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The Effectiveness of Law Enforcement Against The Perpetrators of Tourism Object Vandalism in North Toraja

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ABSTRACT

This research aims to analyze the implementation of sanctions against perpetrators of tourism site vandalism in North Toraja; and to examine the constraints on the application of sanctions in law enforcement against perpetrators of tourism site vandalism based on Regional Regulation No. 7/2016. This research uses empirical research methods, using statutory approaches and conceptual approaches. Primary data is obtained through field research using interview and observation methods, while secondary data is obtained through literature study. The results indicated that the enforcement of sanctions of Regional Regulation No. 7/2016 on the Implementation of Tourism in North Toraja has not complied with the regulation. Moreover, the case of Ke'te' kesu' vandalism committed by perpetrators who are sanctioned by custom, is characterized by many unresolved cases and weak enforcement of sanctions. The constraints in the implementation of sanctions in law enforcement are mostly caused by delayed information to the Civil Service Police Unit so that initial administrative actions are conducted before handing over to the Prosecutor's Office. Another constraint is the absence of a MoU between the Police, Prosecutor's Office, and Courts, and limited budget which affects the capacity of Civil Service Police Unit (Satpol PP) in protecting tourists. A comprehensive approach is needed, which includes training of law enforcers, inter-agency coordination, legal education for the community, and a review of local regulations to enhance justice and appropriateness of sanctions.

Keywords: *Cultural Heritage, Consistency of Regulations, Destruction of Tourism, Sanctions*

INTRODUCTION

Indonesia, a country with a diverse cultures and fascinating destinations, has made significant progress in its tourism industry.¹ According to the World Travel and Tourism Council (WTTC) report, Indonesia ranks ninth out of 30 countries, surpassing developed nations like Malaysia, Thailand, the United Arab Emirates, and Australia.² This rapid progress in Indonesia's tourism sector has been recognized through awards from various international organizations. In a global context, John Naisbitt, in his book "Global Paradox," states that tourism is the world's largest industry, playing a significant role in the global economy. It employs 240 million people, about 10.6% of the global workforce, and contributes 10.2% to the world's gross national product. Naisbitt emphasizes that in the era of globalization, the more universal we become, the more we must maintain and highlight our unique cultural identity to attract tourists.³

Tourism in Indonesia focuses on natural beauty and preserving and respecting cultural and historical values.⁴ A specific example is the customs in North Toraja, The traditions that still survive today are in marriage and death.⁵ In particular, the Ke'te' Kesu' tourist attraction, which is considered very rich in cultural values and local wisdom, Toraya Maelo is expected to increase people's income, it's just that people are not aware of this, therefore the author is interested in introducing the potential of Toraya Maelo's local wisdom that can increase the income of the local community.⁶ Agro-tourism is also highlighted, including Lolai agro-tourism and the traditional Ke'te' Kesu' houses.⁷

Unfortunately, the management of tourist sites in North Toraja faces various challenges. Weak law enforcement and inconsistency in implementing regulations affect the development and management of tourist areas.⁸ Violations

¹ Yong Liu et al., "Framing Film-Induced Tourism into a Sustainable Perspective from Romania, Indonesia and Malaysia," *Sustainability (Switzerland)* 12, no. 23 (2020): 1–30; Janianton Damanik and Mohamad Yusuf, "Effects of Perceived Value, Expectation, Visitor Management, and Visitor Satisfaction on Revisit Intention to Borobudur Temple, Indonesia," *Journal of Heritage Tourism* 17, no. 2 (2022): 174–189; Yoko Mayuzumi, "Is Meeting the Needs of Tourists through Ethnic Tourism Sustainable? Focus on Bali, Indonesia," *Asia-Pacific Journal of Regional Science* 6, no. 1 (2022): 423–451.

² Organization of Islamic Cooperation, *International Tourism in the OIC Countries* (Ankara, 2022).

³ Ibid.

