



Tigo Luhah Tanah Sekudung *Customary Criminal Law* as a Mirror of Local Wisdom: The Survival of Traditional Values in the Midst of Modernity

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Abstract. Tigo Luhah Tanah Sekudung Customary Criminal Law is a form of traditional legal system that lives and is practiced by indigenous peoples as a guideline in maintaining social order and harmony of life together. This research aims to analyze the customary criminal law as a mirror of local wisdom and examine the survival of traditional values in the midst of the ever-growing currents of modernity. This research uses a qualitative method with a cultural approach, which places customary law as a cultural product full of meaning, values, symbols, and social norms. Data collection techniques are carried out through participatory observation, in-depth interviews with indigenous leaders, stakeholders, and local communities, as well as documentation studies of customary texts and applicable legal practices. The results of the study show that the Tigo Luhah Tanah Sekudung Customary Criminal Law not only functions as an instrument for conflict resolution, but also as a means of inheriting moral values, restorative justice, and social solidarity. Despite facing the challenges of modernization and the state's formal legal system, this customary criminal law survives through a process of adaptation, compromise, and strong social legitimacy in society. This resistance emphasizes that local wisdom has a strategic role in maintaining cultural identity and providing alternative contributions to the development of justice and rooted in local values.

Keywords: Criminal Law Customs, Tigo Luhah Tanah Sekudung, Local Wisdom, Modernity.

Abstrak. Hukum Pidana Adat Tigo Luhah Tanah Sekudung merupakan salah satu bentuk sistem hukum tradisional yang hidup dan dipraktikkan oleh masyarakat adat sebagai pedoman dalam menjaga keteraturan sosial dan harmoni kehidupan bersama. Penelitian ini bertujuan untuk menganalisis hukum pidana adat tersebut sebagai cermin kearifan lokal serta menelaah keberlanjutan nilai-nilai tradisional di tengah arus modernisasi yang terus berkembang. Penelitian ini menggunakan metode kualitatif dengan pendekatan budaya, yang menempatkan hukum adat sebagai produk budaya yang sarat makna, nilai, simbol, dan norma sosial. Teknik pengumpulan data dilakukan melalui observasi partisipatif, wawancara mendalam dengan tokoh adat, pemangku kepentingan, dan masyarakat setempat, serta studi dokumentasi terhadap naskah adat

dan praktik hukum yang berlaku. Hasil penelitian menunjukkan bahwa Hukum Pidana Adat Tigo Luhah Tanah Sekudung tidak hanya berfungsi sebagai instrumen penyelesaian konflik, tetapi juga sebagai sarana pewarisan nilai-nilai moral, keadilan restoratif, dan solidaritas sosial. Meskipun menghadapi tantangan modernisasi dan sistem hukum formal negara, hukum pidana adat ini tetap bertahan melalui proses adaptasi, kompromi, dan legitimasi sosial yang kuat dalam masyarakat. Kebertahanan tersebut menegaskan bahwa kearifan lokal memiliki peran strategis dalam menjaga identitas budaya serta memberikan kontribusi alternatif dalam pembangunan hukum yang berkeadilan dan berakar pada nilai-nilai lokal.

Kata Kunci: *Hukum Pidana Adat, Tigo Luhah Tanah Sekudung, Kearifan Lokal, Modernitas*

INTRODUCTION

Indonesia is a country rich in value systems and social norms that are born from the cultural roots of society. One of the concrete manifestations of these values is the existence of *customary law*, which not only serves as a guideline for social behavior, but also reflects the social, spiritual, and cosmological structure of society. In this context, the *customary law of Tigo Luhah Tanah Sekudung* in Kerinci, Jambi, is one of the customary systems that still exists today and has become a symbol of the local wisdom of the mountainous people of central Sumatra.

