

**JLPH:**
Journal of Law, Politic
and Humanities<https://dinastires.org/JLPH>dinasti.info@gmail.com

+62 811 7404 455

E-ISSN: 2962-2816
P-ISSN: 2747-1985DOI: <https://doi.org/10.38035/jlph.v6i1>
<https://creativecommons.org/licenses/by/4.0/>

Illegal Trade of Traditional Alcoholic Beverage (*Tuak*) Within The Jurisdiction of Lamandau Police Resort

Michael Edy Concecio^{1*}, Kiki Kristanto², Ivans Januardy³¹Universitas Palangka Raya, Central Kalimantan, Indonesia, mikeledi27@gmail.com.²Universitas Palangka Raya, Central Kalimantan, Indonesia, kikikristanto@law.upr.ac.id.³Universitas Palangka Raya, Central Kalimantan, Indonesia, ivans.januardy@law.upr.ac.id.*Corresponding Author: mikeledi27@gmail.com

Abstract: The illegal trade of traditional alcoholic beverage *tuak* in the jurisdiction of Lamandau Police Department, Central Kalimantan, reflects a complex socio-legal phenomenon, especially when local cultural practices intersect with formal legal systems. Once a cultural symbol in Dayak society, *tuak* has transformed into an unregulated commercial commodity, contributing to rising crime rates, public disorder, and health risks. This study employs a juridical-empirical and descriptive-analytical approach to examine the effectiveness of law enforcement against illegal *tuak* distribution. Findings indicate that weak regulatory oversight, the absence of specific local regulations, and strong cultural acceptance are key obstacles in controlling its spread. This article recommends the establishment of a Local Regulation (Peraturan Daerah) grounded in restorative justice, cross-sectoral collaboration, and community-based educational strategies rooted in local wisdom to address the issue comprehensively.

Keyword: *Tuak*, Traditional Alcohol, Illegal Trade, Law Enforcement.

INTRODUCTION

The illegal trade of *tuak*, a traditional alcoholic beverage derived from the fermentation of sap from the *Arenga pinnata* palm tree, has emerged as an increasingly urgent issue (Faqih, 2023), particularly within the jurisdiction of the Lamandau District Police in Central Kalimantan. Although *tuak* is often regarded as part of the local cultural heritage—especially within Dayak traditional ceremonies and social interactions—its uncontrolled distribution without official licensing has given rise to complex legal and social challenges. This phenomenon presents a dilemma between the preservation of cultural values and the protection of public order and public health.

Within the framework of Indonesian positive law, the distribution of alcoholic beverages is stringently regulated through various provisions, such as Minister of Trade Regulation Number 25 of 2019, which explicitly restricts the distribution of alcoholic beverages without proper licensing.

The core problem regarding the illegal distribution of *tuak* in the Lamandau region does not solely lie in the substantive law, but also in the enforcement aspect and the level of legal

awareness within the community. Many small-scale vendors sell tuak without a clear understanding of the legal implications of their actions, while law enforcement officers face significant challenges in reaching remote areas where this trade occurs. The lack of distribution oversight and the limited legal infrastructure in these regions further exacerbate the situation. On the other hand, tuak is often consumed without adherence to hygiene standards or awareness of its alcohol content, potentially leading to serious health risks and social incidents such as violence, traffic accidents, and criminal acts, as reported in various field studies and regional police data.

From a criminological perspective, the existence of an illegal tuak market can be linked to intertwined economic and social factors. The absence of adequate formal employment opportunities, low levels of legal education, and the high local demand for cheap alcoholic beverages have all contributed to the emergence of this black market. Traditional alcoholic beverages not regulated by law tend to become loopholes for legal abuse that are difficult to address effectively (Makkaraeng et al., 2023). Accordingly, the regulation of tuak as a local product must adopt not only a repressive but also a preventive and culturally sensitive approach.

Tuak is a type of traditional alcoholic drink made from the fermentation of natural sugar-containing materials such as sap or rice. It is classified as an alcoholic product. Common ingredients include rice or sap extracted from plants such as sago palm, nipa palm, or legen from the lontar tree, among other sources (Pranadewi & Bali, 2021). The alcohol content in tuak available on the market varies depending on the region of production. The alcohol content—specifically methanol—in tuak is as follows:

Table 1. Alcohol Content of Palm Wine

No.	Storage Period	High level	Low level
1.	No Storage (Fresh)	3.68%	3.05%
2.	1 day	12.36%	10.04%
3.	3 days	7.98%	7.42%
4.	5 days	2,91%	1,24%

Source: Suci, 2020.