⁴ I. Gusti Ayu Purnamawati, Ferry Jie, and Saarce Elsy Hatane, "Cultural Change Shapes the Sustainable Development of Religious Ecotourism Villages in Bali, Indonesia," *Sustainability (Switzerland)* 14, no. 12 (2022): 1–15.

⁵ (Kalua, 2020)

⁶ (Kristianto Menjang, 2023)

⁷ Nurfaida et al., "Assessing Scenic Beauty of Culture-Based Landscapes in North Toraja Regency," *IOP Conference Series: Earth and Environmental Science* 399, no. 1 (2019): 1–9.

⁸ Erlan Wijatmoko, Armaid Armawi, and Teuku Faisal Fathani, "Legal Effectiveness in Promoting Development Policies: A Case Study of North Aceh Indonesia," *Heliyon* 9, no. 11 (2023): 1–22; Luca Tacconi, Rafael J. Rodrigues, and Ahmad Maryudi, "Law Enforcement and Deforestation: Lessons for Indonesia from Brazil," *Forest Policy and Economics* 108, no. 1

are frequent, and the low legal sanctions allow these violations to continue. Incidents of vandalism, such as in Ke'te Kesu' and Londa, often occur, including damaging or moving bones and skulls, which are essential to the Toraja cultural heritage. Therefore, the North Toraja Regional Government enacted Regional Regulation No. 7/2016 on Tourism Management, including criminal sanctions for unlawful acts.⁹ However, the realization that law enforcement still needs to be more effective necessitates improvements in monitoring mechanisms and heavier sanctions. Law enforcement as a process involves the implementation of discretion, which concerns on decisions that are not strictly regulated by legal rules, but have an element of personal judgment.¹⁰ Thus, to achieve sustainable tourism development, the current generation managing cultural tourism must recognize their responsibility for the present and future sustainability.

Thus, development in the field of tourism law is an effort to develop and utilize the objects and attractions of a region in the form of unique natural and cultural characteristics through a process that systematically and rationally prepares all tourism activities to achieve specific goals by allocating all available resources effectively and efficiently. Several studies have examined aspects related to Violations against Tourist Objects, such as the studies conducted in 2020 by Fourie et al and Liu et al, highlighting the importance of security and legal regulation in the tourism sector, especially at the Ke'te' Kesu' tourist site.^{11,12} We focus on improving the effectiveness of the law to reduce violations, similar to how previous research has emphasized the need for security and tourist perceptions in influencing tourism. Additionally, we integrate views on the importance of local laws and norms in preserving tourist sites, using an approach similar to the research by Lestawi & Bunga.¹³ However, our research offers a new perspective, specifically focusing on law enforcement to protect Ke'te' Kesu'. This differs from previous studies that are more general or do not directly address cultural heritage and religious beliefs. We also expand insights on how law can be optimized in the specific context of tourist sites while incorporating Toraja cultural values and the role of customary law, offering a unique

(2019): 1–10; Misnar Syam et al., “Consumer Protection Enforcement Law Characteristics on Civil Law Aspects in Indonesia,” *Linguistics and Culture Review* 5, no. S2 (December 13, 2021): 1471–1481, <https://lingcure.org/index.php/journal/article/view/1976>.

⁹ Pemerintah Daerah, “Peraturan Daerah (PERDA) Kabupaten Tana Toraja Nomor 7 Tahun 2016 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup” (Tana Toraja, 2016).

¹⁰ Gecilla Vanda Wiraputri and Yoyok Uruk Suyono, “The Law Enforcement of Removal Content’s Gas Canister Criminal Based on Decision Number: 322/Pid.Sus/2020/PN.Mlg,” *IUS POSITUM (Journal of Law Theory and Law Enforcement)* 2, no. 2 (2023).

¹¹ Johan Fourie, Jaume Rosselló-Nadal, and María Santana-Gallego, “Fatal Attraction: How Security Threats Hurt Tourism,” *Journal of Travel Research* 59, no. 2 (2020): 209–219.

¹² Yixue Liu, Yanbo Yao, and Daisy X.F. Fan, “Evaluating Tourism Market Regulation from Tourists’ Perspective: Scale Development and Validation,” *Journal of Travel Research* 59, no. 6 (2020): 975–992.

