



The Nature of Binci-Binciki Kuli (Norma) of The Government of The Sultanate of Buton

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ABSTRACT

This research was conducted to determine the nature of Binci-binciki kuli (norms) in the Government of the Sultanate of Buton, this study used normative research that used library data or primary legal materials and secondary legal materials as well as tertiary legal materials. The result of this study indicate that the essence of Binci-binciki kuli (norms) of the government of the Sultanate of Buton contained in the Binci-binciki Kuli philosophy (pinch each other will feel pain) is formally listed in the Seven Dignity Constitution. It is recommended to preserve the value of the government of the Sultanate of Buton which are contained in the Binci-binciki Kuli philosophy (pinch each other will feel pain), which contains the principles of equality, equality and justice.

Keywords: Local Wisdom; Government; Sultanate of Buton

1. Introduction

Binci-binciki kuli local wisdom cannot be separated from the noble values of the nation. Local wisdom is knowledge that is used by local people to survive from generation to generation. Understanding and implementing local wisdom from an early age can be the basis of people's lives, especially to counteract the influence of foreign cultures that currently befall the younger generation. In this context, the values of local people's lives which are reflected in local culture can support the noble values of the nation (Departemen Pendidikan dan Kebudayaan, 1989). The Sultanate of Buton is bound by a shared philosophy or view of life called Binci-Binciki Kuli (pinching each other will feel pain), which means pinching the skin means that if each person pinches his own skin, it will definitely feel pain so that if it feels It hurts to pinch your own skin, you will definitely feel pain when you pinch someone else's skin. This philosophy is a view of living together between members of the community as a whole which contains the meaning of high human values and adheres to the legal basis of kinship which gives birth to a system of living together, sharing the same fate, feeling and struggle. local cultural values, namely Poma Masiaka means always living caring for each other and loving each other, Popia-Piara means always living to care for each other. Pomae-Maeka means always glorifying each other, Poangka-Angkataka means mutual respect, and Pobinci-Binciki Kuli pinching each other's skin is an allusion to painful deeds (Ruliah, Wiridin, Ruben Gelong, Salam, & Malaha, 2022). This philosophy, is the basis of morality or the main behavior and must be maintained and implemented in the life of society and the state (Idris & M. Anshari, 2004).

The philosophy of Binci-Binciki Coolie is contained in the seven apostasy constitution, in the first article. The philosophy or way of life of Binci-binciki coolies (pinch each other will feel pain) became the first basis of the Buton kingdom and was maintained in the Buton sultanate, which became the legal ideal for the formation of the Apostate Seven Sultanate constitution of Buton. The formation of the Murtabat seven constitution was based on a building agreement from the Buton sultanate officials at that time, by combining elements of tradition or customary law with religious elements of Islamic law (sufism).

In their understanding as a philosophy of living together, the porters' binci-binciki are divided into 4 (four) basic understandings, namely pomae-maeka (reluctant to respect/fear each other), popia-piara (care for each

other), pamaa-maasiaka (love each other) and poangka-angkataka (mutual respect). The philosophy or way of life of the porters, in which there is a substantial meaning which is divided into 4 (four) basic understandings, in customary language is called syara patanguna, namely (Saidi, 2005):

- a. Pomae-maeka, means always glorifying each other with the fear of violating the humanity between fellow members of the community. Pomae-maeka is intended so that every state official and citizen must know his position, must know where his position is, which one is higher and which one is lower. Pomae-maeka is also intended so that everyone always obeys and obeys each other or fears each other between members of the community in terms of violating the rights of others.
- b. Poma-maasiaka means always living caring for and loving each other among members of the community. This has a noble meaning, that people must love each other and love reciprocally, love each other between the young and the old, and vice versa.
- c. Popia-piara means always living to maintain peace, tranquility between fellow members of the community. This implies that community members are obliged to care for each other, foster each other, protect, secure material, moral or position in society so as to create mutual prosperity.
- d. Poangka-angkataka means always living a useful life by elevating each other among members of the community. Poangka-angkataka is intended to respect each other among citizens in general according to customs and the values of decency, mutual respect for each other, namely between government syara and members of the community in general.