The Regulation of the Head of the Indonesian Food and Drug Supervisory Agency (BPOM) Number 14 of 2016 concerning the Safety and Quality Standards of Alcoholic Beverages, in Article 5, stipulates that the maximum allowable methanol content in alcoholic beverages shall not exceed 0.01%. This implies that a significant portion of alcoholic beverages being distributed in the market do not comply with the provisions of the aforementioned governmental regulation.

Nanga Bulik City, the capital of Lamandau Regency, is predominantly inhabited by the Dayak community, especially the Dayak Tomun sub-ethnic group. In general, Dayak culture is closely intertwined with the tradition of alcoholic beverage consumption in ceremonial or customary events (Rahmaniati & Supramono, 2014). However, a distinctive phenomenon observed in Lamandau Regency is the widespread practice of consuming alcohol outside the scope of customary or festive occasions.

Based on observations conducted by the author, it was found that there are numerous providers and sellers of alcoholic beverages, particularly traditional alcoholic drinks such as tuak or baram, who engage in illegal trade or distribution without possessing the required

permits. The following data have been obtained through field research carried out by the author, as follows:

Tabel 2. List of Palm Wine Stalls in Nanga Bulik City in 2025

No.	Palm Wine Stall Address	Amount
1.	Nanga Bulik Street	4
2.	Tjilik Riwut Street	1
3.	W. R. Supratman Street	1
4.	Melati II Street (Trans Lokal)	1
	Total	7

Source: Author's Observation Results, 2025.

The significant number of points of sale for alcoholic beverages in Lamandau Regency, particularly in the city of Nanga Bulik, as previously mentioned by the author, illustrates the continuing presence and prevalence of tuak (traditional alcohol) consumption as part of the community's lifestyle (Sampit, 2024). Moreover, this phenomenon may also contribute to the potential increase in criminal acts within Lamandau Regency.

The rising number of criminal cases in Nanga Bulik is attributed to several factors, one of which is the consumption of alcohol. A notable example is the case of palm fruit theft at PT Graha Cakra Mulia, located in Penopa Village, Lamandau Sub-district, Lamandau Regency. The perpetrator, Robiyanto, committed embezzlement of 161 bunches of fresh fruit bunches (FFB). After stealing the palm fruit from the company, the perpetrator transported the FFB to a loading ramp located in Kilometer, Bulik Sub-district, Lamandau Regency. Upon weighing, it was determined that the total sales value of the FFB amounted to IDR 3,800,000. The proceeds from the sale were then used by the perpetrator to visit a nightlife entertainment venue, where he purchased and consumed tuak (a type of traditional alcoholic beverage) accompanied by a woman.

The act was discovered by the company, and on the following day, the perpetrator was summoned by the company's security personnel. During the interrogation, the perpetrator immediately confessed to the theft of the palm fruit belonging to the company. He was subsequently handed over to the Lamandau Resort Police (Polres Lamandau) to be held accountable for his actions. The perpetrator was sentenced to six (6) months' imprisonment by the Nanga Bulik District Court for having been proven guilty of committing theft, as stipulated in Article 362 of the Indonesian Penal Code (Kitab Undang-Undang Hukum Pidana / KUHP).

The correlation between alcohol consumption and criminal acts occurring within the jurisdiction of the Lamandau Resort Police can be observed in the following table:

Table 3. Criminal Cases Due to the Influence of Alcohol in the Lamandau Police Jurisdiction

No.	Tahun	Jumlah Kasus
1.	2022	53
2.	2023	90
3.	2024	125

Source: Interview with Mr. AKP Fery Endro Priyawanto, S.E. (Head of the Narcotics Unit of Lamandau Police), 2025.

Based on the above table, it can be observed that there has been a significant increase in criminal cases caused or influenced by the consumption of alcoholic beverages within the jurisdiction of the Lamandau Resort Police (Polres Lamandau), particularly in the city of Nanga Bulik. The author has gained an understanding of how alcohol can cause disturbances that disrupt public order. It may also escalate conflicts to a broader scale.

