The Constitutional Law Values in the Martabat Tujuh Constitution of the Sultanates of Buton

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Abstract: Indonesia has diverse local wisdom. The diversity of local wisdom can strengthen relations between religious people in an area. Local wisdom contains important values as a reference in behaving and interacting with culturally and religiously different others. Local wisdom is effective in creating a harmonious social life. This research aims to reveal the legal value of the constitution of Martabat Tujuh of the Sultanates of Buton. The data of this qualitative research was analyzed descriptively. The results show that the constitutional value contained in the Martabat Tujuh constitution of the Sultanates of Buton until now is still used as a guideline in implementing the leadership of the government and the people of Buton.

Keywords: value, Martabat Tujuh, constitution.

布顿苏丹国玛塔巴图朱宪法中的宪法价值

摘要：印度尼西亚有不同的地方智慧。地方智慧的多样性可以加强一个地区宗教人士之间的关系。地方智慧包含重要的价值观，作为与文化和宗教不同的其他人的行为和互动的参考。地方智慧对营造和谐的社会生活是有效的。本研究旨在揭示布顿苏丹国玛塔巴图朱宪法的法律价值。对这项定性研究的数据进行了描述性分析。结果表明，布顿苏丹国马塔巴图朱赫宪法中所包含的宪法价值，至今仍被用作布顿政府和人民实施领导的指导方针。

关键词：价值，尊严七，宪法。

1. Introduction

As the biggest archipelagic state globally, Indonesia has 17.499 big and small islands, where 13.466 have been named and registered in the United Nations. Indonesia has approximately 80.791 km² coastline in total, the second-longest coastline after Canada, with the width of the marine area to 6.315.222 km².

Every country in the world must have a constitution because the constitution is one of the components of an independent state. Therefore, the sustainability of a constitution is very important in a country. The constitution is a framework of political life that has been built for the first time since world civilization began, as almost all countries want a constitutional life. The characteristics of constitutional government include broad political participation, legislative power held by the people, a government far from authoritarianism, etc.

Indonesia is a state of law (rec/jfsfaaf). A state-based on law means that the law is placed as a guideline. Implementing the "rule of law" emphasizes the restrictions of power so that absolutism does not occur, which otherwise may lead to onrechtmatige daad even the act of ongrondwettin (against the constitution). The regulation and restriction of power must be reflected in a regulation based on justice. The justice-based regulation is one of the prerequisites for successful development, as mandated in the opening of the Constitution of 1945. The mandate in question is that the Indonesian government is obliged to protect the entire Indonesian nation, promote the general welfare, educate the nation's life, and participate in
implementing public order based on eternal peace and social justice [1-3].

The recognition of indigenous stakeholders for Indigenous Law Community (MHA) and customary lands is generally not supported by historical and contemporary facts. Only claims as indigenous people that correspond to historical facts [4].

The Kingdom of Buton was founded by immigrants who came from the Malacca Peninsula by the beginning of the 14th century. These immigrants were led by four leaders, who in the local tradition are called “mias patamiana” [5]. The first king was a woman named Wa Kha Kha. In Buton mythology, she is called “The God-descended Queen born through bamboo.” Wa Kha Kha married Sibatara, a prince of Majapahit. Of this couple, generations of Buton kings were passed down. In the time of its sixth king named Lakilaponto, Islam penetrated the territory of Buton until the country metamorphosed into an Islamic kingdom (sultanate). Islam was introduced in Buton by Shaykh Abdul Wahid Bin Sulaiman, an Arab mubalîq from Johor. As a result of the adaptation of Islam, Lakilaponto was confirmed as Sultan Buton I in 948 H (1541 AD), titled Sultan Muhammad Quaimuddin, also called Sultan Murhum.

The government pattern of the Sultanate of Buton is based on local and Islamic traditions. The power structure shows the running of the government that cannot be separated from the social layering system that fills it. The high layer in this society is called kaomu. They are seen as noble [6, 7], or high nobility [8, 9]. According to the father's line of the first king's spouse, they came from descendants. As a status marker, kaomu people use the title La Ode for men and Wa Ode for women in front of their names [7]. Kaomu consists of three groups of relatives, called kambororumbu talupalena (three pillars), consisting of (i) kaomu tanayilandu, (ii) kaomu tapitapi, and (iii) kaomu kembewaha. A Sultan was chosen from this circle; some other high positions in the sultanate organization were also reserved [10].