The customary law of Tigo Luhah Tanah Sekudung has a strong social structure with a division of social functions and customary authority with a genealogical pattern. According to the Kerinci oral tradition, Tigo Luhah consists of Luhah Tanah Sekudung, Luhah Tanah Sekalo, and Luhah Tanah Siulak which have their own customary rules and norms, but are bound by one basic value, namely the balance between humans, nature, and ancestral spirits. This system shows that customary law not only regulates social relations, but also maintains harmony with the universe (Zarmoni n.d.)

In the midst of modernization and globalization that brings new values, the customary law of Tigo Luhah Tanah Sekudung still shows its durability. This is interesting to study because it shows how indigenous peoples are able to negotiate their identities in the midst of changing times. According to the theory of *cultural resilience* (Berkes, 2012), the survival of local culture such as customary law shows the existence of an adaptive mechanism that makes the community able to maintain traditional values without rejecting modernity absolutely.

One of the aspects that makes this customary law survive is its multidimensional role. It is not only a legal system, but also a social, religious, and moral system. Within the framework of *structural functionalism* theory (Radcliffe-Brown, 1952), each cultural element has a specific function to maintain social balance. Thus, the existence of the customary law of Tigo Luhah Tanah Sekudung cannot be separated from its function as a social glue and a means of maintaining the order of life of the people of Kerinci.

Modernization has brought about significant changes in the social structure of indigenous peoples. Pragmatic and materialistic values often clash with customary principles that uphold deliberation, social justice, and ecological balance. However, as stated by Clifford Geertz (1973) in the concept of *local knowledge*, local communities have the capacity to interpret and adapt the values of their traditions to contemporary challenges without losing the substance of their identity.

The customary law of Tigo Luhah Tanah Sekudung has a legal mechanism that not only emphasizes the aspect of sanctions, but also *the restorative* and *communal process*. The conflict was resolved through customary deliberation involving tribal leaders and the *depati ninik mamak*. This concept is in line with the theory *of restorative justice* in modern legal studies (Braithwaite, 2002), where problem solving focuses on restoring social relationships and moral balance rather than punishment.

In addition to legal functions, this customary system also contains spiritual and ecological values. For example, customary rules prohibit the felling of trees in forests prohibiting or prohibiting excessive harvesting of natural products. This value shows high ecological awareness in indigenous peoples, in accordance with Fritjof Capra's (1996) idea of *deep ecology*, which is the view that humans are an integral part of the ecosystem and have a moral responsibility to maintain the balance of nature.

In the context of social transformation, the younger generation is an important factor in the sustainability of customary law. Challenges arise when modern values such as individualism and economic rationality begin to shift the principle of collectivity. However, field research shows that some communities in Kerinci have adapted traditional values into the context of education, cultural ceremonies, and village government systems (Safitri, 2015). This adaptation is a form of *cultural hybridization* (Homi Bhabha, 1994) in which traditional and modern values interact dynamically.

The survival of the customary law of Tigo Luhah Tanah Sekudung is also seen in the formal recognition of the local government which makes it the basis of local law in the management of natural resources and the settlement of social disputes. This recognition shows that there is a synergy between state law and customary law as explained by Nurjaya (2020), that legal pluralism in Indonesia creates a space for dialogue between the modern legal system and the traditional legal system.

This analysis of customary law shows that local wisdom is not static, but dynamic and contextual. In the theory of *living law* put forward by Eugen Ehrlich (1936), the laws that live in society are laws that actually function in daily life, not just those written in formal regulations. Thus, the customary law of Tigo Luhah Tanah Sekudung is a manifestation of the *living law* of the Kerinci people who continue to adapt to social developments.

Previous studies (Benda-Beckmann, 2006; Safitri, 2015; Nurjaya, 2020) shows that social change does not necessarily remove customary law, but rather expands its meaning and function. In the case of Kerinci, traditional values such as mutual cooperation, equality, and respect for ancestors remain the source of public morality that governs the social behavior of the community until now.