Although there is no specific legislation that explicitly prohibits the consumption of tuak (a traditional alcoholic beverage), tuak meets the criteria as stipulated under Article 204 of the Indonesian Penal Code (KUHP), which states: "Anyone who sells goods knowing that the goods are dangerous to the life or health of others." The hazardous nature of tuak lies in its alcohol content, which poses significant health risks, including intoxication, weight gain, hypertension, liver dysfunction, weakened immune system, bodily damage, heart disorders, nerve damage, reproductive (sexual) disorders, mental health problems, and cognitive decline (Suci, 2020).

This is further clarified in Article 106 in conjunction with Article 24 paragraph (1) of Law of the Republic of Indonesia Number 7 of 2014 on Trade, which stipulates:

"Business actors conducting trade activities without possessing trade licenses issued by the Minister as referred to in Article 24 paragraph (1) shall be subject to imprisonment for a maximum of four (4) years or a fine of up to IDR 10,000,000,000 (ten billion rupiah)."

Furthermore, Article 24 paragraph (1) provides that:

"Business actors conducting trade activities are required to have trade licenses issued by the Minister."

According to Raskita (Polihu, 2017), the influence of alcoholic beverages can lead individuals to commit criminal acts, such as acts of violence, which may result in physical or psychological harm. The consumption of large quantities of alcohol may result in intoxication, which often causes public disorder. A person who is severely intoxicated is rendered incapable of functioning normally (i.e., dead drunk or stomdronken).

Police is a "protector" and representative of the people, whose duty is to uphold human dignity and actively enforce laws and regulations, with a firm grounding in legal norms and human rights. Thus, the police are considered an instrument of the state, entrusted with the role of upholding the law and maintaining public safety and order (Febinia Afrigest et al., 2023). In fulfilling this function, the police act as public servants, protectors, and guardians of the community. As part of civil society, the police bear full responsibility for ensuring the safety and security of the public. All matters relating to domestic security fall under the authority of the police as an expression of the moral values embodied in the law. These moral values must be enforced through the legal apparatus.

The illegal trade of tuak is increasingly widespread within the jurisdiction of the Lamandau Resort Police and has the potential to trigger various social issues, including an increase in traffic accidents caused by alcohol consumption, a rise in criminal acts, and a decline in public health. This situation further undermines the sense of safety and public order that should be protected through existing regulations governing the distribution of alcoholic beverages.

Although the Lamandau Regency Government and law enforcement authorities have made various efforts to address this illegal trade, the circulation of tuak continues to increase. The main obstacles lie in the lack of supervision and the weakness of law enforcement mechanisms. Additionally, the persistence of local cultural practices that still tolerate tuak consumption in certain contexts poses a significant challenge to eradicating its illegal distribution.

Therefore, this research aims to conduct a comprehensive assessment of the illegal trade of tuak within the jurisdiction of the Lamandau Resort Police and evaluate the extent to which existing regulations and policies have been implemented to address this issue. The study will also highlight the driving factors behind the proliferation of illegal trade and its impact on public safety and order in the region. Through this research, it is expected that more effective solutions can be identified to combat the illegal distribution of tuak, as well as provide policy recommendations to support the strengthening of law enforcement efforts.

METHOD

This study employs an empirical juridical method, which perceives law not merely as a written norm or law in books, but also as a living behavior in society, or law in action, observable through direct social experiences (Marzuki, 2017). The choice of this method aims to examine how law enforcement is carried out against the distribution of tuak—a traditional alcoholic beverage—that is illegally traded within the jurisdiction of the Lamandau Police Resort (Polres Lamandau), as well as to understand the social dynamics that sustain such practices. In this framework, law is viewed not only as a normative text, but also as a system of values and social behaviors that operate within the interaction between communities and law enforcement authorities.

The research adopts a descriptive-analytical approach, intended to provide a systematic, factual, and accurate depiction of the situation and conditions surrounding the illegal distribution of tuak, as well as the effectiveness of legal actions undertaken by the relevant authorities (Efendi & Ibrahim, 2018). Through this approach, the researcher seeks a comprehensive understanding of the socio-legal phenomena on the ground, including patterns of interaction between sellers, consumers, and law enforcement officers, as well as obstacles that arise in the enforcement process. The analysis considers contextual aspects and the locality of the illegal tuak trade to ensure that the findings authentically reflect empirical realities.

