

Synthetic Analysis of *Alam Takombang Manjadi Guru* as a Method of Normalizing the Customary Law of *Kampar*

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ABSTRACT

Kampar is one of the areas that is part of the Minangkabau adat alliances. The Customary law of Kampar is based on the philosophy of the "Alam Takombang Manjadi Guru" (The Universe Becomes a Teacher). Synthetic Analysis of the "Alam Takombang Manjadi Guru" as a method of normalizing Kampar traditional law is a fundamental legal study that falls within the scope of normative legal research with a qualitative approach. Synthetically analyzing the philosophy of "Alam Takombang Manjadi Guru" as a method of normalization and taking it into traditional law of Kampar will show a fundamental and holistic originality about the normalization of the traditional legal norms of Kampar by understanding the relationship between *das sollen* and *das sein*. This paper shows the fundamental and holistic differences with the traditional law theory which is based on empirical facts. The purpose of the writing is to require an understanding of the "Alam Takombang Manjadi Guru" Philosophy in the framework of developing national law.

Keywords: *Synthetic Analysis, method of normalization, Customary law of Kampar*

1. INTRODUCTION

"Alam Takombang Jadi Guru" (The Universe becomes a teacher) is known as the philosophy of life of the Kampar indigenous people, which functions as a method of objective thinking, which can be understood as a way of describing the elements of the universe in various forms and properties, as well as looking for contradictions [1]. If The universe does not become a teacher understood as a method, it will certainly show the characteristics of the method into various schematic classifications, which can illustrate the normalization. If you view the term 'method' as coming from English, the method which means "the way to" [2], which according to the Big Indonesian Dictionary, it means regular methods used to carry out a job in order to be achieved as desired or determined. If the term 'method' is combined with 'logic' into a methodology that is absorbed from English, methodology, which can be understood as a general study of ways in specific fields of inquiry or any field that can be reasoned through ratios so as to unload the wrong [3].

In the Kampar indigenous people, reasoning against the law is carried out by the leader called "Andiko Datu". If the reasoning method with the ratio developed by *Andiko Datu* recognizes the object of the universe it will certainly be understood as a study of understanding the basic elements of the universe which are attributed as teachers or libraries for humans. The nature, according to Al Kindi is a classification of three parts of the interconnected fields into a single unit, which can be understood that objects come into existence because there is motion, and about objects that move to show the time, so that it is impossible for motion without objects, and objects exist in nature and nature was created by the existing from nothing to being (*ceratio ex nihilo*) [4].

If the existence of the universe is known from objects, motion and mass, of course the relationship between the three requires a method of reasoning in the form of a complete circle. If the universe does not become a teacher in a way to achieve certain goals and reflect ways of thinking, *Andiko Datu* assesses objects in the universe for the purpose of normalization of law in the *Pemerintahan Kedatuan* (Unity Government), which has now been incarnated as Kampar adat law, surely it will be able to be described that way. And if the normalization starts from the unity of the objects and is broken down into parts of the objects of the universe consisting of various elements into various identifiable properties, this method will be recognized as an activity called analysis. According to Bruggink, this technique is called deductive [5].

The term 'norms' can be understood with the philosophical comparative approach that the term comes from the Greek 'nomoi' absorbed into Latin 'nomos', also absorbed into English 'norm' and absorbed into Indonesian into Norms (*penormaan*). If dialectology "norma"('norm') is given the additions 'pe' and 'an', it will be "penormaan"(Ind)/"normalized"(Ing). It can be understood as an action that is included in the nature of material, so that it can be referred to as the process or act of making the rule of law to be normal or good, in English it becomes normalization. Latin is one of the ancient languages of the Italian Peninsula, firstly spoken by the Italian Latin in the Roman region in the Ancient Roman times after the collapse of the Greek empire due to the expansion of Roman territory in the 1st century BC, so that, some of the terms of the Yunani law were absorbed into the language of Roman (Latin). Like most European languages, Latin is also a derivative of the ancient Proto - Indo - European language.

A single proposition about the universe cannot be used as a basis for just knowing the nature of meaning, because the universe was formed from various types of opposing objects and can be understood as a medium for giving birth to a balance (harmony), and between various opposing objects that do not dominate each other. And if that happens, there will certainly be mutually defeating actions, and if the action is based on greater will and logical action, there will certainly be a pattern of resistance, that is accepted and not accepted universally, and those which dominate will appear to exist in that resistance. It must be emphasized that resistance is not a fighting. Contradiction to prove various objects of object existence with inductive patterns so that it becomes a unified whole shows the harmonization relation in a unit called synthetic [6].