This survival also reflects a collective awareness of local identity. Through traditional rituals, ancestral heritage ceremonies, and the preservation of regional languages, the customary law of Tigo Luhah Tanah Sekudung acts as a medium for inheriting values across generations. In the context of Pierre Bourdieu's (1990) theory of *habitus*, these customary values are embedded in the daily mindset and actions of society as a form of symbolic and cultural capital.

Modernity does bring pressure on the traditional order, but the people of Kerinci prove that transformation can occur without losing cultural roots. They are able to interpret modernity not as a threat, but as a space to strengthen the existence of customary practices in the broader social system. This shows that customary law can be a bridge between tradition and progress.

Although a number of studies have explored customary law and the settlement of minor crimes in indigenous peoples in Indonesia, empirical research that focuses on the *Tigo Luhah Tanah Sekudung Customary Criminal Law* as part of a living law that is resilient to modernity is still very limited. In

addition, the integration of customary criminal values with the reform of the national Criminal Code and the influence of modern social changes has not been comprehensively analyzed. This creates the need for a study that combines the theory of living law, legal pluralism, and social change to understand the dynamics of customary criminal law in the midst of modernity and national law

Thus, the customary law of Tigo Luhah Tanah Sekudung is not just a relic of the past, but a system of life values that continues to adapt. It is a mirror of local wisdom that reflects the philosophy of "nature is a teacher" of nature as a source of moral and social teachings. This value is in line with the principle of sustainability which is now a global theme in modern development.

The study of the customary law of Tigo Luhah Tanah Sekudung is important not only to understand the survival of traditional values, but also as a basis for the formation of policies based on local wisdom. The integration of customary values in modern social and environmental governance will strengthen the nation's cultural identity and enrich the pluralistic legal perspective in Indonesia. By understanding customary law as a mirror of local wisdom, we can affirm that tradition and modernity are not contradictory, but complement each other in forming a sustainable civilization.

RESULTS AND DISCUSSION

Tigo Luhah Tanah Sekudung Customary Law as a Representation of Local Wisdom That Regulates the Social Order of the Community

Customary institutions led by Depati and Ninik Mamak who assist in carrying out the duties of Kerinci customary institutions. These institutions consist of various levels, ranging from the village level to the district level. Each customary institution has its own role and responsibility in maintaining community harmony.

1. LEMBAGO DAPUR

"Bagaimano tumbuhnyo di dalam isi rumah kito. Bagai mano isi rumah kito ninik mamak surang, depati surang, anak jantan surang. Kalu nyo tumbub silang salisib, bagai mano Dawabnyo, kito dawab dalam mupakat".

“Bagaimano kajinyo, kito kaji dalam Burunding. Mandang tinggi mak nyo rendah, mandang gedang mak nyo kecik, mandang kecik mak nyo habis. Mano tempat kito mungkaji, tebu bapalut dengan daun, nangko bakumak dengan getah, antaro ayi belum bariak, daun kayu belum baringgut. Kuaso ikan karno ideh, kuaso burung karno sayap”.

“Manen bunyi kajinyo, ngakeh kerbau dengan kulit, ngakeh manuso dengan ninik mamak Depati pangbulu. Apo banamo kampungnyo, namo kampung buah tamanggi, manyala ili manyala mudik namun sabangka sarumpun jugo, Apo banamo meh angusnyo, meh sapetai meh angusnyo”.

“Ado dih melayu ngato

Naki gunung satirai embun, Nambiyo dipanjat jangan

Kalu kito duduk mangukun, Karang satio diansak jangan

Kalu diansak karang satio lah rebah sikandang pampeh, lah tarampa sikandang bangun, cecak masuk bingkarung masuk” (Cendra Elmides, Amk, 2023).

