


Harmonization of Customary Law and Modern Law: A Study of the Shift in Debt Values in Death Ceremony Traditions in North Toraja Regency

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Article Info	ABSTRACT
<p>Keywords: Debt; Value Shift; Economic Motive; Social Status Motive;</p>	<p>The urgency of death ceremonies in North Toraja has significant social and economic dimensions, including in terms of debt. This tradition might involve giving loans in the form of animals. Shifts in this practice, especially in the more modern economic context of settling debts and credits, as well as the influence of the economic system on the traditional customs of the Toraja people. The purpose of this research is to reveal the form of meaning or value shifts in debt and credit that occur during the Rambu Solo death ceremony and to reveal the factors that support the occurrence of meaning or value shifts in the Rambu Solo death ceremony among the Toraja people. The method used in this research is qualitative descriptive research, which emphasizes the use of data obtained from direct interviews with traditional figures and the community in the surrounding area. The research results indicate a shift in values or meaning regarding debt and credit, which is the basis for the implementation of the Death Ceremony (Rambu Solo). The study results suggest that religious figures, educational institutions, and the government should increase guidance to raise awareness among the Toraja people so they abandon behaviors with various motives, especially the motive of displaying prestige, which can lead to debt and credit in order to preserve the authenticity of customs and traditions of death ceremonies (Rambu Solo).</p>
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INTRODUCTION

The shift in the values of debt and credit within Torajan society is an inevitable phenomenon in the evolving social dynamics influenced by the tides of modernity. One of the essential aspects of social life is the financial system, which greatly affects various cultures, including that of North Toraja. In recent times, there has been a transformation in the meaning and value of debt and credit practices, particularly within the traditional funeral ceremony known as *Rambu Solo*. The traditional values rooted in the economic and familial systems have begun to change, influencing a person's social status (caste) in the community (Arianti, 2021).

The **Rambu Solo** ceremony has been held since around the 9th century AD and has been passed down through generations to this day. The Torajan people are known for their steadfast commitment to preserving and upholding their customary traditions (Suhamihardja, 1977). In North Toraja Regency—famous for its local wisdom and rich cultural heritage—the funeral ceremony holds profound social and cultural significance. Besides serving as a means to honor the deceased, the **Rambu Solo** ceremony also reflects a person’s social standing (caste) and the relationships among individuals in the community (Said, 2004).

The **Rambu Solo** funeral ceremony is performed as an act of respect and to guide the spirit of the deceased toward the afterlife, where they reunite with their ancestors in their final resting place, **Puya** (Aulia & Nawas, 2021). Literally, **Rambu Solo** means “descending smoke” (Maeja, 2023). According to Nugroho (2015), **Rambu Solo** is a traditional ritual associated with death, intended to honor and guide the spirit of the deceased to the spiritual realm. Within this tradition, one significant aspect is the system of debt and credit, which forms a vital part of Torajan socio-economic life.

In this context, debt and credit are not merely economic transactions but also carry cultural meanings tied to social responsibility, family solidarity, and reverence for ancestors. Often, debts incurred in preparation for funeral ceremonies are not limited to money but involve livestock—particularly buffaloes and pigs—which hold both symbolic and functional importance in Torajan culture. Fundamentally, the funeral ceremony (**Rambu Solo**) serves as a sacred means to honor and send off the deceased’s spirit to the afterlife, joining their ancestors in **Puya**. The ceremony is viewed as the final act of completion for the deceased (Kristiani & Gulo, 2020).

During the **Rambu Solo** ceremony, the slaughtering of buffalo (**tedong**) is an essential ritual element. Apart from the rare **tedong bonga** (spotted buffalo), ordinary buffaloes and pigs are also sacrificed—often numbering in the hundreds or even thousands—making the total cost reach billions of rupiahs (Yulius, 2012). From the **aluk** (traditional belief) perspective, **Rambu Solo** regards the buffalo as a spiritual “ladder” to **Puya**, serving as a vehicle to the afterlife. The male **tedong bonga** holds the highest ritual value, making it significantly more expensive (Said & Tappa, 2008). The high costs are evident from the price of the **tedong bonga**, which can reach 30 to 50 times the price of an ordinary buffalo (Sariubang, Qomariyah & Kristanto, 2014).