¹³ Nengah Lestawi and Dewi Bunga, “The Role of Customary Law in the Forest Preservation in Bali,” *Journal of Landscape Ecology(Czech Republic)* 13, no. 1 (2020): 25–41.

perspective not extensively explored in previous research.

Therefore, this study aims to analyze the effectiveness of enforcing sanctions against perpetrators of vandalism at tourist sites in North Toraja according to regional regulations and to analyze the obstacles in applying sanctions in law enforcement against perpetrators of vandalism at tourist sites in North Toraja. This study significantly contributes to understanding the effectiveness of enforcing sanctions against perpetrators of vandalism in North Toraja. By analyzing compliance with regional regulations, this study provides a solid foundation for assessing the success of the legal system in protecting and preserving tourist sites. Moreover, exploring the obstacles in implementing sanctions offers valuable insights for authorities and local governments to improve and optimize law enforcement mechanisms. The results of this study can guide policymakers in designing more efficient and effective law enforcement strategies to maintain the sustainability and security of tourist sites in North Toraja. They can contribute more broadly to enhancing the overall quality of the tourism sector.

RESEARCH METHODOLOGY

This research used empirical legal research method, which focused on legal principles, synchronization, and systematics related to the Regional Regulation, especially on Law Enforcement against Perpetrators of Tourism Object Vandalism in North Toraja based on Regional Regulation No. 7/2016 on Tourism Management.¹⁴ The empirical legal approach was chosen because the main concern was law enforcement against the perpetrators and the efforts made by the Civil Service Police Unit as a local regulation enforcer. The approaches applied are conceptual, statutory, and case study approaches. The research was conducted in several locations in North Toraja Regency, including the Tourism Office, Bapenda Office, Civil Service Police Unit (Satpol PP), and Ke'te Kesu'. These locations, which are tourist attractions and historical sites, are particularly important in the context of increasing crime in tourist areas. Data for this research is derived from two types, which are primary (direct) data obtained through interviews, observations, and documentation of various behaviors, while secondary data, including data, books, internet sources, and relevant laws and regulations. Secondary data and legal materials were obtained from library sources and interviews. The library involved collecting data, citations, and understanding literature and legal rules. Interviews were conducted to deepen understanding of the issues, including criminal acts, sanctions, civil servants, and investigators. The collected data will be systematically organized and analyzed descriptively and qualitatively within the empirical legal framework. This analysis

¹⁴ Pemerintah Daerah, "Peraturan Daerah (PERDA) Kabupaten Tana Toraja Nomor 7 Tahun 2016 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup."

aims to understand the observed phenomena deeply, seek their values and formulate generalizations from the observed facts. This process uses an inductive approach to identify common values from various facts.

RESULT AND DISCUSSION

Penal Enforcement of Tourism Object Vandalism Sanctions in North Toraja through Regional Regulations

Sanction Enforcement

Sanctions represent customary norms that must be adhered to wherever one may be. Each region has rules that must be respected and implemented to establish a legal relationship, ensuring that individuals live by the existing laws and sanctions. Administrative sanctions can be applied externally and internally. External cumulation is an administrative sanction applied together with other sanctions, such as criminal or civil sanctions. Internal cumulation is when two or more administrative sanctions can be applied together. In other words, sanctions must be balanced in relation to the severity of the violations. The balance of sanctions is crucial; they should align with the severity of the violation. In North Toraja, the legal system operates harmoniously with the local customary practices. Minor offences within the realm of tradition are resolved using customary law, while severe offences like drug-related crimes, arson, and murder are subject to positive law.¹⁵

Management of Tourist Attractions in North Toraja

The management of tourist attractions in North Toraja contributes significantly to the development and progress of these attractions, generating income for the region's overall development. Tourism development considers diversity, uniqueness, culture, nature, and human needs. Strategic collaboration between the local government, community, and private sector is essential for the rapid development of tourist attractions. Regional Regulation (PERDA) of North Toraja Regency No. 1/2022 regulates revenue distribution from retribution collection concerning the Procedures for Collection of Recreational and Sports Place Retributions.