This Lembaga Dapur is a customary institution at the lowest level in the structure of the Kerinci Customary Institution, this Customary Institution resolves disputes or problems when the disputed person is still in one *Kalbu*. *Kalbu* is a combination of several *Stomachs* that come from female ancestors one generation above Grandmother at the *Tumbi Level*. (Sumliensyar: 2019,12). The problem in the kitchen sink was solved by Ninik Mamak (Read: Anak Jantan) is still in the *heart* and the problem that was solved is not yet known to outsiders.

2. LEMBAGO KURUNG

“Bagaimano tumbubnyo, atap basanggit bendun batumbuk labuh ba ulang samo di uni, sumo taganang samo dicauk, laman barsih samo di tempuh, samo di papahkan anak buah anak panakan didalam nagari ini. Kalunyo tumbuh silang salisih, Bagaimano dawahnyo, kito dawah dalam pasko”.

“Bagai mano kajinyo, kalunyo luko kito pampeh, kalu nyo mati kito bangun, lembam balu tepung beda. Bagaimano penyudahan nyo, ateh nyo ambuh samo ambuh, atehnyo suko samo suko”.

“Apo banamo kampungnyo, namo kampung di ulu ayi, keruh ayi cingok kabulu, nyentung ayi cingok kamuaro, putub tali surut katambang, putub riak surut kamuaro.

Apo banamo meh angus nyo, meh sakundi meh angusnyo”.

“Ado dih melayu ngato

Nak ili dusun selemam, Napat karenah salam buku

Jangan-jangan padalam lubuk pagedang ikan ,Bagajah kapadang tebu ,Alu basintung breh tabayak, ayam dengan kenyang”.

Lembago Kurung is a customary institution whose position is above the Kitchen Institution, or problem solving in stages if there is a problem in one village between one *heart* and another heart (One Village or still in one Village). (Cendra Elmides, Amk 2023)

In resolving problems at the level of Lembago Kurung which was resolved in the deliberations asked *Meh angusnyo* (payment to be paid by the disputant to Ninik Mamak). As explained in the Customary Book *Apo banamo meh angus nyo, meh sakundi meh angusnyo*. and *meh angus* also has a level according to the problem that is solved, as explained by Zarmoni (Tokoh adat dan Budayawan Kerinci)

- a. *Meh angus meh sptai* The Amount 15 Ring shape (15,000, 150,000, 1.5 Million and so on multiples) for bulls.
- b. *Meh sekendi* The Amount 20 ring shape (20,000, 200,000, 2 million and so on according to multiples). For Ninik Mamak
- c. *Meh sa ameh* The Amount 60 Ring shape (60,000, 600,000, 6 million and so on according to multiples), usually this is adjusted to the price of Gold at the time the event is completed, the price is for 1 Gold.

The term *ciccin* used in the oral tradition which was later turned into a traditional book is the *Anyie* ring where the *Anyie* ring was once the currency that applies at the local level of Kerinci.

3. LEMBAGO NAGARI

“Bagaimano tumbuhnya, dalam parit basudut empat. dipegang parbukalo buncan yang empat, tigo luhah isi Nagari. Kalunyo tumbuh silang salisih, Bagaimano dawahnya, kito dawah dalam batang pasko. Bagaimano kajinyo, ta sungkut keno tabalik lapeh, iyo baye idak basuda. Manen bunyi kajinyo, Berneh satingkin ampo sagang, bah kakiri menang kakanan, alah suci menang bebas. Beruk dirimbo keno susu, anak dipangku keno buang, kato pasko diansak jangan”.

“Apo banamo kampungnyo, namo kampung batu dipulau. Apo banamo meh angusnyo, meh sa ameh tajam bakatimbangan. Kalunyo lalu nyo nak mupun, tabalik nyo nak ngenai, Idak ujung pangkan mamakan, idak kait tupang mangenai, idak tajuk taji mamakan”.