Data collection techniques include direct interviews with law enforcement officials at Polres Lamandau, village government representatives, and community figures possessing knowledge or experience regarding the distribution of tuak. These interviews aim to capture the perspectives of actors, observers, and policymakers. In addition, direct observation was conducted at locations suspected to be hubs of illegal tuak trade, in order to obtain factual data on trade characteristics, distribution patterns, and the profiles of consumers and business operators. Furthermore, literature review was carried out through the analysis of statutory regulations, legal literature, academic journals, and official documents related to alcohol control, public order, and local law enforcement policies (Sugiyono, 2017; Marzuki, 2011).

The collected data are classified into two types: primary data, obtained from interviews and field observations, and secondary data, derived from legal documents and academic references. All data are analyzed qualitatively, with an emphasis on legal interpretation of emerging social phenomena, and the relationship between legal norms and the practical realities on the ground. The results of this analysis are systematically arranged to produce logical and academically accountable conclusions, in order to provide a comprehensive overview of the issue of illegal tuak trade and its law enforcement efforts within the jurisdiction of Polres Lamandau..

RESULTS AND DISCUSSION

The distribution of traditional alcoholic beverages, specifically tuak, within the jurisdiction of the Lamandau Resort Police (Polres Lamandau), has become a complex and challenging social phenomenon in the context of law enforcement and public order. Tuak, which is derived from the fermentation of sap from the aren palm (*Arenga pinnata*), has long held a cultural position within the local communities of Kalimantan, particularly among the Dayak ethnic group. In various customary ceremonies—such as harvest festivals, welcoming guests, and religious rituals—tuak is often used as a symbol of unity and respect (Pahlawan et al., 2023). However, due to social structural changes and modernization, the meaning and usage of tuak have shifted from being confined to cultural contexts to becoming a widely consumed commodity with no clear limitations.

This situation presents serious concerns, as tuak is now not only consumed within traditional settings but also openly and illegally traded outside government oversight. Field research indicates that tuak is distributed through small stalls, private homes, and concealed kiosks without any licensing, quality control, or compliance with food safety standards (Siddiq, 2018). This poses significant public health risks due to the absence of any standard measurement of the alcohol content contained in the consumed tuak. Several laboratory results, cited from previous studies, suggest that the alcohol content in tuak can exceed the safe consumption threshold for humans, especially if fermented for an extended period or mixed with non-standard additives.

The illegal trade of tuak in Lamandau also reflects a strong correlation between economic factors and weak regulatory oversight. For some rural communities, the production and sale of tuak are considered a fast and accessible source of livelihood, particularly amidst limited employment opportunities and declining agricultural commodity prices (Sari & Elsty, 2024). In such circumstances, a subsistence economy drives residents to seek alternative income through activities that are legally prohibited but socially accepted. This phenomenon is in line with the legal realism theory, which posits that the law does not always operate effectively within society when it contradicts the economic and social realities experienced by the people.

The absence of specific regional regulations governing traditional alcoholic beverages further exacerbates the situation. Presidential Regulation No. 74 of 2013 concerning the Control and Supervision of Alcoholic Beverages regulates alcoholic beverages in general but does not reach the local dimensions, such as the traditional production of tuak. At the regional level, there is no Regional Regulation (Peraturan Daerah or Perda) in Lamandau Regency that expressly prohibits, restricts, or regulates the distribution and consumption of tuak. This legal vacuum is exploited by many small-scale business actors to sell tuak without fear of strict sanctions, as law enforcement officers themselves often find it difficult to prosecute offenders under appropriate legal provisions.

Furthermore, the limited number of police personnel, the vast and geographically challenging area, as well as weak inter-agency coordination, have resulted in law enforcement efforts such as raids or seizures of illegal tuak (traditional alcoholic beverage) being sporadic and unsustainable. In an interview with officers from the Lamandau Police Resort, it was acknowledged that enforcement operations are more often conducted in response to public complaints or in the aftermath of public order disturbances (Ideham & Nicodemus, 2025). Proactive measures, such as routine patrols or mapping of high-risk areas for traditional liquor distribution, remain very limited due to budgetary constraints and a shortage of operational personnel.