2. Research Method
The study was conducted in Baubau, where the Government of the Sultanate of Buton takes place. The population of this study is the government, indigenous leaders, and community leaders in Baubau [11]. The primary and secondary data of this research obtained in the field will be analyzed qualitatively.

3. Findings and Discussion
Human life cannot be separated from values, morals, and laws. Value becomes the very important foundation that governs all human behavior. Value becomes a source of strength in upholding social order. In other words, morals as the basis of human behavior make life run within the norms of humanist-religious life. The power of law becomes control in regulating the fairness of the rights, and every human being must obey the law. The role of values, morals, and laws becomes an important part of building the character of a nation [12]. The emergence of ethnocentric attitudes between regions in Indonesia is due to geographical differences, economic status, socio-culture, ethnicity, history, and ideological experience of each autonomous region [13].

Indonesia has diverse local wisdom. Diversity of local wisdom can be used to strengthen relations between religious people in an area. Local wisdom contains important values, including as a reference in behaving and interacting with others who are culturally and religiously different. For example, dalihan na tulo in North Sumatra, siro yo ingsun, ingsun yo siro in East Java, sipakalebbi and sipakatau in South Sulawesi, menyama braya in Bali and the concept of betang house in Central Kalimantan. Substantially, local wisdom is the overall value in society. These values are true and become references in everyday life (Sabara, 2015: 205). Local wisdom is manifested in words of wisdom (philosophy) in advice, proverbs, guidance, and poetry. It provides a cohesive aspect of the adhesive elements across groups, religions, and beliefs. In this context, local wisdom can be interpreted as a space or dialogical arena to soften any exclusivity of the political identity of a group [14].

Local wisdom cannot be separated from the noble values of the nation. It is the result of the intelligence of a community and then used by others as a means of suppression and the knowledge used by local people to survive for generations. Early on, understanding and implementing local wisdom can be a cornerstone of people's lives, especially to counteract the influence of foreign cultures that are currently afflicting many young people. In this context, the values of a local community reflected in local literature and culture can sustain the nation's noble values [15].

Buton is one of the largest islands in the south/southeast of the Southeast Sulawesi peninsula. Since the beginning of the 14th century, Buton has become famous in the archipelago as an area under Majapahit's governance. It is as written by Mpu Prapanca in Negarakertagama. Other islands around it are Muna island, Kaba Ena island, Wowoni island and Tukang Besi or Wakatobi islands (pp. Fragrances, Kaledupa, Tomia, Binongko). The islands were later known to be under Buton's governance and influence. According to Ligtvoel, the territory of the Sultanate of Buton includes the islands of Buton, covering Muna, Kabana, and small islands around Buton and Muna, and Talaga. To the south are the Tukang Besi islands consisting of the islands of Wangi-Wangi or Wanci, Kaledupa, Tomia, Kapota, Langkesi, Binongko, and the areas of Poleang and Rumbia at the southwestern tip of the Southeast Sulawesi peninsula [16].

Sara Pataanguna is a set of laws meant to be the concept of value in Buton society. It consists of:
1. Pomaa-maeka means mutual disinclination and obedience. It is a sense of being afraid of offending others, afraid to take away or deprive others’ rights. Then, from that feeling comes a devout attitude that there are limits that should not be passed in public life.

2. Pomaa-maasiaka means mutual love and affection. Mutual love and general love do not mean one’s love for the opposite sex, but the love and affection here contain the meaning of unconditional love that is not driven by the lure of something. Love and affection are manifestations of God’s nature in man.

3. Poangka-angkataka means prioritizing mutual respect and respect for fellow human beings. In the sight of Allah, man has the same degree; the only difference is worship and obedience to Allah.

4. Popia-piara means mutual care and protection. Mutual care and protection have a deep meaning that human beings who have the same degree have the right to be protected and safeguarded.

