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Literature Study of Pasang Ri Kajang as a Guideline for Resolving Customary Violations in the Ammatoa Kajang Customary Law Community

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Abstract

The Ammatoa indigenous people of the Kajang tribe have a cultural institution called. They live exclusively in the Area known as the Ammatoa Customary Area. The distances from the sub-district capital, regency capital and provincial capital to the location of customary areas are: 25 km, 57 km and 270 km respectively. The life of the indigenous people who live in the customary area is called the Ilalang embayyah (Kajang Dalam) area where the indigenous people adhere to or are guided by "Pasang Ri Kajang", namely in the form of messages, wills, advice, mandates that are sacred in nature and are legally obligatory to implement. This research is a Literature Study by tracing the results of scientific publications with a vulnerability of 2019-2022 with the keyword Pasang Ri Kajang. The search was carried out through the Adabiyah Journal, Equilibrium, ALDEV, and Google Scholar databases. Based on the results of a literature search with the keyword Pasang Ri Kajang, 490 results were obtained, then screening which articles were Free Full Text (n: 312), and identified based on which titles were close to research (n: 51), screening based on abstract identification by looking at the results and research methods (n: 28), identify the feasibility of the remaining articles (n: 7), in order to obtain 5 articles that are in accordance with the research objectives.

Keywords: Pasang Ri Kajang, Ammatoa Indigenous People, Kajang.

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INTRODUCTION

Kajang is one of the sub-districts in Bulukumba Regency, South Sulawesi. In Kajang Sub-District, a traditional community lives, which is very consistent with the traditions they adhere to. This community is identified as the Ammatoa Kajang Indigenous People. The Ammatoa indigenous people of the Kajang tribe have a cultural institution called. They live exclusively in the Area known as the Ammatoa Customary Area. The distances from the sub-district capital, regency capital and provincial capital to the location of customary areas are: 25 km, 57 km and 270 km respectively. This community is quite old (more than 5 centuries) and has high and important historical value, especially for Bugis-Makassar society and culture.

The Kajang tribe is divided into three areas which are commonly referred to as borong karamaka (sacred forest), namely areas where it is prohibited to carry out all activities in it except activities related to ritual elements. Borong Batasayya (border forest), namely an area whose natural resources can be exploited with the condition that permission from the customary leader (Ammatoa) and supplies are sufficient. Lastly is borong Luara' (community forest), which is an area whose contents may be used by the community (Purnamasari, 2015).

The life of the indigenous people who live in the customary area is called the Ilalang embayyah (Kajang Dalam) area where the indigenous people adhere to or are guided by "Pasang Ri Kajang", namely in the form of messages, wills, advice, mandates that are sacred in nature and and the law is obligatory to implement which teaches a person to adjust to the macro and micro cosmos as well as the rules in intertwining life with nature, humans and God. They believe forests are a source of life and support for environmental balance. If destroying the forest is the same as destroying the lives of his seven descendants (Dassir, 2008).

The contents of "Pasang Ri Kajang" are principles, values, laws and rules in knitting human relationships with God, relationships between humans and human relationships with the universe. And all the contents and meanings of these pairs are passed down from one generation to the next through oral or oral utterances in the form of utterances or oral stories. Regarding this matter, the Regional Government of Bulukumba Regency issued Regional Regulation (Perda) Bulukumba number 9 of 2015 concerning Strengthening, Recognition of rights, and Protection of the rights of the Ammatoa Kajang customary law community. In the regional regulation it is stated that the Ammatoa Kajang Customary Law Community has a Pasang ri Kajang which is a

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source of values that regulates all aspects of the life of the Ammatoa Kajang Customary Law Community which serves as a reminder and a way of life that is followed by indigenous peoples.

Therefore, Pasang Ri Kajang is also a guideline for the Ammatoa Kajang Customary Law Community in deciding and resolving cases that occur within the customary area. This is what attracts researchers to study with literature studies related to the mechanism of case settlement in the Ammatoa Kajang customary area through Pasang Ri Kajang.

RESEARCH METHODS

This Literature Study is through researching the results of scientific publications with a vulnerability of 2019-2022 with the keyword Pasang Ri Kajang. The search was carried out through the Adabiyah Journal, Equilibrium, ALDEV, and Google Scholar databases. Based on the search results, the literature most relevant to this research was selected, so 5 articles were selected to be analyzed and concluded.