The number of buffaloes to be slaughtered is traditionally determined by the deceased’s caste, as agreed upon within customary law. There are three castes in Torajan society: ***Tana Bulaan*** (gold caste), ***Tana Bassi*** (iron caste), and ***Tana Kua-kua*** (the lowest caste). However, over time, misinterpretations have arisen that blurred these boundaries. As modern law and the global economic system gained influence, the values surrounding debt and credit practices began to shift. Customary law, once the primary framework for resolving debt disputes in Torajan society, has gradually been replaced or challenged by state law—formalized under the national legal system.

This value shift raises critical questions about how to harmonize customary law and modern law within the context of North Toraja’s funeral traditions. The transformation also extends to the deeply rooted social and cultural aspects of Torajan life.

In traditional communities, debt and credit are not merely financial transactions but expressions of trust and social harmony among families. Such agreements are often made orally, based solely on mutual trust without written documentation (Gatot Supramono, 2024). These oral agreements reflect the coexistence of customary and modern legal systems in the *Rambu Solo* tradition. The parties involved in these oral agreements usually prefer to avoid the bureaucratic complexities of written contracts (Iman, 2024).

Most traditional communities engage in these informal agreements because they possess a high level of mutual trust. Many of these unwritten agreements function smoothly within customary society, with few disputes arising despite the potential for conflict. However, the increasing dominance of modern law—focused on formal and systematic dispute resolution—has gradually eroded the traditional foundations of trust and moral obligation.

In the context of the *Rambu Solo* ceremony, which holds sacred meaning and is closely tied to the deceased family's social status, failure to fulfill obligations may bring *siri* (shame) upon the family. This cultural imperative drives the Torajan people to remain committed to organizing the *Rambu Solo* ceremony and adhering to its associated systems, including the debt and credit tradition (Rima, 2019). According to customary law, these debts often become additional burdens that must be settled afterward.

This study aims to examine the forms of value transformation in debt and credit practices within North Toraja's funeral traditions and to explore effective strategies for harmonizing customary and modern legal frameworks in resolving debts arising from *Rambu Solo* ceremonies. In this situation, it is essential to find a point of convergence that not only maintains community peace and upholds traditional values but also aligns with national legal requirements. Achieving such harmonization requires in-depth dialogue and understanding among stakeholders—customary leaders, legal practitioners, and local government authorities. One of the greatest challenges lies in integrating the flexible and context-driven principles of customary law with the more rigid and standardized state legal system. Without an appropriate mechanism, the tension between these systems could result in legal uncertainty, potentially disrupting the social and economic stability of the Torajan community.

RESEARCH METHOD

The research was conducted in North Toraja Regency to explore the shifting values of debt and credit within the traditional funeral ceremonies in North Toraja, as well as to examine efforts toward harmonizing customary law and modern law in managing these practices. The data collection methods used in this study include observation, interviews, and documentation.

The data analysis technique applied is a qualitative analysis, which focuses on understanding how the people of North Toraja perceive and regulate debt and credit within the context of funeral ceremonies—deeply intertwined with social and cultural norms. In-depth interviews and participatory observations involving traditional practitioners were conducted to gain a deeper understanding of the evolving practices and their perspectives on both customary and modern legal systems.

RESULTS AND DISCUSSION

Rambu Solo' is a traditional funeral ceremony in Torajan culture (South Sulawesi), considered one of the most significant rituals in the life of the Torajan people. It is a sacred customary ceremony aimed at honoring and guiding the spirit of the deceased to the afterlife (Puya). The term Rambu Solo' originates from the Torajan language—rambu meaning “smoke” or “light,” and solo' meaning “to descend.” Thus, Rambu Solo' translates to “descending smoke” or “descending light,” symbolizing the funeral ceremony that guides the spirit of the departed toward Puya, the spiritual realm.

Customary law (adat) represents the attitudes and behaviors of human life shaped through long historical processes within the community, evolving over time and passed down from generation to generation. In addition to reflecting behavioral patterns, adat also encompasses a set of rules, principles, and regulations linked to beliefs inherited through generations.

The Toraja are also well known for their rich cultural heritage. These cultural elements, created by their ancestors long ago, continue to be preserved and practiced to this day, forming an integral part of Torajan identity. One of the most renowned aspects of this culture is its traditional ceremonial practices. Such customary ceremonies are intricate events deeply tied to traditional norms and local traditions, often requiring substantial financial resources (Limbong, 2020).

