This condition reflects the resilience of indigenous legal institutions within Indonesia's plural legal order (Akib et al., 2026).

Furthermore, the procedural structure of *Tanduale* reveals principles comparable to modern Alternative Dispute Resolution (ADR). Before the oath is administered, disputing parties are encouraged to pursue deliberation, mediation, and customary consultation. The oath is only employed when these mechanisms fail to achieve consensus. Such a process demonstrates a preference for participatory decision-making and voluntary compliance, which are fundamental characteristics of ADR and community-based dispute resolution mechanisms. The spiritual dimension of *Tanduale* distinguishes it from formal legal procedures. The belief

that false oaths will result in supernatural consequences functions as an effective mechanism of social control and encourages honesty among disputing parties. In indigenous communities, compliance is often achieved through cultural legitimacy and collective belief rather than coercive legal sanctions. Consequently, customary dispute resolution mechanisms remain effective because they are embedded within the social and cultural structure of the community. Nevertheless, the sustainability of *Tanduale* faces significant challenges arising from modernization, the increasing use of formal legal mechanisms, and the declining transmission of customary knowledge to younger generations. These developments may weaken the social foundations that support the effectiveness of customary institutions. Therefore, efforts to document, preserve, and strengthen indigenous legal traditions are essential to ensure that mechanisms such as *Tanduale* continue to contribute to community-based dispute resolution while remaining consistent with constitutional principles, human rights standards, and national law (Widjajanto et al., 2025).

The Implementation of the Moronene Customary Oath (*Tanduale*) as a Mechanism for Dispute Resolution in Bombana Regency

According to Mokole Nippon Ali, the *Tanduale* customary oath was performed only once in history, namely by Raja Bugis and Raja Moronene. Since then, the oath has served as the foundation of brotherhood between the Moronene and Bugis communities in their daily social interactions within Bombana Regency. This customary oath was intended to function as a mechanism for preventing both horizontal conflicts among community groups and vertical conflicts involving relations between communities and authorities that may arise in the future (Interview with Mokole Nippon Ali). Over time, *Tanduale* has also been adopted as a brotherhood oath among members of the Moronene community themselves, particularly in the context of dispute resolution. The Moronene customary oath (*Tanduale*) constitutes one of the customary legal institutions that continues to be recognized and practiced by the indigenous Moronene community in Bombana Regency as a mechanism for dispute resolution. The application of *Tanduale* is founded upon the collective belief that an oath pronounced before customary authorities and witnessed by the community carries moral, social, and spiritual consequences. Consequently, *Tanduale* is employed as a means of discovering the truth and resolving disputes when customary deliberations fail to produce an agreement. In practice, *Tanduale* functions not only as a dispute resolution mechanism but also as an instrument for restoring social relationships, maintaining public order, and reinforcing the customary legal values that continue to govern the Moronene community.

The application of *Tanduale* generally occurs in disputes that are difficult to prove through conventional forms of evidence or when conflicting testimonies cannot be reconciled through customary deliberation. Several categories of disputes may be resolved through *Tanduale*. First, *customary land disputes*. *Tanduale* is frequently applied in disputes concerning ownership or control of customary land, particularly when multiple parties claim rights over a specific area and no adequate documentary evidence exists. Under such circumstances, the claimant may be required to take the customary oath as a form of accountability for the truthfulness of the claim. Second, *allegations of theft or unlawful appropriation of another person's rights*. When an individual is accused of theft or unlawfully taking another person's property and no witnesses or sufficient evidence are available, the dispute may be resolved through *Tanduale*. The customary oath serves as a means of determining which party is deemed truthful according to customary beliefs. Third, *inheritance and family property disputes*. In inheritance disputes involving unilateral claims to family property, *Tanduale* may be utilized to bring prolonged conflicts to an end while preserving kinship relations among family members.

Fourth, *violations of customary norms*. *Tanduale* may also be applied in cases involving breaches of customary norms that generate social conflict, particularly when the accused party denies the allegations made against them. The application of *Tanduale* essentially functions as an *ultimum remedium* within the customary dispute resolution process. Prior to the administration of the oath, the Moronene community generally pursues several preliminary mechanisms, including family deliberation, mediation by community leaders, customary deliberation, and examination and clarification by customary authorities. Only when these efforts fail to achieve a resolution may *Tanduale* be conducted with the consent of the disputing parties. Accordingly, *Tanduale* is not employed as an immediate dispute resolution mechanism but rather as a final means of resolving disputes that cannot be settled through ordinary procedures.