Building logical arguments with these two methods is called synthetic analysis, which can be understood as a method of interpretation commonly known as Hermeneutic [7], so that with this method of "penormaan"/normalization developed by Alam Takombang Jadi Guru, it is derived into customary law norms. Thus, the derivation of the mind based on the replication of the symbolic principle of "Alam Takombang Jadi Guru" becomes the basic principle of (Kampar) customary law called the term "penormaan"/'normalization'.

To understand the method of "Penormaan"/normalization (English) of the "Alam Takombang Jadi Guru" which is still in the form of symbolic language, certainly requires an interpretation method, called synthetic analysis. So, the philosophical value of the language symbol is known and we can see the schematic form of the normalizing method and how to derive the "Alam Takombang Jadi Guru" into a basic Law called "Soko Pisoko" Customary Basis, and reflecting on the value of other legal levels certainly requires a fundamental philosophical instrument, in this case the Kampar custom offers a fundamental philosophical Step Four called "Yakin Sungguoh" (Convinced) that is understood as steps to prove that an object really exists and no doubt, because this step is part of the effort to prove it because it deserves to be called a method, where the steps consist of *nyata* (real), *kenyataan* (reality), *terang* (light) and *keterangan* (information). The language symbol is an abstract utterance that is born from thinking abstractly against factual objects and is transformed into a special code form with the aim of abstracting objects [8], while symbols are sign language responding to the subject to the object so that the object can be abstracted and can be understood and *manasuka* nature [9]. The four parts of the symbol language of "Alam Takombang Jadi Guru" are: *Rupo Alam* (natural form), *Condo Alam* (material / seemingly natural), *Raso Alam* (natural taste), and *Guno Alam* (natural benefits), [1].

Meanwhile, Louis O. Kottsaff said that in order to explain the truth and evidence there must be fundamental philosophical questions including: being, reality, existence, essence, substance, Material (matter), form, change, cause-effect (causality) and relationships (relations) [10]. If fundamental philosophy is used as a reference to answer the truth of an object, surely the philosophical value of "Alam Takombang Jadi Guru" will be drawn, whether it can be said as a form of method or not and / or illustrates the form of understanding of "Andiko Dhatu". If this understanding is a method of reasoning, it certainly can be derived to establish objective and universal customary law.

Customary law theory developed in legal science is only based on empirical knowledge that is immanent, of course it will give a birth to radical and highly speculative pragmatic theories because it cannot show rigidity and / or actual norm

flexibility, especially in showing the actual normalization method, so that such a method is not holistic in nature, but from a linear perspective, and this view is also not carried out perfectly, so it can be understood only as a form of induction reasoning, in which this logic building is a form of resistance with deductive logic. If it is only understood from a point of view, certainly normalization of customary law in Kampar will not be truly understood. The speculative theory must be balanced with scientific publications in order to increase the objective and universally accepted knowledge of legal science. According to its development, the customary law theory is identified as having speculative criteria such as: *The Creed Theory*, *Theory of Receptio In Complexu*, *The Receptio of Theory*, *The Receptio of Exit Theory*, *A Contrario Theory*, *Theory of Passive / Tolerante et Constructive*, and *Theory of Syncretism*.

About the development of customary law theory, according to H.A.R. Gibb, the people who have accepted Islam through shahada and automatically have received authority (power / right to act) of Islamic law over themselves; the *receptio in complexu* theory according to Lofewijk Willem Christian van den Berg, for Muslims, Islamic law is in full force even though in practice there are many deviations; *receptio* theory according to Christian Snouck Hurgronje, indigenous people basically apply customary law, and Islamic law applies to them if Islamic law has been accepted by the community as customary law, and will hold fast to that law so it is difficult to accept the Western law; the *receptio* theory according to Hazairin that after the enactment of the 1945 Constitution the Dutch laws and regulations based on the *receptio* theory were no longer valid because they were in conflict with Indonesian independent legal system and in conflict with the Qur'an and Sunnah; The theory of *Reseptie a contrario* according to Sayuti Thalib that this theory is literally contrary to the *receptio* theory, customary law applies to Muslims if customary law does not conflict with Islamic law, and this theory is concluded through research on the implementation of marriage and inheritance law [11].