The above customary law is bound in one philosophy of bhincibhincikuli. In this philosophy, society is reminded to “when you pinch your skin, you feel pain.” Therefore, before doing anything painful to others, one must try it to himself. This philosophy derives from the belief that man is universal of the same degree before Allah. All mankind born into this world has the same feelings and rights as God’s grace that must be respected and must not be violated by anyone. In short, bhincibhincikuli philosophy is synonymous with “humanity and justice” [15].

The acculturation of Islamic sufism with local culture is evident in the articles and regulations, teachings, and values contained in Martabat Tujuh. In his article [5], it is said about the importance of social behavior called the Amanat Yang Tujuh (seven mandates). Furthermore, in his article [6], it is said that the seven mandates of the servant of God include: first, good deeds, which is the gift of God that is very important and the main thing that must be maintained. Second, it is a tool used to know the state of man and God. Third, qudrah (power) is used to perform physical and inner worship. Physical worship is devoted to the nation and the fatherland, while inner worship is devoted to God. Fourth, iradah (desire) is the attitude that brings mutual benefits improvements, both in the world and hereafter. Fifth, sama (hearing) used to listen to the commandments of Allah and His Messenger and to follow prohibitions. Sixth, basarah (vision) is the vision used to see something that benefits himself or others. Seventh is the kalam (word), which is to issue words that are beneficial to mankind.

The seven things included in the Martabat Tujuh are a form of acculturation of the teachings of the concept of the seven attributes of God in Sufism. Martabat Tujuh is affected by Islamic sufism. Even the name Martabat Tujuh is also acculturation of the teachings of sufism of Ibn Arabi. In his teachings, Ibn Arabi divided human nature into seven levels of the realm, i.e., the ahadiyah, wahdiyah, wahidiyah, spirit, misal, ijsam, and human. In subsequent developments, La Elangi made Ibn Arabi’s concept the constitution in Buton. He also made the seven realms of man a parable of Buton’s governance. (1) Martabat Ahadiyah is likened as the Tanailandu. (2) The Martabat Wahda is likened as Tap-Tapi. (3) Martabat Wahidiyah is likened to the Kumbewaha people. (4) Martabat Arwah is likened as a Sultan. (5) Martabat Mitsal is likened to Sapati. (6) Martabat Ajsam is likened to kinepulu and (7) Martabat Insan Kamil is likened as kapitalalo and society.

One of the basic principles in the Martabat Tujuh is the principle of "equality" (bincibincikuli). This principle expresses the desire and ambition of the Buton people to live in the shade of a peaceful nation. Furthermore, bincibincikuli as the basis of the humanity of the Buton community is affirmed based on four notions. Those are mutual disdain or fear of hurting others (pomaa-maeka), upholding each other’s honor (poangka-angkata), mutual love for each other (maasika-pomaation), and mutual support (popia-piara). Bincibincikuli is also the manifestation of the contents of the Prophet’s teaching on sufism, which is taken from the hadith “Whoeber knows himself, will know his Lord.”

The concept of Martabat Tujuh can be seen from socio-cultural and spiritual perspectives. In the socio-cultural perspective, the concept of Martabat Tujuh is pegged as the system that governs the social life of the Buton people, in this case as a law formally enacted in the 17th to late 19th century. Meanwhile, in the spiritual perspective, the concept is the foundation underlying all understanding and spiritual experience of the Buton community [17]. It is a series of the wisdom of honesty, transparency, law enforcement [18, 19].

In the Sultanate of Buton, an ideal leader should be an Insan Kamil. In the understanding of tasawwuf falsasi, Prophet Muhammad PBUH is the one who achieved this level, on top of all human beings and all His creatures, even other Prophets. The Qur’an says “Laqad kaana lakum fii Rasulillahi uswutah hasanah” (Indeed the Messenger of Allah is the best example for you). In the Sultanate of Buton, the behavior of prospective Sultan is observed not just during 1 or 2 years before nominating, but since infancy. The candidate of a sultan who comes from Kamboru-mboru talu palena or derivative (Bani) who deserves to be the Sultan is observed by the Siolimbona.

4. Conclusion

The Constitution of Martabat Tujuh of Sultanates of Buton has a philosophy of Bhincibhincikuli, which fundamentally means that every human being if pinching his skin, feels pain, then so will others. This
References