The social impact of the illegal distribution of tuak is significant. Based on reports and data received by the Lamandau Police Resort, there has been an increase in incidents of domestic violence, inter-community altercations, and traffic accidents linked to excessive consumption of tuak. The unregulated sale and consumption of tuak have triggered various

forms of legal violations, particularly at night and during specific celebrations (Ekspres, 2017). Of even greater concern is the fact that tuak consumption is not limited to adults but has also extended to teenagers and even minors. The inability of families and communities to monitor and restrict such consumption has exacerbated the destructive effects of this substance.

In the socio-cultural context, the strong cultural acceptance of tuak as part of local identity presents a unique challenge for law enforcement officers. Many residents, including community leaders, do not view tuak as a harmful alcoholic beverage but rather as a traditional heritage product that should not be criminalized (Sari & Elsty, 2024). This perspective illustrates a disjunction between state law and customary law, which from a sociological legal viewpoint, creates a dualism of legal values within the community. If not approached prudently, the enforcement of state law regarding the distribution of tuak may be perceived as a marginalization of local culture.

Law enforcement officers often face resistance from the community when conducting raids or seizures of tuak. Several protest actions—both direct and symbolic—have been undertaken by residents who perceive state intervention in tuak consumption as a disruption of customary harmony and cultural values. Therefore, a purely repressive legal approach, unaccompanied by cultural understanding, will only spark new conflicts that are counterproductive to the objectives of law enforcement. Under such circumstances, a restorative approach is required—one that involves customary leaders, religious figures, and youth organizations—to formulate a social consensus that can serve as the basis for localized regulation of tuak.

On the other hand, the involvement of farmer groups and village communities in the tuak production chain reveals the interconnection between the agricultural sector and the traditional alcohol industry. Many farmers, driven by economic pressure, opt to convert agricultural products such as palm sap, coconut, or aren sugar into raw materials for tuak production. In many cases, this production is conducted independently without consideration for legal or health risks (Pera et al., 2021). Farmer groups that initially only engaged in the cultivation of agricultural commodities have now become inadvertently involved in the distribution chain of illegal tuak, both as processors and distributors.

Intervention by local government agencies particularly the Department of Agriculture, the Department of Trade, and the Department of Cooperatives is essential to break this illegal economic chain. Capacity-building programs, provision of alternative capital, and the establishment of agriculture-based cooperatives may serve as long-term solutions for farmers and small-scale entrepreneurs, preventing them from becoming entangled in the illegal tuak trade. By offering legal and productive economic alternatives, the government can redirect the community's economic activities toward more constructive paths, without erasing the cultural values inherent in their traditions.

The failure to formulate local policies that are responsive to local dynamics also reflects a lack of political will to comprehensively address this issue. The absence of specific regulations at the local level indicates that the issue of tuak distribution has not been prioritized within the regional public policy agenda. As a result, law enforcement officers operate without an adequate legal framework, and their actions are often ad hoc in nature and susceptible to social and political challenges. When formal law lacks social legitimacy, the effectiveness of its enforcement becomes difficult to achieve.

This problem also affects public trust in legal institutions. When communities witness that the trade of tuak continues without significant deterrence even after enforcement operations they tend to undermine the authority of the law. This distrust may evolve into broader legal non-compliance. In studies on legal effectiveness, it is noted that public compliance is not solely dependent on the existence of rules, but also on the certainty of their implementation and the sense of justice perceived by the public (Friedman, 2013). Therefore,

law enforcement efforts must be accompanied by systemic reforms that address the root causes of the problem.

Awareness and educational initiatives concerning the dangers of excessive tuak consumption and its legal implications must also be strengthened. The public, especially the younger generation, must be made aware that although tuak is part of cultural heritage, its use must remain within certain boundaries and not disrupt public order. Legal and health outreach programs may involve schools, youth organizations, and traditional institutions, allowing for a more participatory and community-based approach. In this way, cultural transformation can be guided without provoking value conflicts.

Overall, the illegal trade of tuak in the jurisdiction of Lamandau Police Resort represents a multidimensional problem encompassing legal, social, economic, and cultural aspects. Its resolution cannot be relegated to law enforcement alone, but requires cross-sectoral synergy and an interdisciplinary approach. The local government must urgently formulate policies based on public participation to regulate the production and distribution of tuak, while respecting the cultural values attached to it. Law enforcement must be carried out firmly yet humanely, upholding the principles of restorative justice.