RESULT

Based on the results of a literature search with the keyword Pasang Ri Kajang, 490 results were obtained, then screening which articles were Free Full Text (n: 312), and identified based on which titles were close to research (n: 51), screening based on abstract identification by looking at the results and research methods (n: 28), identify the feasibility of the remaining articles (n: 7), so that 5 articles are obtained that are in accordance with the research objectives with the description as follows:

Table.1 Research data

Number	Researcher	Research purposes	Research design	Respondents	Data collection	Research result
1	Risfaisal, Nurinayati Saiful, Hania, Khairun Nisa (2022)	This research was conducted with the aim of knowing more about the Kajang Ammatoa Indigenous people regarding customary law and the Role of the	Case Study	Village Officials, Community Leaders, and Youth Leaders.	Data Triangulation	The form of settlement of the case of the Kajang Ammatoa indigenous people in Bulukumba Regency, namely there are three

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		Traditional Leader in resolving violations that occurred in the Kajang Ammatoa customary area, Kajang District, Bulukumba Regency				sanctions in which the sanctions are decided by the customary leader by way of deliberation for the common interest. Ammatoa's role as a traditional leader in resolving the case of the Kajang Ammatoa indigenous people in Bulukumba Regency, Ammatoa will be firm and objective, meaning that in resolving violations within the Kajang Ammatoa customary area regardless of family relations, social status, rich or poor, so that anyone who commits a violation will get penalized
2	Nadya Oktaviani Bahar, St.	This study aims to prove the existence of the A'tunu	Field Research	Local government, residents, and	Sociological Normative	*A'tunu Panroli based on what was mandated by*

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	Nurjannah (2021)	Panroli' traditional ritual in resolving cases or customary violations that occur in the Ammatoa Kajang customary area.	(Field Research)	community leaders in Tana Toa Village, Kajang District, Bulukumba Regency		*Pasang Ri Kajang basically has three (3) functions, namely first as a form of customary activity every year, second as a verification process when someone violates customary law, and third as a way to introduce existing culture . However, since 1998 until now A'tunu Panroli has not been found to be carried out as a process of proving customary law because there has not been a case of violation of customary law requiring the implementation of A'tunu Panroli in the Ammatoa customary area.*
3	Nur Qonitah Syamsul (2020)	This study aims to understand the existence of customary land dispute resolution in the Ammatoa	Empirical Legal Research (Empirical Legal Research)	Kajang Traditional Leaders and Villagers of Tanah Toa Kajang.	Purposive Sampling	Settlement of land disputes Kajang adat is still used or exists in customary law communities

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		Kajang customary law community, as well as to understand the strength of the decisions made in customary land dispute resolution in the Ammatoa Kajang customary law community.				ammatoa kajang. This is evidenced by the Ammatoa Kajang customary court which still exists and is still alive in customary law community units in the village of Tana Toa Kajang and the constitution has also emphasized state recognition of indigenous and tribal peoples and their traditional rights, the power of decisions in customary land dispute resolution in the Ammatoa customary law community has magical-religious powers, namely the community believes in the existence of something sacred. There is a spiritual sanction that will be accepted if some of them do not accept the results

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						of the decision. In addition, the results of dispute settlement decisions are binding in nature for the parties to the dispute and final, so that it cannot be sued again either through customary courts or general courts.
4	Irmawati, Mulyati Pawennei, Abdul Qahar (2022)	Analyzing the process of settling minor crimes through local wisdom (customary law) in the Kajang Customary Area, Bulukumba Regency and the factors that influence it	Empirical legal research	Traditional leaders/traditional leaders	Purposive Sampling	The process of settling minor crimes through local wisdom (customary law) in the Kajang Customary Area, Bulukumbailah Regency, is by deliberation or a'borong. The mechanism of the Kajang tribe customary justice is the same as the state court, but the difference is that this trial is carried out by customary officials. The deliberation or a'borong is attended by traditional

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						stakeholders led by Ammatoa. The severity of the sanctions is divided into three, namely cappa 'ba'bala, tangnga ba'bala and poko 'ba'bala. Factors influencing the settlement of minor crimes based on local wisdom in the Kajang Customary Area Study, Bulukumbaialah Regency, legal substance, legal structure and legal culture.
5	Muhammad Kibar Akib, Imam Koeswahyono , Rachmi Sulistyarini (2022)	To analyze the obstacles in the settlement of inheritance disputes in the indigenous people of the Kajang tribe and efforts to resolve inheritance disputes justice for the indigenous people of the Kajang tribe	Empirical juridical	MHA Ammatoa Kajang, Head of Tanah Toa Village, and Traditional Leaders.	Descriptive	Obstacles in resolving inheritance disputes in the Kajang tribal customary community, namely the parties during mediation make incorrect confessions, insist on defending their rights and social status, tend to be

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						emotional, and lack of firmness on the part of the mediator. Failure to resolve inheritance disputes in the Kajang tribal customary community is dominated by the lack of good will of the parties to resolve the disputes that have occurred. Efforts to resolve inheritance disputes in an equitable way for the indigenous people of the Kajang tribe are carried out based on local wisdom including deliberations at the level of the hamlet head, mediation by the village head, and customary justice institutions based on pairs of ri kajang led by Ammatoa. The indigenous people of the Kajang tribe

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						believe that resolving inheritance disputes through customary courts can fulfill the elements of justice for the parties

DISCUSSION

Based on the results of the research, it was found that Pasang Ri Kajang is a guide/source of law in resolving customary cases that occur, this is in line with research conducted by Risfaisal, Nurinayati Saiful, Hania, Khairun Nisa (2022) who interviewed the local government and traditional leaders who were considered to understand and has the authority to explain about Pasang that the Kajang Ammatoa indigenous people have Pasang as a source of law. Therefore, Pasang has clear and strict sanctions for violations or deviations that occur within the Kajang Ammatoa customary area.