Synthetic analysis of Alam "Takombang Jadi Guru" as a method of "Penormaan" (normalization) will show a fundamental and absolute difference with the speculative theory above, so that it can be understood that normalization is not only understood from the five senses that are empirical experiences but also from the decomposition of non-contradictory objects. Based on the problem above, this paper will try to analyze the synthesis of "Alam Takombang Jadi Guru" as a method of normalizing customary law in Kampar, with the formulation of the problem as follows:

1. How does the synthetic analysis of "Alam Takombang Jadi Guru" as a method of normalizing Kampar adat law?
2. How is the Normalization Method "langkah 4" (Step 4) of "Alam Takombang Jadi Guru" forms the customary law of Kampar?

2. RESEARCH METHOD

A synthetic analysis of the philosophy of the "Alam Takombang Jadi Guru" as a method of "penormaan" (Normalizing) Kampar Customary Law is a form of normative legal research to analyze the "penormaan" (normalization) of customary law of Kampar inherited by "Andiko Datu" who sits in the Government of "Andiko Nan 44" for the indigenous people of Kampar. Therefore, the system approach, comparative approach linguistics, and conceptual approach are used so that the data used are secondary data consisting of secondary and tertiary legal

materials. The use of primary data is only to clarify traditional terms. Qualitative data analysis is built with synthetic analysis arguments so that it gets a schematic normalization method that can be drawn as conclusions and can reflect the nature of "Alam Takombang Jadi Guru" in shaping customary legal norms that are categorized as imperative and objective and can be universally applied [12].

3. DISCUSSION

3.1. Synthetic Analysis of "Alam Takombang Jadi Guru" As a Method of Normalizing the Customary Law of Kampar

To match symbolic unity and object unity to its existing parts and / or match existing parts into one unit, symbolic technique is used as a circle of understanding called "langkah 4"(step 4) "Alam Takombang Jadi Guru" with category : *condo alam, guno alam, ghupo alam and ghaso alam*. Firstly, "Condo alam" (it looks like universe) is a dealectological term of old Malay which means as a symbol of comparison of objects that exists in nature which is still very abstract and its form is still there, so that the "condo" symbol is not subject to change in shape and function to understand the nature of the elements of nature, so that it can be understood as a form of effort to think absurdly to transform 'existing' objects into 'existing', so that it is very clear if expressed in speech form even though the object is not in the place where thinking is done.

Thinking effort like this can also be understood as an effort to understand by clearly describing an object of the universe that is still abstract so that it can be understood at the end as the object existences. If the object in nature is spread out and / or developed, the beginning is an 'existing' form which certainly has universal characteristics so that it does not have to have certain characteristics, as long as it has not been determined based on motion and time. If "condo alam" as 'existing' forms certainly cannot said to have existence, but already has essence because its substance contains the quality of the basic properties of objects. If the form does not exist, then the nature can only be analyzed in accordance with the nature of the universe, especially through a comparative approach, so that some parts of the 16 (sixteen) 'Priority Law' elements in the universe can be reduced to several clear parts and know the nature identical general characteristics and contradictions of various elements, whether they have essence or existence.

If a "condo alam" is indeed an 'existing' form, the characteristics are real, which can be understood as a view of the object being viewed, so the object is called a view. Something still real can be stated, but it is most likely present or not exist. To get a look comes the questions from the human mind, such as: "What is this and what is that?", "Is this the same as that?" And on the other side the question arises, "What is the same with this?" Example: Earth and Sky. The two objects cannot be seen immediately if they are not measured logically by motion and time through the translation of ratios, and only the assumptions of ratios based on motion and the time all symbolic of the universe can be explained by descriptions out of the ratios. All assumptions of the ratio are based on actions or functions (zaken) owned by humans that are controlled from the will of the ratio

certainly requires a certain tempus, humans try to classify and describe 'existing' is universal, so that it becomes 'there' which is ultimately certain.