Based on the above analysis, it can be concluded that legal loopholes, weak oversight, and an unprepared social system in responding to the illicit circulation of tuak are the primary factors that allow this practice to persist. On the other hand, this practice has been proven to have adverse effects on public order and public health. Therefore, it is imperative that the local government, law enforcement authorities, and community leaders collaboratively formulate a comprehensive and locally grounded strategy to address the illegal circulation of tuak.

The phenomenon of the illegal trade in traditional alcoholic beverages, specifically tuak, within the jurisdiction of the Lamandau Police Resort cannot be simplistically understood as an ordinary criminal offense. Rather, it reflects a structural gap between the state's formal legal system and the living social norms embedded within the local community. According to the theory of legal pluralism, communities such as those in Central Kalimantan are not governed solely by state law, but also operate within a normative framework consisting of customary law (*adat*) and local values that regulate daily behavior. As a result, formal law often comes into conflict with social norms that are more deeply internalized and adhered to by the community.

Therefore, law enforcement efforts against the circulation of tuak require not only repressive legal instruments but also anthropological understanding of the value systems upheld by indigenous communities (Khairuddin, 2021). From a socio-legal perspective, tuak in Dayak society is not merely a commodity, but a symbol of social, economic, and even spiritual relationships. Thus, when the state attempts to regulate or prohibit the distribution of tuak without involving local communities in the rule-making process, the outcome is not legal compliance but rather social resistance.

In the framework of Lawrence Friedman (2013), legal enforcement can only be effective if the legal system operates with a balanced interaction of three components: legal structure (institutions), legal substance (normative content), and legal culture. In the Lamandau context, the community's legal culture is not yet aligned with the legal substance being enforced, thereby creating obstacles for law enforcement officers in implementing legal norms.

From a criminal law perspective, the lack of specific legal provisions regarding tuak as a prohibited object exposes a deficiency in our legislative techniques, particularly at the local level (Muhammad & Ramadhan, 2025). Law enforcement officers often face difficulties in prosecuting offenders due to the absence of a clear *lex specialis* basis that regulates the production and distribution of tuak, leaving enforcement reliant on broad and vague legal provisions, such as those related to public order disturbances or threats to public health.

In this context, a criminal policy approach should be adopted—one that emphasizes not only punitive measures, but also preventive and corrective strategies. Accordingly, the

formulation of a Peraturan Daerah (Regional Regulation) explicitly governing the management of traditional alcoholic beverages is urgently needed, in order to provide a clear legal foundation and to prevent law enforcement from operating within regulatory ambiguity.

From a public health perspective, the illegal trade of tuak (traditional alcoholic beverage) poses a serious threat due to the absence of proper food safety and quality control measures. These products are not subject to standardized alcohol content regulations, are susceptible to hazardous adulteration, and are distributed without appropriate labeling—thus falling within the category of high-risk products to consumer health. The World Health Organization (WHO) has explicitly stated that traditional alcoholic beverages that are not subject to regulatory oversight carry the potential for poisoning, organ damage, and even death (Consumption, 2007). In the long term, uncontrolled alcohol consumption contributes to a growing public health burden, higher crime rates, and the deterioration of family structures. Accordingly, the health dimension must be integrated into the policy approach to addressing the issue of illegal tuak, rather than focusing solely on legal enforcement aspects.

Furthermore, the involvement of farmers and rural communities in the tuak production chain reflects the dynamics of informal economies, which cannot be resolved merely through law enforcement raids or criminalization. According to the theory of economic survival, impoverished communities often engage in informal or illegal economic activities due to a lack of access to formal economic resources. Their decision to produce tuak is not solely motivated by an intent to violate the law, but rather by the absence of viable economic alternatives. Therefore, structural interventions are necessary, including the strengthening of village cooperatives, economic diversification programs, entrepreneurship training, and women's empowerment initiatives. Inclusive and community-based public policies are crucial to prevent communities from reverting to illegal economic activities.

The concept of restorative justice constitutes a relevant solution in addressing the circulation of illegal tuak, particularly within the context of customary law and social relations among the Dayak people. The core principle of this approach lies in the restoration of social harmony rather than punitive retribution. Through dialogue between the perpetrators, affected parties (in this case, the impacted community), and traditional leaders, a mutual agreement can be developed regarding the limits of tuak consumption, mechanisms for customary oversight, and socially acceptable sanctions. This strategy has proven more effective in communities that maintain collective values and customary-based social controls. Accordingly, law enforcement authorities should provide space for collaboration with customary institutions and community leaders in formulating handling strategies.

