

Innovation in the Implementation of Ammatoa Customary Regional Regulations on the Kajang Indigenous Community in Bulukumba Regency

Andi Ahmad Malikul Afdal*, Suryadi Lambali, Syahribulan
{andiahmadmalikulafdal@gmail.com}

Hasanuddin University, Makassar, Indonesia

Abstract. The policy of protecting the rights of the Kajang customary law community through Regional Regulation Number 9 of 2015 concerning the strengthening of rights, and the protection of the rights of the Ammatoa customary law community in the duties and authorities of the Ammatoa Kajang customary law community, namely to fulfill, maintain, and preserve *Pasang* as a guideline for community life. However, it is undeniable that many regional regulations that have been made in an area sometimes only become legal documents or have minimal implementation. In this study using qualitative methods. The results showed that the innovation of the application of the Ammatoa customary law Regional Regulation on the Kajang indigenous people based on individual factors, structural factors and cultural factors was in accordance with community expectations and the rules applicable to customary law communities related to tolerance acculturated by the local government through Regional Regulation no. 9 of 2015, the legislative product of the Regional Regulation is an achievement that is beneficial for the Ammatoa Kajang indigenous people and the government's program has been achieved.

Keywords: Innovation; Regional Regulation; Ammatoa

1 Introduction

The development of technology and the development of an increasingly rapid era greatly helps human life in their daily lives, but it cannot be denied that the development of an increasingly rapid era also greatly affects indigenous peoples which of course has a negative impact on indigenous peoples themselves, the many influences from outside that affect social life, law and even affect the spirituality of indigenous peoples. Various policies regarding indigenous peoples have been pursued and initiated by the government and organizations outside the government. However, due to the limited role in the involvement of protecting indigenous peoples, the policies implemented by the government are often unsustainable and less than optimal, and even tend to be inappropriate. Therefore, the condition of indigenous peoples in Indonesia does not seem to have changed or progressed compared to other conditions. Like the development of democracy where the condition of indigenous peoples in Indonesia still shows a worrying picture.

Therefore, incidents like this need to get more serious attention, especially from the government as policy makers and policy implementers in order to provide appropriate solutions to indigenous peoples and provide various innovations in the protection of indigenous peoples. However, it is not only providing innovation in the protection of

indigenous peoples, but also how to implement the innovation properly without any problems in its implementation. Because the effectiveness of the implementation of a program is highly dependent on the willingness, ability of the government and the consultants, facilitators, and the existence of new innovations in each policy, including its implementation. As has been explained [1] that some of the right steps have been taken by the government, namely by creating various innovations, but the problem lies in its implementation, the success of an innovation depends on the success or failure of implementing the innovation.

As is the case in Bulukumba Regency, Kajang District, Tanah Towa Village. This village is famous for its local wisdom, where solidarity is very strong with the culture of mutual cooperation (*gotong royong*), simplicity in life, this lifestyle is closely related to the beliefs contained in *pasang*, *pasang* contains noble values that regulate human relations with humans, humans and God and humans with nature. The Kajang customary community also adheres to the belief of "*sallang*" (Islam) and is obliged to practice *pasang* which contains legal, social, leadership and spiritual elements. These unwritten customary rules become, guidelines, and instructions for the relationship between humans and "*Turie Arakna*" (God) [2]. The Kajang *adat* (custom) community is led by Ammatoa as the *adat* leader and has 26 *adat* stakeholders who assist Ammatoa in running *pasang*. The simple life principle of the Kajang indigenous people is based on *pasang* and also the life principle of "*kamase-masea*", namely a simple attitude that is not excessive in life. Thus, all the activities they carry out are subject to the *pasang* and under the leadership of Ammatoa [3].

Ammatoa has 25 customary stakeholders who each have their respective duties to assist in carrying out the customary institutional structure [4]. On this basis, government policies in order to improve their quality of life and welfare are sometimes rejected if they are not in accordance with *pasang* prevailing in society. Thus the order of Bulukumba Regency to formulate a policy to protect the rights of the Kajang indigenous people through Regional Regulation No. in the duties and authorities of the Ammatoa Kajang customary law community, namely Fulfilling, maintaining, and preserving *pasang* as a guide for social life.

The resources that exist in the implementation of the protection of the rights of the Kajang indigenous people are all local government apparatus authorized to make the Regional Regulation a success. Prior to the existence of this regional regulation, the Ammatoa Kajang indigenous people experienced problems or were refused orders from policies that were not in accordance with *pasang* and the customary rules that apply to the Ammatoa Kajang indigenous community, such as the construction of the Integrated Service Post (POSYANDU) which is not in accordance with the prevailing culture and customs and the obligation to open the head covering (*passapu*) for men at the time of recording the Identity Card (E-KTP) which is also considered not in accordance with the prevailing culture and customs. The lack of resources available to indigenous peoples so that these problems are not handled properly and indigenous peoples must of course accept the legal decisions that apply in this country, but the existence of a policy of orders through regional regulations is very petrifying for indigenous peoples.