In some versions, it is said that the philosophy of binci-binciki kuli (pinch each other will feel the same pain) is the first philosophy of the kingdom of Buton. The philosophy of binci-binciki kuli (pinch each other will feel pain) has just become an abstract idea, where the four precepts adhere to the legal basis of kinship in the sense of being based on family life, togetherness, feeling and sharing. This is because the people of the Buton kingdom at that time were still very simple, this philosophy was then called adatul azali. The content of the philosophy of the binci-binciki kuli (pinching each other will feel pain) teaches a more harmonious social life, peace, mutual respect, and tolerance. This philosophy turns out to have a fairly strong resistance in the Butonese community. This philosophy of life was then translated into a philosophy of unity and integrity to strengthen the Buton sultanate inwardly (Said, 2009).

After the kingdom turned into a sultanate, the philosophy of binci-binciki kuli (pinch each other will feel pain) was maintained and became the basic norm in the formation of the apostate seven constitution, which was placed in the first article of the apostate seven constitution. Binci-binciki kuli (pinch each other will feel the pain) during the reign of the kingdom is the first philosophy, which is the basic norm of state administration. However, after the Buton Sultanate was formed, the Binci-Binciki Kuli philosophy (pinch each other will feel pain) became the legal ideal in the formation of the constitution of the Buton Sultanate. The Binci-Binciki Kuli philosophy (pinch each other will feel pain) is still maintained, because it is considered to be in accordance with the values of Islamic teachings. This is because the philosophy of the porters (pinch each other will feel pain) has a very universal value so that it can be applied in the life of society, nation and state.

Based on the previous theoretical basis, the author concludes that the first philosophy of Binci-Binciki Kuli (pinch each other will feel pain) during the kingdom was then maintained by the sultanate officials and became the ideal of law (*rechtsidee*) and the basic norm in the preparation of the apostate constitution of the seven sultanates of Buton. The author calls it a legal ideal, departing from the understanding of the legal ideal itself which is a philosophical value to get to the desired legal norm (normative value), which is the basis all power and legality of positive law.

2. Methodology

This research is a normative legal research that uses secondary data obtained from library materials formed from several legal materials, such as: primary legal materials, secondary legal materials, and tertiary legal materials (Soekanto & Mamudji, 2003). The primary legal material used is the 1945 Constitution of the Republic of Indonesia and laws and regulations related to the issue of local wisdom of the past government of the Sultanate of Buton. Legal research is basically problem solving. The problem solving method is carried out by researchers by identifying and qualifying facts and finding applicable legal norms, then drawing conclusions based on facts and legal norms (Brotosusilo, 1994).

3. Result and Discussion

The philosophy of Binci-Binci Coolies (pinching each other will feel pain) as the basis for this general philosophy of humanity, has in its development experienced a strengthening of meaning which gave birth to the syara patanguna philosophy or the philosophical basis or ideology of the Sultanate of Buton. This is necessary, because the growth of society and the expansion of the territory of the Sultanate of Buton continues to grow, so that a stronger constitutional rule is needed and can accommodate every need of the community and its territory. Therefore, the officials of the Sultanate of Buton agreed to form a state philosophy as a complement to the first philosophy of Binci-Binciki Kuli (pinching each other will feel pain). The legal ideal of binci-binciki coolies (pinch each other will both feel pain) is what later gave birth to the ideals of the State or the philosophy of the State in the apostate constitution of the seven sultanates of Buton.