The continued effectiveness of *Tanduale* as a dispute resolution mechanism in Bombana Regency is supported by several factors. First, the Moronene community continues to regard customary law as an important guide in social life, resulting in widespread respect for and compliance with decisions produced through customary mechanisms. Second, there remains a strong belief in the spiritual consequences of false oaths. Individuals who swear falsely are believed to face misfortune, illness, economic hardship, or other adverse consequences. This belief functions as a powerful form of social control that promotes honesty. Third, customary authorities possess substantial social legitimacy, enabling decisions reached through customary processes to gain broad acceptance within the community. Fourth, *Tanduale* emphasizes reconciliation and the restoration of social harmony rather than punishment, making it more readily accepted by disputing parties.

Despite its continued use, the implementation of *Tanduale* faces several challenges. These include the declining understanding of customary law among younger generations, the increasing reliance on formal legal mechanisms, limited documentation of customary procedures, potential inconsistencies between customary law and state law, and a gradual decline in public belief regarding the supernatural consequences associated with customary oaths. From the perspective of legal pluralism, the continued application of *Tanduale* demonstrates the persistence of customary law as a form of living law within Moronene society. The mechanism constitutes an important component of non-litigation dispute resolution that emphasizes consensus, reconciliation, and social harmony. Nevertheless, the implementation of *Tanduale* must operate within the framework of national law. Accordingly, dispute resolution through *Tanduale* should be limited to matters falling within the sphere of customary law and cannot override the jurisdiction of state courts in criminal or civil matters that are subject to the authority of the formal judicial system.

The Moronene Customary Oath (*Tanduale*) in the Context of Indigenous Justice, Access to Justice, and Comparative Customary Dispute Resolution

The implementation of the Moronene customary oath (*Tanduale*) as a dispute resolution mechanism is not an isolated phenomenon but forms part of a broader global tradition in which indigenous and customary communities employ oath-taking, ritual procedures, and spiritual sanctions to resolve disputes and establish truth. Across many legal traditions, customary oaths function as instruments of social control, conflict resolution, and communal reconciliation, particularly in situations where material evidence is limited or unavailable. Although the procedural forms differ across societies, the underlying objective remains similar: to restore social harmony through mechanisms that derive legitimacy from shared cultural beliefs and collective values (Forsyth, 2015). Comparable practices can be found in several African countries where customary justice systems continue to operate alongside formal state institutions. In Ghana and Nigeria, for example, traditional authorities frequently utilize oath-taking ceremonies to resolve land disputes, inheritance conflicts, and allegations of

wrongdoing. Such oaths are regarded as binding because they invoke ancestral authority and spiritual consequences for false testimony. Research has shown that compliance with customary decisions is often achieved through moral legitimacy and communal pressure rather than formal legal enforcement, a characteristic that closely resembles the operation of *Tanduale* within Moronene society (Chirayath et al., 2005).

Similar mechanisms are also evident in several Pacific Island countries, including Vanuatu and Fiji, where customary reconciliation ceremonies remain an integral component of community-based justice systems. In these jurisdictions, dispute resolution emphasizes restoration, apology, forgiveness, and the re-establishment of social relationships rather than adversarial adjudication. As with *Tanduale*, the legitimacy of these processes derives from community acceptance and the authority of customary leaders. These practices demonstrate that indigenous justice systems frequently prioritize social cohesion and long-term peace over punitive outcomes, reflecting principles that are increasingly recognized within contemporary restorative justice frameworks (Forsyth, 2015). In New Zealand, the recognition of Māori customary values within the legal system has further demonstrated the importance of indigenous approaches to dispute resolution. Māori concepts such as *whanaungatanga* (kinship relationships) and *mana* (authority and dignity) influence restorative practices that seek to repair harm and strengthen communal relationships. Although modern Māori dispute resolution does not rely on oath-taking in the same manner as *Tanduale*, both systems share a common emphasis on collective responsibility, reconciliation, and the restoration of social balance rather than individual punishment (Maxwell & Liu, 2017).

The comparison with international customary justice systems highlights that *Tanduale* possesses characteristics commonly associated with indigenous dispute resolution mechanisms worldwide. Its emphasis on truth verification, social reconciliation, communal legitimacy, and spiritual accountability reflects universal features of customary justice despite differences in cultural context. Consequently, the continued application of *Tanduale* should not be viewed merely as a local tradition but as part of a broader global movement recognizing the value of indigenous legal institutions in promoting accessible, culturally legitimate, and community-oriented forms of justice. At the same time, its implementation must remain compatible with constitutional principles, human rights standards, and the broader framework of Indonesia's national legal system (Berman, 2012).