Broadly speaking, whether it is an offense that is theft, felling trees, immoral acts, cheating etc. When someone commits this violation in the customary area of the Ammatoa kajang which is then forbidden to do so, they will be subject to sanctions depending on the type of violation, the sanctions are then guided by Pasang Ri Kajang. The sanctions include: First, Ba'bala (whipping), which is divided into Poko' Ba'bala or serious violations which carry a penalty of 12 real (equivalent to twelve million rupiahs). Second, Tangnga Ba'bala is a moderate offense for which threats are imposed penalty of 8 reals (equivalent to eight million rupiahs).Third, Cappa Ba'bala is a moderate offence where this threat is subject to a fine of six reales (equal to six million rupiahs).

Then the Guidelines are used in traditional rituals / customary courts known as A'borong. Accompanied by a process of proof to find someone who is suspected of being the perpetrator in the event of a customary violation that occurred, the ritual includes: First, Patunra (under oath) is a traditional ritual that is carried out if someone is suspected, then that person is summoned by the Traditional Head, namely Ammatoa to be asked a question and Ammatoa also has the advantage of being able to read the behavior of a person who is lying, Ammatoa will ask questions

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as well as read the movements of the person being asked a question and if Ammatoa is sure based on his vision of the suspect that he is lying then that person will be sworn in.

Second, Tunu Panroli (crowbar burning) a ceremony that is carried out when there is a violation and the culprit is unknown. this procession is carried out with the aim of finding out who is honest among the Ammatoa people. won't burn and scald his hands. but on the contrary, when his hands are burned, blistered or hot then he is definitely the one who is guilty. Through this ritual, the person who is suspected of being the perpetrator will change and admit his mistake that he was the one who committed the intended violation. The question arises, what if the perpetrator still does not admit it or is not even present during the proving ritual process? then the Tunu Passau ritual (burning incense) is then carried out by means of the Ammatoa and their traditional stakeholders burning the incense. The perpetrators who are then subject to Passau will feel sanctions that are occult and sacred in nature such as swollen stomach, nipa'loha (forgetful memory) and cannot be cured. from illness to death.

However, before all of that was taken, of course Ammatoa was more concerned with the principle of peace first, given the opportunity to explain and provide evidence. In line with research conducted by Muhammad Kibar Akib, Imam Koeswahyono, Rachmi Sulistyarini (2022) that the indigenous people of the Kajang tribe in resolving inheritance disputes include three stages, namely through the hamlet head, village head, and customary court institutions. The first process of resolving the dispute of the Kajang tribe indigenous people is reporting to the head of the hamlet regarding an inheritance dispute. Second, the hamlet head after receiving a report from the aggrieved party will conduct a search to the first party by asking for an explanation of the main problem or lawsuit that occurred. The hamlet head also dug up information from the second party as the defendant to obtain information regarding the dispute that occurred. The information obtained by the hamlet head from both parties will be used as a basis for resolving the dispute.

Third, the hamlet head after understanding the main issues of each disputing party will determine the trial schedule. The hamlet head then summons the parties to attend the hearing according to a predetermined schedule. Dispute resolution at the hamlet level does not have a special procedure that is part of customary law (Ihromi, 2004). Dispute settlement system. Settlement of inheritance disputes in the customary law community of the Kajang tribe uses strategies and approaches that are guided by Pasang Ri Kajang.

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Also supported by research by Irmawati, Mulyati Pawennei, Abdul Qahar (2022), that even though Ammatoa has the authority to be able to carry out its own policies and decisions which are final, in the process of imposing sanctions Ammatoa does not take the law into his own hands. Every customary violation that occurs is resolved through the customary court process and through a process to take the peaceful route first. Determination of a person guilty until the issuance of a customary decision is carried out through deliberation.

CONCLUSION

Basically, what they did in their existence as adherents of a belief system, was carried out as a mandate from their ancestors whom they upheld, namely Pasang ri Kajang, which had been adapted to the main principles of Islamic religion. One of the characteristics of the Kajang indigenous people today is that still exist by carrying out various ceremonies or rituals in their beliefs, namely by seeing the forest as part of their life.

Pasang Ri Kajang as a guideline for resolving cases of customary violations that occurred in the Ammatoa Kajang customary area, Trust in Tu rie' a'ra'na and Pasang. In the Kajang customary area, the culture and traditions of their ancestors are in the form of unwritten laws in that area, which the Kajang people call pap plugs or pairs (messages, advice). One of the contents of the pap Pasang is the simple land kajang (tana kamase-mase). This is why the people of Kajang do not accept modernization and tend to resist change because they perceive it as the splendor or luxury of the world, including government programs and policies that are considered could threaten their very existence.

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