“Ado dih melayu ngato

Bunyi ketik garugo bandung, Bunyi tri garugo hutan

Mano dengan titik lab kito tamping

Mano dengan tirih lab kito likam

Waris yang kito jawab, halipah yang kito junjung, turun tamurun, gili bagili sejak dabulu sampai sekarang. Disitu besi talantak ka papan, disitu dawat tatulis ka batu, idaknyo lapuk karno hujan, idaknyo lekang karno Paneh. Dengan di ansak idak nyo mati, dengan di anggung idaknyo layu, dengan tabangka dari bumi, dengan tacurek dari langit. Beku didalam karang satio”.

Lembago Nagari is a customary institution at the sub-district level (administratively) or in customary terms known as *Tigo Luhah Tanah Sekudung*, *Tigo Luhah Semurup* and others, problems at the State Lembago level are solved by *the Depati* if there is a problem if the person in dispute is from a different village or village. (CENDRA ELMIDES, Amk 2023)

4. LEMBAGO ALAM

“Bagaimano tumbubnyo, Bunkan batumbuk samo Bunkan, Nagari batumbuk samo Nagari, Mandapo batumbuk samo Mandapo. Kalunyo tumbuh silang salisib, Bagaimano dawahnyo, kito dawah dalam ba Undang.

Bagaimano kajinyo, sari ado sari banamo, sari ado sari bagela, sari betuh sari kilat, sari batepuk talingo angkat, sari mati sari mananjo, sari manukuk rembam tanah. Bukit di daki lurah di turun, kreh ditakik lunak di sudu. Cingok panakin balik panurun, cingok padang sabalik rimbo, cingok udang sabalik batu.

Idak jugo sedang disitu, idak baremeh bungkan diasah, idak ba breh atah di keisik, idak ba kayu jenjang di angkat, kato ini di laju jugo. Idak jugo sedang disitu, ta psut ka bawang abang, tunggak kalateh bubung ka bawah, lab kito tuwik lab kito tanyo, ba pasi ili ba padang mudik. Idak jugo sedang disitu, kito hanyut cinok ayi, kito ili mak kalam, ba tali aluh ba setak lemah, naik balai turun mandapo. Cingok masjid yang 20, kito tkin ka tanah biang lik bukit kajang salapak, disitu bane batumbuk tigo.

Idak jugo sedang disitu, undang-undang batali galeh, talitih batali semat, lukung ka breh jago sangu, balantak tajuk ka ili jambi, jinjek ka semat yang 12 batemu dengan rajo kito batigo orang”.

The Tigo Luhah Tanah Sekudung *indigenous people* in Kerinci Regency, Jambi Province, have a social system that is still bound by traditional genealogical and territorial structures. Based on the results of observations and interviews with several traditional leaders in the Lempur and Siulak areas (October 2023), the social structure of indigenous peoples still knows *the Depati Ninik Mamak* system as the highest authority holder in customary affairs. This system is divided into several layers: *Depati* as the leader of the luhah, *Ninik Mamak* as the guardian of norms and dispute resolvers, and *Anak Jantan and Anak Betino* as members of the community who are subject

to customary rules. This structure functions as a social mechanism to ensure the regularity and continuity of traditional values in daily life (Koentjaraningrat, 2009).

The results of an interview with *Depati Ninik Mamak*, one of the traditional leaders in Tanah Sekudung, emphasized that customary law not only regulates relationships between humans, but also regulates human relations with nature and ancestors. He says:

"Our custom is not only a matter of law for humans, but also law for nature and the spirits of ancestors. If we violate, not only will people get angry, but nature can also be angry."

The statement illustrates that the customary law system has a cosmological and spiritual dimension that is the moral basis for every social action of the community. Functionally, the customary law of Tigo Luhah Tanah Sekudung acts as a social *control system* based on the concept of communal balance and justice. Based on the theory of *structural functionalism* from Radcliffe-Brown (1952), each social institution in society has a certain function in maintaining social stability. In this context, the existence of *Depati Ninik Mamak* serves to maintain harmony between individuals, society, and the natural environment. Violations of customary norms are considered as disturbances to social balance that must be restored through customary deliberation.