The description of the state ideals or state philosophy of the Sultanate of Buton consists of five basic needs or interests. The five basic order of needs or interests are as follows:

- a. Arataa (Wealth). Araata is wealth which can also be connoted with the need for interest. Wealth consists of two parts, namely state wealth (outward) and human wealth (reason).
- b. Karo (human self). Karo means humans or human beings in all their circumstances, both family, community and state. Karo is a country's wealth that must be protected by the state and government.
- c. Lipu (Country). Lipu means the state, which is the highest organization among one group or several groups that have goals or aspirations to unite or live together.
- d. Syara (Government and Constitution). The position of syara in this case is the government and the constitution. Government as Syara must always prioritize deliberation to reach consensus. The government is given the authority by the constitution, so that in running the government it must be in accordance with the mandate of the constitution.
- e. Religion (God Almighty). Religion is the main basis in building all aspects of life, be it arata (wealth), karo (humans), lipu (state), and syara (government and constitution). So that even though the four basic precepts can no longer be maintained and maintained, religion must still be maintained and preserved. Because only on the basis of religion can the four principles or precepts be rebuilt.

The basis of this fifth precept is still maintained by the Butonese community to this day, this can be seen in the still strong syara kidina or religious syara in the grand mosque of the Buton palace. Even though the duties and functions are not as syara kidina, but are merely religious worship. However, the Butonese community still respects the position of the palace mosque officials as one of the legacies of the Buton Sultanate that will survive and be preserved as the legacy of the Buton Sultanate. The five precepts or philosophical foundations are a unified series of needs and interests that will always be a guide for the state and citizens. Every official / dignitary and all the people, must cooperate in maintaining and defending the philosophy of the country. These five precepts support each other and cannot be exchanged, so that in placing the needs or interests of the state and citizens, they must be based on their respective needs or portions. The relationship between one precept and the next should not overlap, but must be consistent and mutually reinforcing. As for the meaning of the linkage of the precepts in the philosophy of the Sultanate of Buton, it can be described as follows:

- 1) Yinda Yindamo Arata somanamo Karo, meaning that property is willing to be sacrificed for personal safety.
- 2) Yinda Yindamo Karo somanamo Lipu, meaning that oneself is willing to be sacrificed for the sake of the safety of the country.
- 3) Yinda Yindamo Lipu somanamo Syara, meaning that the country is willing to be sacrificed for the safety of the government.
- 4) Yinda Yindamo Syara Somanmo Religion, meaning that the government is willing to be sacrificed for the safety of religion.

In the philosophy of the Sultanate of Buton, religion is placed on the last precept because it is the basis of all other needs or interests, namely property (araata), human (karo), state (Lipu), constitution (syara). In the sense that if religion can still be maintained, then to form other needs above it will be able to be done again, but if religion has been destroyed then humans and the state can no longer build the basis of their wealth, humanity,

state and government and constitution. This means that the main basic value in this philosophy is religion, so that these foundations can be rebuilt when religion is maintained and preserved. Discussing cultural values in this paper is not intended to generalize an understanding or absolute justification for the interpretation of the values contained in Binci-binciki Kuli itself. However, it is more intended to revitalize, re-socialize the values of Binci-Binciki Kuli so that they are understood, internalized, applied and implemented. As a view of life, guidelines and guidelines in the life of society, state, government and belief in God.

Book entitled "Martabat Tujuh" writes (Muchir, 2004) that it is quite understandable that the rewriting will cause controversy even though the argument is the same, because of different interpretations due to historical, sociological, cultural, and cultural differences, resulting in different perceptions assessing the essence being discussed. It was further stated that "since it was inaugurated at the time of Sultan Dayanu Ikhsanuddin, it was not inherited by the manuscript, but through refinement following the footsteps of his era in the transition of leadership.