The Form of Shifting Debt Values in Death Ceremony Practices in North Toraja Regency

Based on the analysis conducted in North Toraja Regency, the results of the study indicate that there has been a shift in the values and meaning of debt and credit in the practice of funeral ceremonies in North Toraja. Traditionally, debt and credit in the context of funeral ceremonies—especially in traditional rituals known as Rambu Solo'—held strong social and cultural significance. Such debts were not merely viewed as economic obligations, but rather as expressions of kinship and mutual respect among families and communities. The concept of debt in this context was moral and social in nature, where contributions in the form of sacrificial animals (buffalo or pigs), food ingredients, or labor were regarded as an investment in social relationships that would be “repaid” or reciprocated in future similar occasions.

In the context of funeral ceremonies, the tradition of debt and credit connects family members through the act of honoring the deceased. According to Mrs. Ommi Palallangan, who has personally experienced this shift in the values of debt and credit during funeral rituals in Mengkendek Subdistrict, when her parents passed away, relatives from her extended family brought animals such as buffaloes or pigs as a sign of respect during the Rambu Solo' ceremony. At that time, the buffalo brought was of the sangsiku' size, priced around IDR 40,000,000 in 2021. However, a few years later, in 2025, when the relative who had previously brought the animal passed away, Mrs. Ommi was required to repay the debt with a buffalo of the same size, but now valued at IDR 50,000,000. This interview reflects a shift in the economic value of debt—from IDR 40,000,000 in 2021 to IDR 50,000,000 in 2025—illustrating the transformation in the economic dimension of the Rambu Solo' funeral tradition in North Toraja.

In another interview, Mr. Simon Petrus shared that there has also been a change in the value of debts due to the rising prices of animals, particularly pigs. Previously, the price of pigs was relatively low, but in recent years it has doubled. This economic situation caused his pig-related debt—initially worth around IDR 3,000,000—to increase to IDR 6,000,000. This is what the author refers to as the shift in debt value, adjusted to the current price of pigs presented during funeral ceremonies in North Toraja.

In relation to Article 1754 of the Indonesian Civil Code (KUH Perdata), it is stated that: “A loan is an agreement in which one party gives an item to another party, with the condition that the recipient will return it in the same form and condition.” If the object of the loan is money or consumable goods, it is considered a consumptive loan (debt), which requires repayment of an equivalent value, not the exact same item. According to this provision, the debt in the form of a pig owed by Mr. Simon Petrus may be repaid in cash amounting to IDR 3,000,000, as long as there is an agreement with the bereaved family. Therefore, it is no longer necessary to physically provide a pig, especially considering the increase in its market value.

The author also conducted an interview with Mr. Fery Kabangnga, Secretary of Kete Kesu Village, North Toraja Regency, who explained that in the past, debts in the form of animals (buffalo or pigs) had to be repaid with the same kind of animal. However, today, the repayment can be substituted with cash, either in an envelope or via bank transfer, according to the market value of the animal owed.

Giving money in envelopes has become an increasingly common practice, particularly during Rambu Solo’ ceremonies in the Rantepao area and its surroundings. Meanwhile, replacing animals such as pigs with cash remains relatively limited and is usually done only by close relatives or migrants. For grieving families, assistance in the form of pigs or money is greatly appreciated, as it helps ease the financial burden of conducting the traditional ceremony.

During a Rambu Solo’ ceremony in Kete Kesu Village, the author also interviewed Mrs. Margaritha Pakambanan, who had repaid her debt not with a buffalo, but with cash equivalent to the value of the buffalo owed. This illustrates the shift in the meaning of debt and credit that has evolved with modern times while still honoring mutual agreement with the bereaved family.

Giving loans or contributions to a grieving family is often regarded as a form of familial harmony. At the same time, such debt is viewed as a gesture of respect toward the family hosting the Rambu Solo’ ceremony, as the grander the ceremony, the higher the social status displayed. The practice of indebtedness manifests in various forms—monetary, animal (pigs, buffaloes), or even physical presence and labor. The lives of the Toraja people are deeply intertwined with the funeral tradition, making it inseparable from the practice of debt and credit (Totanan, 2024).