The decision-making mechanism in customary law is carried out through the *ninik mamak deliberation forum* which is attended by tribal chiefs, clever intellectuals, and religious leaders. Customary decisions are collective and prioritize consensus. This principle is in line with the traditional philosophy of Kerinci, namely "*Bulek aia dek pambuluah, bulek kato dek munyat*," which means that all decisions must be made by mutual agreement. In practice, the decision is not only socially binding, but also considered spiritually valid because it has the blessing of the ancestors.

In one case recorded by a field researcher in 2023 in Luhah Tanah Sekudung, there was a dispute between two families regarding the boundaries of inherited land. This dispute was not brought to the district court, but was resolved by *Ninik Mamak* through a customary session. Based on customary rules, the evidence used is not a written document, but a genealogical witness and natural boundary that is collectively remembered by the villagers. After three deliberations, the customary decision was made, and both parties

accepted the result peacefully. This case shows that customary law is still an effective instrument for conflict resolution at the local level.

Analysis of this practice shows that the customary law of Tigo Luhah Tanah Sekudung has a *restorative* character, not a *retributive* character. This concept is in line with the theory of *restorative justice* (Braithwaite, 2002), where the main goal of the law is not to punish offenders, but to restore damaged social relationships. In a customary assembly, the most important thing is not who is wrong or right, but how social relations between families remain harmonious after a dispute. This approach is different from the state legal system which tends to be formal and individualistic.

In addition to the function of dispute resolution, customary law also has a moral and social education dimension. Values such as respect for parents, mutual cooperation, and honesty are instilled from an early age through *petatab-petitih*, *traditional rhymes*, and traditional ceremonies. For example, at *the bathing* ceremony and *the pusako feast*, children are introduced to traditional symbols such as betel nut, rice, and river water which symbolize purity, blessings, and continuity of life. These symbolic values reflect what Clifford Geertz (1973) calls *local knowledge*, which is knowledge that comes from local cultural experiences and symbols.

The Survival of Traditional Values in the Current of Modernity: Adaptation, Negotiation, and Transformation

The results of this study show that the customary criminal law of Tigo Luhah Tanah Sekudung still survives as a living law in the midst of the flow of modernity marked by the penetration of the national legal system, the globalization of values, and changes in the pattern of social relations of the community (Aprilia, Mona 2023). This survival does not take place static, but through a continuous process of adaptation, negotiation, and value transformation. Customary criminal law in the context of Tigo Luhah not only functions as a set of norms to control behavior, but also as a medium for preserving cultural identity and a mechanism for restoring social balance. Basic values such as consensus deliberation, collective responsibility, restoration of harmony, and communal shame remain the main principles in resolving customary violations, especially those related to disturbances to social order and community moral values, as well as the general character of customary law in various local communities in Indonesia.

In the face of modernity, the adaptation of Tigo Luhah customary criminal law is reflected in the change in the form of the application of customary sanctions without eliminating the substance of traditional values. Customary sanctions, which were previously symbolic and materially oriented, are now increasingly directed towards a restorative approach, namely the restoration of social relations between perpetrators, victims, and communities (Morphological and Bahasa 2021) (Suparno, Rusli, Hidarya 2025). This approach shows the compatibility between customary law values and the restorative justice paradigm that has developed in the modern legal system. Thus, customary law is not positioned as a lagging legal system, but rather as an alternative source of value that is relevant to the needs of resolving contemporary social conflicts. The recognition of the law that lives in Law Number 1 of 2023 concerning the Criminal Code further strengthens the position of customary criminal law as part of national legal pluralism, even though its implementation still faces normative and structural limitations (Masyhar et al. 2025)