Philosophy of "Binciki-Binciki Kuli" is the basic law and the source of all sources of law for the Butonese community which has developed into sarapatanguna (norms or rules) into two stages (Turi, 2007). From the description above, the writer argues that the local wisdom of the government of the Sultanate of Buton comes from the Binci-binciki Kuli philosophy, namely Pomae-maeka (mutual respect), Popia-piara (mutual care), Poangka-angkataka (mutual respect), Pomaa-maasiaka. (loving each other), while what is stated as sarapatanguna (norms or rules) the second stage is Yinda yindamo arata somanamo karo: let your property be destroyed as long as you are safe (wealth is willing to be sacrificed for self-safety), Yinda yindamo karo somanamo lipu: let yourself be destroyed as long as safe areas (self willing to be sacrificed for the safety of the country), Yinda yindamo lipu somanamo sara: let the region be destroyed as long as the government (the country is willing to be sacrificed for the sake of the safety of the government), Yinda yindamo sara somanamo religion: let the government be destroyed as long as religion (government is willing to be sacrificed for the safety of religion).

Leadership with the philosophy of pobinci-binciki coolies has basically been included in the Book of Dignity Seven as the basis for the rules of the past Buton sultanate. The philosophy of bhinci-bhinciki kuli (pinch each other's skin) has been developed by local scientists (thinkers) in Buton in his day. This philosophy existed before the formation of the royal government system in Buton. Even though the sultanate system of government at that time was no longer running formally in the local community, the values contained in it were still rooted and embedded in the hearts of the Butonese people. The law of bhinci-bhinciki coolies is the subject of adat and is based on sara.

The meaning of the porters' binci-binciki when associated with the implementation of government duties, is mutual fear, mutual embarrassment, mutual reluctance and mutual conviction. If this is applied in an organization/community group, even though in the institution there are superiors, there are subordinates and there are other personnel participants or there are various personnel, various ethnicities and religions, age levels and ranks, what is feared, respected, and even realized is Almighty God above all. binci-binciki coolies come from sarapatanguna (norms or rules), which consist of: a) pomae-maeaka (mutual respect), b) popia-piara (mutual care or mutual service), c) pomaa-maasiaka (love each other), and d) poangka-angkataka (mutual respect, and the main priority). The implementation of government leadership based on the philosophy of bhinci bhinciki coolies, essentially follows the sarapatanguna (norms or rules), as follows:

- a. The government must be pomae-maeaka, that is, have a fear or shame if it violates the rules. The values of pomae-maeaka in relation to the government in supporting the implementation of government are intended to be mutual fear of fellow organizational personnel and other interested parties, moreover leaders should not underestimate other people. Even though he was a subordinate, he was still seen as the same because of his human. The government that carries pomae-maeaka is nothing but based on solid morality. A government leader really has an image of himself as a person who has noble character who is worthy of being imitated in all respects, including having fear and shame when he violates the rules. Morality is an important key in governance that is developed in the Butonese community. Based on historical evidence, morality is the pivot point for the development of a common life that is able to create prosperity. Government based on morality is an absolute necessity. On the other hand, government leaders who do not consider morality will only lead the country to destruction. On the other hand, the sanctity of taste and morality in the pomae-maeka (mutual fear) philosophy is a sanctity based on a belief to be afraid of doing violations and all the prohibitions of Allah and

His Messenger. In this context, including Butonese people are afraid to commit shirk, arrogant, malevolent, arrogant, ujub, riya, vile and evil, stingy, hypocrisy, and tyranny. The government that consistently shows exemplary in influencing others means providing impetus to motivate itself in building integrity, which indirectly encourages others to understand deeply the principles in developing integrity which we call the first principle is to develop trust and confidence in changing sensory awareness to a higher level; the second principle is to give mutual respect and respect for others; the third principle is to have the ability to mature spiritually, socially, emotionally and intellectually.