¹⁵ Yunus Sumule, "Interview with Yunus Sumule: PLT Bapenda North Toraja (21 June 2023)" (Toraja Utara, 2023).

Table 1. Distribution of Retribution Collection Results.

No	Tourist Attraction Manager	Division Results	
		Regional Government	Attraction Manager
1	Foundation	40%	60%
2	Non-Foundation	60%	40%

Source: Department of Tourism and Culture of North Toraja

The allocation of fees for Recreation and Sports venues is determined as follows:

- a. Local Government: 25% of the total cost owed.
- b. Organizer: 75% of the total price owed.

North Toraja, renowned as a tourist destination after Bali, boasts panoramic views, rich culture, and historical heritage, attracting visitors and contributing significantly to the local economy. The government actively promotes investment, coordinates with central and provincial authorities, and gathers data on both domestic and international tourists visiting North Toraja.¹⁶

Table 2. Tourist Visits to North Toraja during 2018 to 2022

No	Year	Total Visits	Percentage (%)
1	2018	256907	23,65 %
2	2019	333166	30,67 %
3	2020	109999	10,13 %
4	2021	124231	11,44 %
5	2022	261806	24,11 %
Total		1086109	100 %

Source: Department of Culture and Tourism of North Toraja

Vandalism of Ke'te' Kesu' Tourist Attraction

Ke'te' Kesu' is one of the traditional villages in Bonoran, Tikunna Malenong Village, Sanggali District, North Toraja Regency.¹⁷ However, Ke'te' Kesu' is not just an ordinary tourist destination; it is a cultural heritage area and serves as the burial ground for nobles and ancestors of the Toraja ethnic group, with remnants of historical artifacts dating back hundreds of years.

¹⁶ Yuith Parubak, "Interview with Yuith Parubak, Value Preservation and Cultural Promotion Sector, 21 June 2023" (Toraja Utara, 2023).

¹⁷ Mohd Rohaizat Abdul Wahab et al., *Selected Topics on Archaeology, History and Culture in the Malay World*, Springer (Selangor: Springer Nature Singapore, 2018).



Figure 1. Ke'te' Kesu' Toraja Village

Source: Azhari Setiawan, (accessed on Tuesday, 23 December 2023)

In Government Regulation (PP) No. 1/2022 concerning the National Register and Preservation of Cultural Heritage, Cultural Heritage Preservation Efforts are the responsibility of both the Central and Regional Governments with support from Everyone and customary law communities. Therefore, supervision of Cultural Heritage Preservation is needed by Everyone and/or customary law communities. Cultural Heritage Preservation Efforts carried out by Every Person and/or customary law community.

Therefore, conservation efforts aim to protect, develop, and utilize cultural heritage. This means that conservation efforts need to consider a balance between academic, ideological, and economic interests. Where environmental ingenuity is formed by looking at the good attitude of the region, a deep affection for the place of birth, the type of character that is intrinsic and conveyed when integrated with various networks or conditions, theories of life and an extraordinary desire to follow it. with habits or those that have long been abandoned by the times.¹⁸ Defining the types of environmental intelligence is different suitability as friendship practices based on cultural insights.¹⁹ The kind of close insight in the public arena can be cultural (values, standards, morals, beliefs, customs, standard rules and unique guidelines). The noble qualities associated with environmental intelligence include Love for God, the universe and its contents, duty, discipline, autonomy, trust, respect and politeness, empathy and caring, self-confidence, inventiveness, hard work and unyielding, equality and administration, benevolence and humility, toughness, love, harmony and solidarity. Regarding criminal sanctions for perpetrators of public facility destruction under Criminal Law, especially the implementation of Article 105 (1) of Law No. 11/2010 concerning cultural heritage, it is determined that any person who intentionally damages cultural heritage as referred to in Article 66 Paragraph (1) is punishable

¹⁸ (Ahmad Baedowi, in Khalis, 2018)

¹⁹ (Haryanto, 2014)

by imprisonment for a minimum of 1 (one) year and a maximum of 15 (fifteen) years and a fine of at least IDR 500,000,000.00 (five hundred million rupiahs) and a maximum of IDR 5,000,000,000.00 (five billion rupiahs).