Secondly, the contradiction of "condo alam" is "rupo alam"(natural form) which can be understood as a state that appears outside (at birth) of a particular object. It has a form or shape and can be understood through the five senses, so that the forms of the object are called views, whose particular characteristics can be known from empirical dynamics with the five senses, not from a ratio assumption. Knowing the form is not knowing the nature of the object in general, but knowing the nature of the object specifically or to certain properties in fact is called 'exist'. Therefore there is "general existence" and there is "special existence". The truth of an 'existing' form of an object is not only based on the universal nature of the object, but must also be proven by the mutual relationship (causality) between 'being' with 'being' or real with reality, and / or general existence with special existence In the basic philosophical custom of Kampar, which is part of "Yakin Sungguoh", it is clearly called (cause). Edmund Husserl (1859-1938) in his circle of understanding stated that a doubt about the phenomenon (epoche) is the starting point of thinking and will return to the same point if it goes through a process of filtering (reduction), not easily influenced / own conviction (intentionality), and belief in phenomena (lebenswelt) [13].

Thirdly, if "Andiko Dhatu" already knows the initial validity of the phenomenon, of course it will think about the true validity of the same phenomenon, to measure the use and benefit and sense of the object. The language of symbolic polysemy in "alam takombang jadi guru" known for the use and benefit of objectectology with the term "Guno Alam" (use of nature) and it feels like the object is known as "Ghaso Alam" (sense of nature). The relationship between linguistic or symbolic forms and meaning sets is termed polysemic, while words (phrases) / speech / text symbols are called polysemics. Meanwhile, the elements causing polysemic include: Specifications of science, specialization of use in social community life, usage in language style and speech writing and writing that are wrong [14]. The term can be understood as the word to emphasize the object that accompanies it, so that the object can be explained its benefits. The assumptions of profit and loss born from a comparative approach to the object, can indicate the quality classification of the basic properties of objects which are the substance of the object itself.

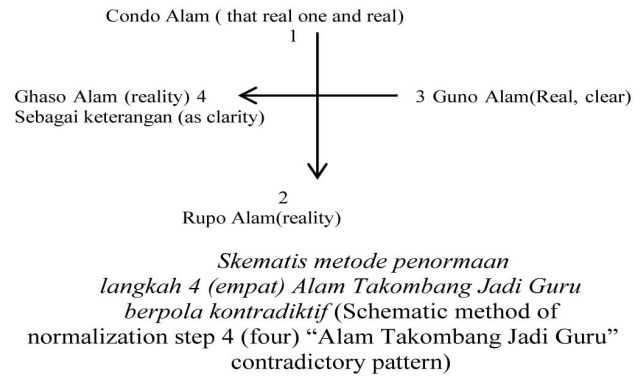
Fourthly, the classification of the quality of the basic properties of objects can only be done by the method of analyzing one by one object and can be understood its nature, especially in the form of universal properties of objects. The term "Guno Alam" (use of nature) contains meaningful contradictions with the term "Ghaso Alam" (sense of nature), which is understood that the benefits of the object are not always directly proportional to the sense of the object. If a useful object can be felt but does not have a taste, and / or can be felt but has a taste, surely it can be understood that taste is a sensory response to nerve stimulation so that the quality of the basic properties of the object can be specifically explained. Example: sweet, bitter, sour to the sense of taste, or heat, cold, pain to the sense of taste.

The truth of "nyata yang berkenyataan" (real that is reality) cannot be called absolute truth because there must be

a relevancy between the two with the causal relationship and / or reciprocal relationship, and if it is not tested for the validity of its relevance through detecting the reciprocal relationship (causality) between the real and the reality, it certainly still contains the meaning of biased meaning. Although the truth is very valid, it cannot be called perfect. This approach with a reciprocal relationship is called as a light, meaning that there is already complete validity, but it cannot yet be called perfect. To realize absolute truth or perfect truth on objects, it is not enough to prove the reciprocal relevance of a bright entity, but it must also be supported by an objective description ratio in the form of a new view (reconciliation) and reinforced by the statement of the Perfect called revelation. If valid truth contradicts the objective view of the new ratio which has been confirmed by the proposition of the Supreme Perfect, of course the validity is fall and deserves to be perfected. Understanding in the form of a full stamina has similarities with the concept of the dependence of the Creator with humans which was born from the Creator and returned to the Creator (Al-Baqarah 2: 156).

Contradictions between “condo alam” and “rupo alam”, “Guno Alam” (natural use) and “Ghaso Alam” (natural taste) are not contradictory, but are a normalization between real and reality, between “yang ada dengan ada” ('being' with 'being') and this can be understood as a form of what is called harmony, so that it is understood as a close relationship between several elements in such a way and logically the relationship can produce a new form and enter into harmonious unity.