- b. The government must implement *popia-piara* (mutual care, love or serve each other). Caring for each other, loving fellow human beings and especially loving God Almighty. Mutual care is intended that fellow elements of leadership, elements of employees and administrative staff as well as other organizations and the community in carrying out activities always maintain the element of togetherness/unity and unity, maintain the good name of the organization, the good name of fellow leaders, and the good name of fellow employees and other staff. They do not bring each other down, trust each other, and understand each other between them. In connection with the description above, in maintaining the elements of togetherness/unity and unity, the government in carrying out its duties, the leader always maintains his attitude and words so as not to cause offense to his subordinates and groups even though one of the subordinates has done something indecent, but nevertheless the leader must always show sympathy for other members and staff.
- c. The government must implement *pomaa-masiaka*, namely loving and caring for each other. The values of *pomaa-masiaka* (mutual love) affect the implementation of government. This can be found in the interactions of organizational personnel, for example between group members and other members, between subordinates and superiors, children's affection for parents can be proven by subordinates' obedience to superiors and always praying for them. A government that has a loving and compassionate nature is the elaboration of *ra'ufun womb*. Compassion needs to be owned by everyone, in this case, a leader.
- d. The government must implement *poangka-angkataaka* (mutual respect and mutual priority). Prioritizing respect for fellow human beings especially God Almighty above all things with sincere intentions, beliefs and behavior. *Poangka-angkataaka* is meant to respect and respect one another among organizational personnel and other interested parties. The form of this respect and respect can be seen in the behavior of every personnel, namely when every personnel, administrative staff and members of the organization in general are not present in carrying out their duties, whether due to illness or unable to attend due to other important matters, they always convey information or news first. first, either orally or in writing to the leadership. In the context of organizational leadership, the strategy of appreciating employees must also be considered by a government leader, given that in order to motivate employees sometimes a leader must give awards to employees, people will be happy if they are appreciated.

The four pillars above can give birth to leadership values that can be applied in government. Leaders in local government can have a personality in themselves by being honest and clean, open and transparent, orderly and disciplined, according to words and deeds, willing to sacrifice themselves for the public interest, upholding rules and truth, acting for the benefit of fellow human beings, putting religion above priority. everything. In this regard, it can easily be concluded that the value of sharing (norms or rules) has all of those values in which there is a harmonious integration between these values. The first part of the *sarapatanguna* focuses more on the values of life, human values, and social values, which are based on the principle of equal rights and degrees for every human being with the basic value being *po-Binci-Binciki coolies*, while in the second part of the *sarapatanguna* (norms or rules) placing values according to stratified levels with the basic value being spiritual value, namely belief in God Almighty (religion), the basic value that underlies and animates the overall values contained in the *sarapatanguna* (norms or rules) which are the integration that harmonious, interconnected, interrelated, and mutually supportive.

Although the status of the Sultanate of Buton has ended along with the shift in the status of the Sultanate government system to the system of government of the Unitary State of the Republic of Indonesia. However, the cultural values of the Baubau City Government, need to continue to develop the noble values of community culture in the administration of government so that the aspirations of the people of Baubau City can be achieved and succeed well. The noble values of the philosophy "*Binci-binciki coolies* (pinch each other will both feel pain)", must always be lived and practiced in the implementation of daily activities so that in the administration of

government they become "spirit" in working and taking initiative in order to achieve the vision and mission that has been set and remains a guide and guide for the life of society, state, government, and belief in God.

The Binci-Bincikuli philosophy (pinch each other will feel pain) is formally stated in the Constitution of the Seven Dignity of Article 1 and Article 1A, namely:

- a. The traditional principle based on feelings of humanity in the customary language is called Binci Binciki Kuli (pinch each other will feel pain), which means pinching one's own skin if it hurts, it will hurt other people too. This basis then gave birth to the legal ideal of Binci-Binciki Coolie (Pinching each other will feel the same pain). To guarantee this philosophical basis, the relationship between society, nation and state is manifested into four basic understandings, namely: Pomae-maeka means mutual fear of violating humanity among members of the community, Pomaa-maasiaka means mutual love between fellow community members, Popia-piara means mutual care among members of the community. and Poangka-angkataka means to elevate each other among members of society, especially those who have served the country.
- b. To realize the four feelings of humanity in the Binci-Binciki Kuli (pinch each other will feel the same pain), it is necessary to have a sequence of needs or interests in building relations between the people/citizens and the state which can be seen in the philosophy of the state of the Sultanate of Buton. The philosophy of the Sultanate of Buton consists of five precepts, namely, Arata, Karo, Lipu, Syara and Religion. In understanding the five precepts of philosophy, traditional leaders or sultanate officials assemble the five precepts in a single unit which is the order of the needs or interests of the state and citizens. This philosophy is the embodiment of shared ideals in building a sense of sacrifice and dedication of citizens to the country. The description of the philosophical understanding is Yinda yindamo arata somanamo karo: let property destroy as long as one is safe (we are willing to be sacrificed for the sake of self-safety), Yinda yindamo karo somanamo lipu: let oneself be destroyed as long as the area is safe (self is willing to be sacrificed for the safety of the country), Yinda yindamo lipu somanamo sara: let the region be destroyed as long as the government (the country is willing to be sacrificed for the safety of the government), Yinda yindamo sara somanamo religion: let the government be destroyed as long as religion (the government is willing to be sacrificed for the sake of religious salvation).