The Challenges of Implementing Sanctions in Law Enforcement against Perpetrators of Tourism Object Vandalism in North Toraja

The challenge of implementing sanctions in law enforcement against perpetrators damaging tourist attractions in North Toraja Regency lies fundamentally in criminal sanctions based on local regulations. This is possible and aligns with legislation on regional governance. Violations in Ke'te' Kesu' involve domestic tourists visiting the registered cultural heritage site accredited by the Ministry of Culture and Tourism. They engage in the unauthorized removal of bones and skulls for photo purposes, unaware that such mystical objects are not to be touched or used as props for photography. In response, the owners/foundations of Ke'te' Kesu' impose traditional sanctions on the offenders. Given that the perpetrators are students unfamiliar with these rules, they are promptly summoned by traditional leaders to be held accountable, following the customary practices of the North Toraja community.²⁰

Case Analysis of Vandalism at North Toraja Tourist Objects

Case Background

Two young men faced traditional sanctions from the owner of the Ke'te' Kesu' foundation in North Toraja after one of them engaged in the disrespectful act of stepping on a skull within the compound of the ancient cemetery, a tourist site managed by the Ke'te' Kesu' foundation. According to Layuk Sarungallo, a traditional leader, the incident became viral on social media, depicting a woman identified as R holding a skull while her friend, identified as Ry, posed with a foot on the skull, seemingly about to step on it. Another photo shows the skull holder holding bones and mimicking the guitar playing. When the incident went viral, the individuals sought protection and surrendered to the Panakukang police station on Saturday, March 24, 2018.

²⁰ Layuk Sarungallo, "Interview with Layuk Sarungallo, Chair of the Ke'te' Kesu' Foundation, 22 June 2023" (Tanah Toraja, 2023).



Figure 2. Erong Coffin at Toraja Cemetery

Source: Azhari Setiawan, (accessed on Tuesday, 23 December 2023)

Imposed Traditional Sanctions

After securing themselves at the police station, the two perpetrators were brought to the Ke'te' Kesu' Tourist Site. They underwent a traditional trial conducted by the local foundation owner. They received a mild traditional punishment involving a fine and the obligation to sacrifice a pig to apologise to the Toraja ancestors. The two individuals performed a ritual known as "mengkasala," seeking forgiveness at the scene by bringing betel leaves, lime, gambier, and tobacco. These items were placed at the location where they posed while seeking forgiveness, guided by the Ke'te' Kesu' traditional leader. Additionally, the perpetrators would participate in the pig sacrifice ceremony, known as "mangrambulangi," as an acknowledgment of their wrongdoing and an apology to the ancestral spirits.²¹

Article Violated

Vandalism in Regional Regulations is classified as a crime, as stated in Regional Regulation No. 7/2016.²² This is a development in the legal field. Regarding criminal sanctions for perpetrators of public facility vandalism, according to Criminal Provisions, especially the application of Article 50 (1) of the Regional Regulation Code, it is stipulated that:

- 1) Anyone or business entity violating the provisions under Article 46 shall be punished with imprisonment for a maximum of 6 (six) months or a fine of up to IDR 50,000,000.00 (fifty million Indonesian rupiahs).
- 2) The criminal act referred to in paragraph (1) is an offence.
- 3) The fine mentioned in paragraph (1) is state revenue.

²¹ Dewi Narwastu Ramba, A'inaa Fathonah M, and Sonny Yuliar, "Exploring The Controversy Between Tana Toraja's Government And Local Tribes In A Case Study Of Ke'te Kesu' Cemetery Tourism Based On A Normative Ethics Point Of View," *Journal of Social and Economics Reserach* 2, no. 2 (2018): 61–68.