Negotiations between Tigo Luhah's customary criminal law and national law take place in a complex and often ambivalent space of interaction. On the one hand, the state recognizes the existence of customary law as a law that lives in society. On the other hand, the application of customary law is still limited by the principles of legality, legal certainty, and the protection of human rights. (Hidayat 2025) In practice, the Tigo Luhah indigenous people tend to prioritize resolving cases through customary mechanisms before involving formal law enforcement officials. This pattern shows a strong social trust in customary institutions while reflecting the limitations of the formal legal system in reaching the cultural and emotional dimensions of social conflict (Sari & Wibowo, 2023). This negotiation often gives birth to a form of hybrid settlement, in which customary law and state law run in parallel and complement each other, as also found in contemporary customary law studies in Indonesia (Pratama, 2024).

The transformation of the value of Tigo Luhah customary criminal law is also seen in changes in the social structure and the perspective of the younger generation towards customary law. Modernity brings the influence of formal education, digital technology, and individualism values that have the potential to erode the communal orientation of indigenous peoples (Yuliana, 2023). However, this study found that the core values of customary

law are still maintained through the process of cultural inheritance, such as customary practices, the role of traditional leaders, and the internalization of values in daily life. The transformation that occurs is more procedural and instrumental, not substantive. Customary law has undergone adjustments in form and mechanism, but still maintains a value orientation on social balance and community-based justice (Aprilia et al., 2024; Rahman, 2024).

Modernity in this context is not entirely a threat to customary criminal law, but also opens up opportunities for strengthening the legitimacy of customary law through formal recognition of the state. However, the formalization of customary law into written regulations, such as regional regulations, has the potential to limit the flexible nature of customary law, which has been its main strength (Putri & Nugroho, 2023). Customary law, which is essentially oral, contextual, and adaptive in nature, is at risk of being enforced into a formal legal framework. This condition shows a dilemma between the need for legal certainty and the need to maintain the dynamics of living customary values (Hidayat et al., 2024).

The survival of traditional values in the Tigo Luhah Tanah Sekudung customary criminal law is highly dependent on the social legitimacy of customary institutions and public trust in customary authorities. Traditional leaders not only function as norm enforcers, but also as mediators who understand the social structure, kinship relations, and cultural context of the community (Sari & Wibowo, 2023). This role makes customary law more acceptable and effective in resolving internal conflicts than formal legal mechanisms that tend to be procedural and impersonal. This social trust is the main capital for the sustainability of customary criminal law in the midst of rapid social changes (Pratama, 2024).

Overall, the results of this study confirm that the survival of the Tigo Luhah Tanah Sekudung customary criminal law in the flow of modernity is the result of adaptive ability and a sustainable value negotiation process. Customary law does not reject modernity, but interacts with it critically and selectively. The transformation that has occurred shows that traditional values are not completely eroded by modernization, but have been redefined to remain relevant to today's social needs. Therefore, Tigo Luhah customary criminal law can be understood as a reflection of local wisdom that is able to contribute to the development of a pluralistic, inclusive, and just national legal system (Rosdiana & Janah, 2023; Rahman, 2024).

CONCLUSION

The customary criminal law of Tigo Luhah Tanah Sekudung is a manifestation of local wisdom that still survives because it is firmly rooted in the moral and spiritual values of the Kerinci people. Its main function is restorative and collective, not retributive, with the aim of restoring social and cosmic balance. The structure of customary law held by the ninik mamak and customary institutions plays a role as a guarantor of social stability and the preservation of cultural values. The relationship between customary law and state law is coexistential, where customary law functions as a moral complement to formal national law. The relevance of customary law in the modern era lies in its ability to inspire national law reform based on the values of restorative justice and local wisdom. Thus, the customary criminal law of Tigo Luhah Tanah Sekudung is not just a cultural heritage, but a living institution that continues to guide the social behavior of the community in the midst of modernity. It is a mirror of local wisdom that shows that modernity and tradition do not have to negate each other, but can coexist harmoniously in building a just and culturally rooted Indonesian legal civilization.

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