The implementation of the Binci-binciki Kuli philosophical values (pinch each other will feel pain) in Baubau City, will create a stable, peaceful, conducive atmosphere so that on the one hand the community will be calm and safe in their activities and on the other hand the government will be more focused in carrying out their activities. government. However, the phenomenon that occurred in Baubau City, Southeast Sulawesi Province, there are still some corrupt practices, and legal cases involving a number of officials in Baubau City and even leaders at the Southeast Sulawesi Province level. This phenomenon should not have happened, considering that Baubau City is known as a cultural city that inherits the values of the Binci-binciki Kuli philosophy (pinch each other will feel pain), which is used by the community as a guide to act and behave in society. This phenomenon shows that there is a problem that should not have happened, this fact proves that there is a gap between *das sollen* and *das sein* (between what should be and what is actually), if one looks closely, what causes this condition to occur is the erosion of morals, and the fading of philosophical values. Binci-binciki Coolie (pinch each other will feel the pain together), because it is not socialized and implemented either in the family or community, as well as in government.

4. Conclusion

The Sultanate of Buton which is contained in the Binci-binciki Kuli philosophy (pinch each other will feel pain) is formally stated in the Seventh Dignity Constitution which acts as the basis for the highest rules in the Sultanate of Buton which contain principles and justice.

Reference

- Broto Susilo, A. (1994). *Penulisan hukum: Buku Pegangan Dosen*. Jakarta: Konsorsium Ilmu Hukum Departemen PDK.
- Departemen Pendidikan dan Kebudayaan. (1989). *Kamus Besar Bahasa Indonesia*. Jakarta: Balai Pustaka.
- Idris, & M. Anshari, L. (2004). *Kabhanti Bunga Melati (Kamba Mpuu)*. Baubau: Lembaga Pengkajian Budaya Buton.

- Muchir, R. (2004). *Sumber Hukum, Azas, Dasar, Teladan Adab dan Tarekat Adat Istiadat Wolio Butuni*. Buton: Tarafu Butuni.
- Ruliah, Wiridin, D., Ruben Gelong, H., Salam, S., & Malaha, N. (2022). Polima Dalam Perspektif Hukum Pemerintahan Daerah. *Jurnal Ilmu Hukum Kanturuna Wolio*, 1.
- Said, D. (2009). *Transformasi Nilai-Nilai Pemerintahan Kesultanan Buton: Suatu Telaah Sejarah*. Baubau: Respect.
- Saidi. (2005). *Naskah Sebagai Sumber Kekayaan Dunia, Sebuah deskripsi dari aspek Historis*. Symposium Internasional IX Pernaskahan Nusantara.
- Soekanto, S., & Mamudji, S. (2003). *Penelitian Hukum Normatif, suatu tinjauan singkat*. Jakarta: PT RajaGrafindo Persada.
- Turi, L. O. (2007). *Esensi Kepemimpinan "Bhinciki-Bhinciki Kuli" Suatu Tinjauan Budaya Kepemimpinan Lokal Nusantara*. Kendari: Khazanah Nusantara.