The local government's failure to enact regional regulations also reflects a lack of sensitivity to community needs and a weak political will to establish equitable social governance. Within the framework of regional autonomy, district governments are authorized to enact regional regulations (Perda) tailored to local needs and characteristics. However, in this case, the absence of such regulations indicates an unprepared bureaucracy incapable of mediating conflicts between state law and cultural practices. Therefore, a participatory policy-making approach must be prioritized in the drafting of regulations, involving stakeholders from various sectors: government officials, customary communities, local business actors, academics, and religious leaders.

In terms of implementation, a reformulation of the law enforcement strategy is necessary through a preventive law enforcement approach, which emphasizes prevention efforts, legal education, and the strengthening of local institutional capacity.

Repressive and short-term measures have proven ineffective and tend to create a divide between the state and the people. In contrast, culturally based legal education, legal awareness campaigns, and the empowerment of civil society groups can foster a more inclusive legal

culture. Law enforcement officials must be trained in local wisdom and cross-cultural communication techniques to ensure they act professionally and contextually.

Finally, a continuous monitoring and evaluation system is required to assess the effectiveness of policies addressing the distribution of illicit tuak. This monitoring should not be limited to statistical data but must also include qualitative measures through community participation. Traditional institutions and civil society organizations may be engaged as government partners in formulating success indicators and providing regular field reports. Data-based and participatory evaluation will support the development of more adaptive and sustainable interventions

CONCLUSION

Based on the findings of this research, it can be concluded that the illegal trade of alcoholic beverages, specifically tuak, within the jurisdiction of the Lamandau Police Resort, is a phenomenon that encompasses not only violations of positive law but also touches upon the social, economic, and cultural aspects of the local community. Tuak, as a cultural symbol among the Dayak community, has undergone a transformation—from a ritualistic drink to a commercial commodity consumed freely outside the control of the state. The absence of regional regulations specifically governing the distribution of tuak, weak law enforcement, limited capacity of law enforcement officers, and the social acceptance of tuak consumption are the primary factors contributing to the difficulty in controlling the illegal circulation of this beverage. Empirical data reveal a significant correlation between tuak consumption and the rise in criminal cases and public order disturbances, reinforcing the urgency for comprehensive policy interventions grounded in the social realities on the ground.

In addressing this issue, a response that goes beyond a merely repressive approach is required—one that prioritizes the integration of the formal legal system with local value systems. The regional government, in collaboration with law enforcement authorities, traditional leaders, and civil society actors, must formulate a Regional Regulation (Peraturan Daerah / Perda) that proportionally governs the production, distribution, and consumption of tuak. A restorative justice approach and participatory policymaking are alternative solutions that may bridge the gap between state law and customary law. In addition, preventive efforts such as legal education, the economic empowerment of rural communities, and the strengthening of local institutional capacity must be continuously promoted in order to foster legal awareness and reduce community dependence on the informal and unlawful economy. Through these measures, the issue of illegal tuak distribution may be addressed in a fair, effective, and context-sensitive manner.

REFERENCE

- Consumption, W. H. O. E. C. on P. R. to A. (2007). *WHO Expert Committee on Problems Related to Alcohol Consumption: Second Report* (Issue 944). World Health Organization.
- Efendi, J., & Ibrahim, J. (2018). *Metode Penelitian Hukum: Normatif dan Empiris*.
- Ekspres, K. (2017). *Duhh! Pesta Miras, 23 Remaja Lamandau Dicidaduk Polisi*. <https://Kaltengekspres.Com/>. <https://kaltengekspres.com/2017/12/duhh-pesta-miras-23-remaja-lamandau-dicidaduk-polisi/>
- Faqih, A. M. (2023). Pengendalian dan Pengawasan Peredaran Minuman Beralkohol Serta Minuman Tuak Tradisional. *Journal of Islamic Business Law*, 7(1).
- Febinia Afrigest, R., Adhayanto, O., & Efridadewi, A. (2023). *UPAYA KEPOLISIAN DALAM MENANGANI PERDAGANGAN MINUMAN BERALKOHOL JENIS TUAK SECARA ILEGAL DI WILAYAH HUKUM KOTA TANJUNGPINANG*. UNIVERSITAS MARITIM RAJA ALI HAJI.