²² Pemerintah Daerah, "Peraturan Daerah (PERDA) Kabupaten Tana Toraja Nomor 7 Tahun 2016 Tentang Perlindungan Dan Pengelolaan Lingkungan Hidup."

The application of sanctions must adhere to the provision that the maximum fine is 50 million, and the maximum imprisonment is six months. The application of imprisonment penalties, regulated in regional regulations throughout Indonesia, is anticipated in the transitional provisions of the Criminal Code (RKUHP). Based on Article 77 of the RKUHP, when it is enacted, all imprisonment threats outside the RKUHP are replaced with imprisonment or fines with the provisions; the threat of imprisonment for 6 (six) months is replaced with a fine category I and the threat of imprisonment for 6 (six) months or more is replaced with a fine category II. The implementation of sanctions, including criminal sanctions in Regional Regulations, rarely occurs. The indifference of regional governments to violations of Regional Regulations is a common phenomenon. Regional Police units are powerless to enforce the law against mass violations. In turn, the National Police strengthen law enforcement, sometimes assisted by the Indonesian National Defense Forces in certain cases. As a general overview, the facilities and infrastructure in enforcing Regional Regulations and the facilities and infrastructure created by local and regional governments are established to prevent damage to tourist attractions, but incidents of vandalism are still common. The level of legal awareness among tourists and the community to comply with regional regulations is limited. Rational and irrational issues notwithstanding, they do not feel that they are violating the Regional Regulation. The current implementation of imprisonment penalties in Indonesia is indeed acknowledged to be far from adequate. Therefore, in some cases, the application of imprisonment penalties no longer differs from regular imprisonment penalties. However, due to the weakness of the implementation system, we should not justify that imprisonment is a form of harsh punishment and then eliminate the criminal law system in Indonesia. If we look at the bigger picture, imprisonment is the mildest form of punishment. Implementation that is far from a repressive nature should be in line with the decolonial nature as we aspire to grow in the RKUHP.

Challenges in Implementing Sanctions on Tourist Attractions in North Toraja

The challenges in applying sanctions for the destruction of tourist attractions in North Toraja, specifically in the traditional village of Bonoran, Tikunna Malenong Village, Sanggali District, the tourist attraction of Ke'te' Kesu', which has been designated as a cultural heritage site requiring preservation, are still owned by the Ke'te' Kesu' foundation. Therefore, every case in North Toraja that can be resolved through customary law must be settled using customary law unless a serious violation occurs, addressed through positive or written law. Challenges stemming from the legal structure include internal issues within the law enforcement apparatus, such following below:

- a. **Facilities and Infrastructure.** The challenges faced by the Regional Revenue Office (Bapenda) and the Municipal Police include more

communication tools, transportation, and adequate guarding facilities. This results in slower information dissemination compared to the frequency of tasks, given the distant locations of various tourist attractions.

- b. **Limited Enforcement Personnel for Local Regulations.** The insufficient number of Regional Police Personnel, approximately 350, including fire department personnel, is inadequate for the vast territory of North Toraja. This inadequacy hampers the ability of law enforcement to address violations of local regulations in North Toraja, which is rich in tourist attractions and cultural traditions.
- c. **Management of Tourist Attractions Still Owned by Foundations.** Implementing sanctions for destroying tourist attractions in North Toraja cannot be carried out according to Regional Government regulations, as many foundations still need to be attractions. This necessitates reporting to the foundation before any legal action can be taken. The severe violation may involve customary law or be handed over to the Regional Revenue Office.
- d. **Registration of Tourist Attractions.** Some tourist attractions and cultural heritage sites must be registered with the Ministry of Education, Culture, Research, and Technology, making it difficult for the Regional Government to detect new tourist attractions.
- e. **Limited Human Resources.** The lack of knowledge of law enforcement by the Department of Tourism and Regional Revenue Office personnel makes it necessary to provide special training to handle criminal activities at each tourist attraction. Both departments also conduct public awareness campaigns to educate tourists and the local community about the need to protect these historical and cultural sites, emphasizing compliance with existing regulations. Municipal Police must enforce conflicting rules from local laws and take legal action against violators.