The continued application of *Tanduale* also reflects the growing international recognition of indigenous justice systems as important mechanisms for improving access to justice. In many developing countries, formal judicial institutions often face challenges related to cost, geographical accessibility, procedural complexity, and limited public trust. Consequently, indigenous and customary dispute resolution mechanisms continue to serve as the primary avenue for resolving disputes at the community level. The United Nations Development Programme (UNDP) estimates that a significant proportion of the world's population relies on informal or customary justice systems to resolve everyday disputes. In this context, *Tanduale* contributes to enhancing access to justice by providing a culturally familiar, affordable, and socially legitimate mechanism through which community members can seek dispute resolution without resorting to formal litigation (Wojkowska, 2006).

The importance of customary justice systems has also been recognized within international human rights discourse. The adoption of the United Nations Declaration on the Rights of Indigenous Peoples acknowledges the right of indigenous peoples to maintain and strengthen their legal institutions, customs, and traditions, provided that such practices remain consistent with internationally recognized human rights standards. Viewed from this perspective, *Tanduale* represents not merely a local cultural practice but also an expression of the collective right of the Moronene people to preserve and develop their indigenous legal traditions. The preservation of such institutions contributes to legal diversity and enriches

contemporary understandings of justice beyond the framework of state-centered legal systems (UNDRIP, 2007).

Another important aspect of *Tanduale* is its compatibility with restorative justice principles that have gained increasing acceptance in legal systems worldwide. Unlike conventional adjudicative models that emphasize the determination of guilt and the imposition of sanctions, restorative justice seeks to repair social relationships, restore community harmony, and facilitate reconciliation among disputing parties. The primary objective of *Tanduale* is not to punish the losing party but to restore peace, reaffirm social relationships, and re-establish trust within the community. This orientation closely resembles restorative justice practices adopted in countries such as New Zealand, Canada, and Australia, where indigenous traditions have significantly influenced contemporary approaches to community-based conflict resolution (Zehr, 2015). Moreover, the communal nature of *Tanduale* reflects a collective conception of justice that differs from the individualistic orientation of many modern legal systems. The participation of customary leaders, elders, family members, and community representatives in the dispute resolution process ensures that outcomes are not merely legally acceptable but also socially legitimate. Such legitimacy contributes to higher levels of compliance and reduces the likelihood of recurring disputes. This characteristic supports findings from comparative studies indicating that community-based justice mechanisms frequently achieve more sustainable outcomes than adversarial legal proceedings because they address both the legal and social dimensions of conflict.

Beyond its legal function, *Tanduale* may also be understood as a form of cultural heritage and social capital. Contemporary scholarship increasingly recognizes that indigenous legal traditions constitute valuable cultural resources that contribute to social resilience, community identity, and local governance. The continued observance of *Tanduale* strengthens collective memory, reinforces customary values, and promotes intergenerational transmission of indigenous knowledge. In this regard, the institution performs a dual function: it serves as a mechanism for dispute resolution while simultaneously preserving the cultural identity of the Moronene people in the face of modernization and globalization (UNESCO, 2022). This cultural dimension is particularly important because the effectiveness of *Tanduale* depends not only upon formal procedures but also upon the shared beliefs and collective values that underpin its legitimacy. As younger generations become increasingly influenced by modern legal culture, the sustainability of *Tanduale* will require systematic efforts to document customary knowledge, strengthen customary institutions, and integrate indigenous legal values into broader community development strategies. Such efforts would contribute not only to the preservation of Moronene cultural heritage but also to the development of a more inclusive and pluralistic legal system in Indonesia.

CONCLUSION

The Moronene customary oath (*Tanduale*) remains a living law and an important non-litigation dispute resolution mechanism in Bombana Regency. Applied as a last resort after deliberation and mediation fail, *Tanduale* is used to resolve disputes involving customary land, inheritance, theft allegations, and violations of customary norms. Its effectiveness is sustained by strong community trust in customary law, the authority of customary leaders, and belief in the spiritual consequences of false oaths. As a manifestation of legal pluralism, *Tanduale* contributes to conflict resolution, social reconciliation, and the preservation of Moronene indigenous legal values while remaining complementary to Indonesia's formal legal system.

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