- Friedman, L. M. (2013). *Sistem Hukum*. Nusa Media.
- Ideham, M., & Nicodemus, N. (2025). The Analysis Of Public Service Quality In The Issuance Of Police Clearance Certificate (SKCK) At Lamandau Police Resort. *Sociopolis*, 1(1), 16–22.
- Khairuddin, K. (2021). Government Supervision In Overcoming Problems Drinking Tuak At The Gunung Meriah Aceh. *Aksara: Jurnal Ilmu Pendidikan Nonformal*, 7(3), 1313–1322.
- Makaraeng, A., Mading, B., & Almusawir, A. (2023). Analisis Sosio-Yuridis Perdagangan Minuman Keras Ilegal di Kota Makassar. *Clavia*, 21(1), 1–10.
- Marzuki, P. M. (2017). *Penelitian Hukum: Edisi Revisi* (13th ed.). Prenadamedia Group. https://books.google.co.id/books?hl=en&lr=&id=CKZADwAAQBAJ&oi=fnd&pg=PA1&dq=Penelitian+Hukum+Edisi+Revisi&ots=mnJtIU9gUJ&sig=3QMADoPgXIIIvS4wKmFLqVZG9Zk&redir_esc=y#v=onepage&q=Penelitian Hukum Edisi Revisi&f=false
- Muhammad, H. Z., & Ramadhan, G. D. (2025). Legal Protection of Geographical Indications for Traditional Alcoholic Beverages: Perspectives of Islamic Law and Positive Law in Indonesia. *Jurnal Mediasas: Media Ilmu Syari'ah Dan Ahwal Al-Syakhshiyyah*, 8(2), 293–306.
- Pahlawan, A. A., Sunardi, G., & Wuryani, E. (2023). Makna tuak dalam adat pernikahan masyarakat Dayak Pesaguan dan nilai-nilai kearifan lokal. *Jurnal Nusantara Raya*, 2(1), 1–6.
- Pera, Y., Desi, D., & Dese, D. C. (2021). Deskripsi Perilaku Kesehatan (Health Behavior) Dan Kualitas Hidup Lansia Suku Dayak Tomun Di Desa Sungai Buluh, Kab. Lamandau, Prov. Kalimantan Tengah. *Jurnal Keperawatan Muhammadiyah*, 6(2).
- Polihu, R. M. (2017). Tindak Pidana Penganiayaan Akibat Pengaruh Minuman Beralkohol Menurut KUHP Pasal 351. *Lex Crimen*, 6(2).
- Pranadewi, P. M. A., & Bali, P. P. (2021). Karakteristik Minuman Alkohol Tradisional Tuak Kelapa Karangasem Melalui Uji Organoleptik. *Hospitour: Journal of Hospitality & Tourism Innovation*, 5(2), 43–53.
- Rahmaniati, R., & Supramono, S. (2014). Kajian Sosio-Biologi Minuman Baram Masyarakat Dayak Wilayah Katingan Kalimantan Tengah. *Anterior Jurnal*, 14(1), 101–109.
- Sampit, R. (2024). *Warung Penjual Miras di Perbatasan Kobar-Lamandau Diobrak-abrik*. <https://www.prokal.co/>. <https://www.prokal.co/kalimantan-tengah/1775056273/warung-penjual-miras-di-perbatasan-kobar-lamandau-diobrak-abrik>
- Sari, W. N., & Elsty, K. (2024). Introducing Tuak, the Traditional Alcoholic Beverage of the Dayak Muara Tribe in Kalimantan, Indonesia: Gastronomy Identity Unveiled. *Mutiara: Multidisciplinary Scientific Journal*, 2(2), 863–878.
- Siddiq, F. (2018). *Polres Lamandau tangkap pemproduksi miras ilegal*. <https://Kalteng.AntaraneWS.Com/>. <https://kalteng.antaraneWS.com/berita/282192/polres-lamandau-tangkap-pemproduksi-miras-ilegal>
- Suci, A. S. (2020). *Analisa Kadar Alkohol Minuman Tuak Berdasarkan Lama Penyimpanan*. Universitas Muhammadiyah Surabaya.