However, it cannot be denied that many Regional Regulations that have been made in an area have only become legal documents with no or minimal implementation. In the implementation of Regional Regulation number 9 of 2015 there is minimal implementation and there are obstacles. Because how it possible is that implementation innovations can be carried out when individuals who are in the structure responsible for implementing the Regional Regulations are not motivated to innovate.

2 Literature Review

2.1 Public Policy

Policy is basically used to filter and indicate the most important choices to strengthen life, both in organizational and private life. Policies must be free from political elements, which are often believed to have the meaning of siding with interests. A policy is a provision that applies and is characterized by consistent and repeated behavior, both from policy makers and those implementing policies (who are affected by the policy).

According to Carl Friedrich Policy is a series of activities or actions proposed by a group, person, or government in an environment, especially where there are obstacles and possibilities where the policy is proposed to be useful in overcoming them to achieve the intended goal [5].

Implementation cannot be separated from policy makers to influence what Lipsky calls “street level bureaucrats” to provide services or measure the behavior of the target group. A simple policy, the implementation only involves one agency that functions as the implementer. On the other hand, for macro policies such as poverty reduction policies in rural areas, implementation efforts will involve institutions, such as district, sub-district, and village government bureaucracies [6].

Hill and Hupe define policy implementation as what happens between policy expectations and policy outcomes. Implementation is what is done based on the decisions made. Here there are two parties who play a role, namely the formulator or decision maker and the implementer [7].

Based on the expert opinion above, it can be concluded that policies are deliberate actions or activities carried out by a person, group or government in which there is an element of decision in the form of an effort to choose among various alternatives that exist in order to achieve certain goals and objectives [8].

2.2 Innovation Implementation

Innovation can be interpreted as a process of human activity or thought to find something new related to input, process, and output, and is able to provide benefits in human life. Input-related innovations are said to be patterns of human thought or ideas that contribute to new findings. While innovation related to the process is more oriented to methods, techniques, or ways of working to produce something new. While, innovation related to output is more related to the results that have been achieved, especially the use of mindsets and work methods or techniques that have been implemented. The three indicators of innovation actually form a unified whole and are interconnected. [9].

Based on the implementation study approach there is a top-down and bottom-up view, academics have put a contingency theory of implementation where both work simultaneously from the bottom to the top, and from the top down. According to Steelman [1] There are three factors that encourage the implementation of innovation from time to time Among them: (1) individuals who work and work within social norms in the workplace and the dominant agency or organizational culture that supports innovation or practice; (2) a structure that facilitates clear rules and communications, incentives that encourage adherence to innovative practices, an open political environment for innovation, and awareness of and measures to overcome both resistance and resistance; and (3) strategies to accommodate problems to support innovative practices, utilizing a focus on circumstances or events.

2.3 Indigenous People

Often and more popularly referred to as indigenous peoples. Some legal experts distinguish the term customary law community from customary community [10]. The concept

of Indigenous Peoples contains two conceptions, namely customary law communities and traditional communities. Traditional communities usually have local wisdom. Local wisdom is a concept that includes a view of life, knowledge and various life strategies in the form of activities carried out by local communities in responding to various problems in meeting their needs [11].

The Ammatoa Kajang custom is one of the traditional tribes of the Indonesian nation's wealth which has a variety of customs and habits carried out by the community as an ancestral cultural heritage that has been continuously preserved until now, which is located in Tanah Towa Village, Kajang, Bulukumba, South Sulawesi.

Ammatoa has a territory consisting of villages and a collection of several villages headed by a Galla is the result of the people's choice. A Galla must have sufficient knowledge and have charisma in his community. Furthermore, an Ammatoa who is elected has an obligation to protect and create prosperity for his people. He must not violate the rules contained in the pasang. In the Ammatoa government system, power does not come from above but from below, from the people through members of the *adat* members known as *panroakki bicarayya*, which means that only the *adat* council has the right to make decisions.

3 Method

In this study using qualitative methods. Thus, through this qualitative descriptive study, it tries to describe the problems that are related to the innovation of implementing the Ammatoa Customary Law, and then analyzes it to arrive at an absolute conclusion. The types of data collected are primary data and secondary data. As primary data in this study in the form of words or oral speech and human behavior [12].

4 Result and Discussion

4.1 Individual Factors in Innovation Implementation of Ammatoa Customary Regional

Regulations. 9 of 2015 which is stated in it so that it has a positive impact on the Regional Government and the indigenous people of Ammatoa Kajang, who have succeeded in unifying and codifying the cultivation of two interests into one mutually agreed interest. Actors who are given the authority to carry out implementation innovations are considered not apathetic to social realities and the inequality of their legislation products, so that indigenous peoples argue that the presence of Regional Regulations which are considered to be a solution to every problem can be resolved properly and have legal force to serve as a reference, so that indigenous peoples assume that the local government pays attention to the interests of indigenous peoples as stipulated in the Regional Regulations, as well as their duties and functions as executives in Bulukumba Regency. The assumptions of the Kajang community stated above when referring to Steelman's implementation of innovation theory regarding individuals include: 1) The motivational factor that causes increased work motivation of Local Governments stems from the unrest of the Ammatoa Kajang indigenous community about the controversial regulations between customary law and applicable regional regulations. As a result, there was a rejection of the construction of Integrated Healthcare Center (POSYANDU) that was not in accordance with the rules that apply to the Ammatoa Kajang indigenous community and released "*passapu*" at the time of recording the e-ID Card (E-KTP) on the Ammatoa Kajang indigenous community. Due to this concern, the Local Government seeks to accommodate these interests, as well as increase effectiveness and motivation so that the implementation process of Regional Regulations is actualized and has a good impact on the