However, the debt referred to in the Rambu Solo’ funeral tradition does not arise from commercial transactions as understood in modern civil law, but from ritual obligations performed to honor the deceased. Life and death are inevitable aspects of human existence, and in Toraja culture, this represents the meaning of sacrifice in death. In essence, when

someone dies in Toraja, those who live continue to uphold the traditional practice of debt and credit within the cultural framework of the Rambu Solo' ceremony.

Efforts to Harmonize Customary Law and Modern Law in the Settlement of Debts at Death Ceremonies in North Toraja

In reality, debts that arise as acts of respect toward grieving families conducting funeral ceremonies are a common occurrence in Torajan culture. Efforts to resolve debts involving livestock (buffalo or pigs) are usually achieved through mutual consensus within the family, harmonizing customary law (*hukum adat*) and modern law (*hukum modern*) according to the prevailing traditional mechanisms. In this process, customary leaders (*pemangku adat*) play a crucial role as mediators, facilitating agreements between the involved families. The debts, which are generally in the form of animals such as buffalo or pigs, are often adjusted and replaced with envelopes containing cash as a means of repayment, depending on the debtor's ability and the consensus reached through customary deliberation (*musyawarah adat*).

Based on an interview conducted by the author with Mr. Manda, a traditional leader (*pemangku adat*) in Kete Kesu Village, North Toraja Regency, he explained that with the progress of time, social changes, and the rising economic value of livestock (buffalo and pigs), the meaning of debt in the context of the Rambu Solo' funeral ceremony has begun to shift. There is now an effort to harmonize customary and modern legal systems, allowing debts in the form of livestock given during Rambu Solo' ceremonies to be repaid in the form of cash (envelopes) or bank transfers, especially for relatives who live far away. The familial values that originally underpinned the giving of livestock (buffalo or pigs) can now be represented through equivalent monetary contributions.

This study found that efforts to harmonize customary law and modern law in addressing debt issues arising from funeral ceremonies in North Toraja have been gradually implemented, although not yet fully effective or comprehensive. The complexity of Torajan cultural practices—particularly in conducting Rambu Solo' ceremonies—has created a system of debt and credit that carries not only economic significance but also deep social and symbolic meaning. In this context, two legal systems intersect, each with different perspectives and mechanisms for resolving emerging issues.

According to Mr. Tombilangi, Head of Lembang in Kete Kesu Village, North Toraja Regency, debts in the form of livestock, such as buffalo or pigs, within Rambu Solo' funeral ceremonies can also be settled by offering cash equivalent to the value of the animal, commonly placed in an envelope and referred to as a "white buffalo" or "white pig." This serves as a symbolic substitute for the actual physical animal that would traditionally be presented. However, in most cases, during the execution of funeral ceremonies, customary traditions must still be observed in accordance with the local customs practiced in each area of North Toraja. This understanding means that families or relatives organizing the ceremony are still expected to present livestock—buffalo or pigs—as an act of respect toward the bereaved family. The presence of these animals, whether in physical or symbolic form, reflects the profound meaning of the Rambu Solo' tradition, which binds social and moral debts within Torajan society.

Some argue that customary law is a legacy of the past and less relevant in modern times (Nurtresna, 2024). This argument holds some truth, as customary law is traditional in nature, while modern life demands more contemporary systems. Meanwhile, modern law (state law) views debt as a legal contract that must be supported by written evidence, can be legally enforced in cases of default, and is resolved through formal processes such as legal mediation or court proceedings. When disputes or defaults occur, state law provides protection through formal legal channels, which often fail to fully consider the cultural and local values embedded within traditional communities.

CONCLUSION

In contemporary society, the harmonization between customary law and modern law is clearly reflected in the practice of settling debts and credits. In the past, debts were often given in the form of livestock such as buffalo or pigs. However, with the passage of time, the form of repayment has adapted to modern circumstances. Today, it can be replaced with cash of equivalent value, either given directly in an envelope or transferred electronically, particularly for distant relatives. The use of envelopes also serves as a symbol of courtesy and respect. Although the form of payment has changed in line with economic developments, the familial and respectful values that form the foundation of customary law remain preserved. Terms such as “white buffalo” or “white pig” have become symbolic substitutes for the physical animals, yet they still carry deep customary significance. Thus, the tradition continues to live on in a more flexible and relevant form, without losing the noble values passed down by the ancestors. In this way, customary law is not abandoned but rather transformed and harmonized with the modern legal system, creating solutions that are fair and relevant to contemporary social conditions.

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