Challenges faced by the Municipal Police Unit in applying sanctions for the destruction of tourist attractions in North Toraja include:

- a. **Coordination for Law Enforcement.** Pamong Praja awaits approval from the Police, Prosecutor's Office, and Court, delaying their ability to address violations of local regulations in North Toraja.
- b. **Budget Constraints.** Adequate budget allocation from the local government for guarding vulnerable tourist attractions needs to be improved, and coordination efforts focus on encouraging attraction owners to maintain security. Members of the Municipal Police have been stationed at the Lolai tourist attraction (Land Above the Clouds)

upon the request of the tourism management, despite the need for sufficient funding from the local government.

In implementing legal sanctions against perpetrators of tourist attraction destruction in North Toraja, difficulties arise in applying criminal law sanctions. The application of criminal law sanctions for the destruction of tourist attractions is still not given sufficient attention due to the cultural belief that such activities contribute to their livelihoods and economic improvement, leading to a laissez-faire attitude towards acts of destruction at tourist attractions. In addressing the challenges faced by every perpetrator of vandalism at tourist attractions, the following steps can be taken:

1. **Preventive Measures:** Preventive steps against the vandalism of tourist attractions are crucial to reduce, eliminate, and eradicate behaviours that pose problems for the Tourism and Revenue Office. Prevention activities are carried out through the socialization of tourists, providing knowledge that vandalism of tourist attractions is subject to local regulations, customs, and laws. This aims to create awareness among tourists about the existing penalties.
2. **Supervision:** To prevent vandalism of tourist attractions, the Tourism Office collaborates with local community leaders and the owners of tourism-related foundations to supervise local and international tourists. Notifications are conveyed to local tourism officials. Therefore, it is necessary to have surveillance with the deployment of local police officers to monitor every visit to specific tourist destinations. Prompt legal action can be taken against the perpetrators in the event of legal violations.
3. **Repressive Measures:** Handling perpetrators of vandalism in North Toraja is hindered by the lack of seriousness and firmness from every element involved. In enforcing these legal regulations, tourism development in North Toraja has shown that severe vandalism has not deterred visitors, leading to normalizing such behaviour. The measures taken so far have not delved into the legal process against the perpetrators. Despite being regulated in Regional Regulation No. 7/2016.²³ and Cultural Heritage Law No. 11/2010, vandalism cases are frequently violated. Therefore, authorities must prevent and eradicate such actions for legal supremacy.

Repressive measures, such as applying criminal sanctions, are needed to address perpetrators of vandalism. Concrete steps that can be taken include taking legal action against the perpetrators of vandalism. This sends a deterrent effect to

²³ Ibid.

the perpetrators so that the repressive application of criminal law can reduce vandalism incidents in North Toraja.

CONCLUSIONS

This research has analyzed the effectiveness of enforcing sanctions against perpetrators of tourist site vandalism in North Toraja about local regulations. The results indicate that the applied sanctions align with the prevailing local regulations, particularly in integrating customary and positive law. The use of expected sanctions alongside the application of positive law in specific cases, such as vandalism at the Ke'te' Kesu' tourist site, has reflected the harmonization between customary norms and formal law. On the other hand, this demonstrates respect for local cultural values, while on the other hand, it enforces legal rules more broadly. However, the research also identifies several challenges in implementing these sanctions. These challenges include limited human and facility resources, lack of coordination among law enforcement agencies, and low legal awareness in the community. Weaknesses in the law enforcement system, both in customary and positive law applications, often hinder the effective enforcement of sanctions. Based on these findings, recommendations for further research include developing more comprehensive strategies to address these challenges. This may involve enhancing the capacity and training of law enforcement officers, improving coordination among institutions, and conducting legal education campaigns to raise public awareness. Additionally, it is crucial to evaluate and revise local regulations if necessary to ensure that the applied sanctions are fair, in line with local needs and effective in preventing and responding to tourist site vandalism.

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