interests of the Ammatoa Kajang indigenous community. 2) The norms and harmony factor is the work of the actors to predispose to change to preserve social norms and harmony, this norm also takes into account the individual's desire to be a good working relationship. In the legislation product that has been ratified and determined to be relevant between the substances of the Regional Regulation itself, because the construction of Integrated Healthcare Center (POSYANDU) and the use of "*passapu*" at the time of recording the e-ID Card (E-KTP) can already be done by the Ammatoa Kajang indigenous community. Thus, the norms and harmony carried out by the implementers are in accordance with the customs that apply to the Ammatoa Kajang indigenous people. 3) The compatibility factor or the alignment between the dominant values in a government and the lower ones will affect the individual's support for the given motivation. In addition, conformity implies individual values in the organizational culture. Regional Regulation No. 9 of 2015 has been going well so that the innovation process of implementation has been going well due to the motivation and norms of the actors which have an impact on conformity and harmony in working to implement regional regulation.

4.2 Structural Factors in Innovation Implementation of Ammatoa Customary Regional

Structural factors include various factors, namely (1) rules and communication, (2) incentives, (3) openness, and (4) balance. Each of these factors is explained as follows: 1) Rules and communication factors in the perspective of Regional Regulation no. 9 of 2015 concerning the inauguration, recognition of rights and protection of the rights of the Ammatoa Kajang customary law community, is well established because the communication carried out by the local government as well as the socialization carried out by health workers and employees of the Population and Civil Registration Service is sufficient to answer every social problem in the community, that the community and the government have synergized and established communication to carry out government programs for the welfare and sustainability of indigenous peoples. 2) Incentive factors are drawn from the rational choice of institutionalism and top-down implementation theory, which implies the profit and loss calculus of individuals to participate in innovative practices can be directed according to the right incentives, if the structure provides the right incentives, then the opportunity for innovative practices will be better or easier to implement. From time to time, so that the motivation of other actors is not reduced. In the implementation of innovation, the implementation of regional regulation no 9 of 2015 with the incentives provided by the local government greatly influenced the implementation of implementation innovations carried out by employees of the Population and Civil Registration Service as well as health workers who felt that the incentives received were quite helpful to increase their enthusiasm and motivation in work. 3) The Openness factor shows that the public disclosure carried out by the Bulukumba Regional Government is very helpful in the implementation innovation process because the many actors involved certainly greatly affect the results of the implementation. 4) The balance factor The position of the Bulukumba Regional Government as a public servant in Bulukumba Regency is very beneficial for the community because it has opened up space for the Ammatoa Kajang indigenous community and this cannot be separated from the balance in the implementation of Regional Regulations and there is no domination between the local government and the Kajang Indigenous Community.

4.3 Culture Factors in Innovation Implementation of Ammatoa Customary Regional

Factors require shocks, framing, and legitimacy which will be explained as follows: 1) Shock actors refer to catalytic events, which provide an opportunity to recall something that is likely to result in change. Therefore, the government puts pressure on the actors involved in

the implementation innovation process so that the performance of these actors can be maximized and of course cannot be separated from the control carried out by the community in order to realize the aims and objectives of the regional regulations themselves. 2) The framing factor carried out by local governments in terms of implementation innovation is in line with Steelman's theory above because the grouping carried out by regional orders in terms of appointing health employees who also live in customary areas makes it easier for indigenous peoples to communicate. 3) The legitimacy Factor proposed by the sociological institution shows that with the ratification of the regional regulation no 9 of 2015 the form of legality as well as the related apparatus or agencies has been recognized by the Bulukumba Regional Government itself.

5 Conclusion

The innovation of the implementation of the Ammatoa customary law Regional Regulation on the Kajang indigenous people based on individual factors, structural factors and cultural factors has matched the expectations of the community and the rules that apply to indigenous peoples related to the tolerance acculturated by the local government through Regional Regulation no. 9 of 2015, so that implementation innovations are considered to be in harmony or have gone well, of course, it will not harm the Ammatoa Kajang indigenous people. Apart from that, the product of the Regional Regulation legislation is an achievement that benefits the Ammatoa indigenous people and the government's program has been achieved. However, in the innovation of the implementation of Regional Regulation No. 9 of 2015, the government is still lacking in increasing the collaboration of local governments to realize the social welfare of the Ammatoa Kajang indigenous people.

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