If heaven and earth are understood as two contradictory objects because their distance is measured from the subject standing (locus), of course it can be understood that the earth is an object that has a dimension 'exists' if it has been measured by motion and time such as tempus movement from night to day and day to night, thus the earth can be translated from 'existing' forms into 'existing' forms. While the sky as an object that cannot be measured by motion and time, therefore enters into the 'existing' dimension due to the cessation of knowledge of the sky in "general existence" (human) and does not necessarily be simply reflected with the five senses. Nevertheless, the synthetic of these two objects gives birth to something new and new dealectology such as: 'bottom and top', 'high and low'. The derivation techniques of the phenomenon with the reciprocal procedure between the attitude of abstraction and concretation, have placed “Andiko Dhatu” to have used the “metode penormaan” (normalization method). If it is described in the scheme of the normalization method of “langkah 4” (step 4) of the “Alam Takombang Jadi Guru”, it will be shaped as follows:



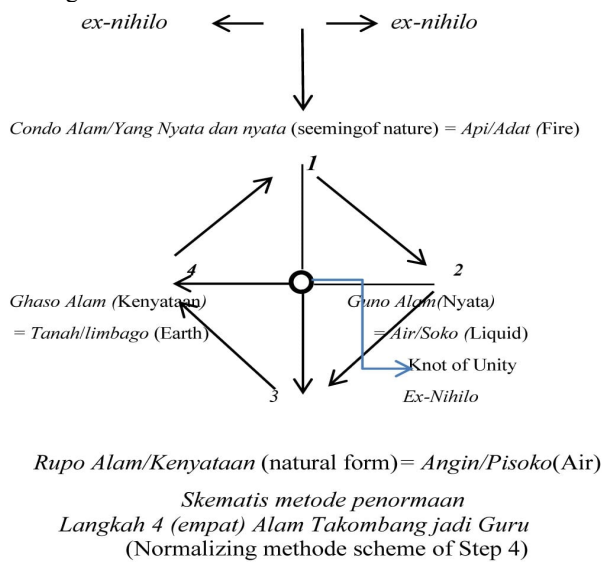
In Minanga Kanw(v)ar custom, the characteristics of step four are symbolized in the form of customary law “nan” (that) 4, law “nan” 4, country “nan” 4, tribe “nan” 4, hall angle “nan” 4, Position 4 “Jinih” (type), plural “nan” 4, plural trip ”nan” 4, the condition “nan” 4 to stop “nirik mamak” (Leader), silat step four and so on. Meanwhile, according to “Busatami datu batuah” there are no creatures in this world who have no habits and so do humans who must understand the elements of “nan” 4. People who do not know the four will be called people who have no customs or people who have very low degrees and are even considered lower than animals" (documentation of Indigenous research interviews, Jati 2007). It can be compared also with adat and its kind by Chairul Anwar [15] and can be compared with the four goals of Kant's philosophy and the four goals of wisdom (philosophizing) described by Stepen Palmquis [5].

3.2. Method of Normalizing Step 4 (Four) of “Alam Takombang Jadi Guru” Shaping Kampar Customary Law

If the method of normalizing step 4 (four) “Alam Takombang Jadi Guru” is a form of understanding (verstehen) holistic, which does not understand the object of one dimensional part, but understands the objectivity of the four dimensions so that it will look schematically the parts that are fused in the form of a perfect complete roundness, and to review its validity can be done with appropriate techniques. According to Gadamer, an understanding is never complete even though it has formed a complete circle, but wholeness is not a complete understanding because it allows for new understanding and re-forming a complete circle. Because of that, there are phenomena that have symbolic polysemic meanings, namely symbols have many meanings starting from the meaning in the phenomenon of the object itself but also to bring about renewal of meaning (productive) [16]. This form is not a contradiction, but a form of contradiction which is essentially understood as a reconciliation as a form of harmonious relations. Example: male and female is a form of resistance but a union that gives birth to harmony. If the relationship between the parts begins with the Real (meta existence) which is symbolized as real and called as revelation, of course the opposite form (contradiction) is the understanding of logic in the form of logic. If the logic stands on absolute authority without the attachment of revelation, then this cannot be said of contradiction but contradictions, which give birth to disharmony between subjects that give a rise to understanding with the divine understanding. And if the opposite is true, then it is understood to be an initial normalizing process which is very abstract in nature.

Therefore, understanding the contradictory form of 4 (four) steps between “condo alam” and “rupo alam”, “Guno Alam” (natural use) and “Ghaso Alam” (natural taste) will experience a reconciliation of understanding that no longer follows the pattern of previous contradictions in the form of vertical-horizontal unification, but rather an understanding based on the diagonal Method Step 4 (four) which connects between the Real and “nyata condo” with “nyata guno”, with “kenyataan rupa” (visual reality), with the “kenyataan rasa” (reality of taste) and return to the starting point to form a roundness so that this understanding can be understood that the subject’s understanding of the general characteristic categories of objects that exist in the universe can measure the validity of their understanding, whether in the form of normative or correspondent and / or holistic form that combines the parts into a unanimity in harmony, or vice versa.

If the method of understanding this form gets four characteristics of the universe, of course each of its characteristics can be symbolized by the scheme of two crossed arrows and illustrates a contradictory form of object classification and is divided into four categories as identified through mutual derivation of the ratio and the five senses of the previous object . Furthermore, the derivation of the object of the universe to the basic law is based on a four-step reasoning form. “Ex-nihilo” (something that arise from nothing) revealed text and universe in the form of wakyu, and in it there were humans. Object 1 that is identified as a symbol of fire is deemed to be object 2. Object two is identified as a symbol of liquid being deviated into object 3 which is identified as a symbol of the wind. And the combination of the derivation of objects 1 (fire), 2 (water), 3 (wind) into object 4 which is identified as an object that combines the parts into a unified whole so that there is a place to live and die something called earth. From the ground back again to the starting point (ex-nihilo) as a unified whole universe. Furthermore, the authors can describe in the following scheme:



The derivation of the norm continues to the next symbolic form, namely the derivation of the object of the universe to the characteristics of the law and the institution of the unity that is formed. Firstly, the characteristics of objects that can illuminate, scorch and finish are identified as customs or legal rules whose primary nature is imperatives which provide illumination (warning), warning and punishing humanity. This characteristic is further concretized in the form of a

polysemic so that the synthesis of its characteristics becomes an abstract entity which is entirely imperative in nature, and is called as the “adat”.

Secondly, the characteristics of objects that animate, cool, soft, permeate and can resemble the place are identified as a liquid. These characteristics are further re-concreted in the form of polysemics, so that the synthetics of their characteristics become an abstract entity that is entirely imperative in nature, and is called as the pillar. In the next derivation, “Soko” was a symbolic of the initial position titled “Andiko Datu”.

Thirdly, the characteristics of objects that do not resemble all places, are softer, suppress all directions and enter all places are identified as the wind. These characteristics are further re-concreted in the form of polysemics, so that the synthesis of their characteristics becomes an abstract unity which is entirely imperative in nature, and is called as the “pisoko” (heirloom). In the subsequent derivation, the “Pisoko” is a second symbolic position which has a hierarchical title starting from the “Raja” (King), “Sultan”, “Tan”, “Sri”, “Dhatu Pisoko”, “Dhatin Pisoko”, and ordinary people.

Fourthly, hard characteristics, easily changed, influenced by the place and do not resemble a place, a place to grow and not to a place to grow, a place to die and break, can be formed and be shaped and so on. These characteristics are further re-concreted in the form of polysemics, so that the synthetics of their characteristics become an abstract entity that is entirely imperative in nature, and is called as the “limbago” (institution). In the subsequent derivation, the “limbago” is a symbolic of density, body, and institution whose characteristics are inherited in the next symbolic polysemic.

Based on the derivation in the form of symbolic polysemic, the four parts are drawn into a single unit called as the “Hukum Dasar Hontak Adat Soko Pisoko” (The Customary Basic Law). Based on this basic legal polisemic form, it is the basis for the derivation of the formation of rules or rules in the adat community of Kampar, and likewise in applying ideas into practice in society.

4. CONCLUSION

From the discussion above, the author concludes 2 things:

1. Synthetic analysis in the form of concrete and abstraction of the phenomenon of the object of the universe by “Andiko Dhatu”, then the “Alam Takombang Jadi Guru” is a symbolic polysemic that describes the derivation of the universe into the realm of the mind and the five senses, then reflects to find out the true characteristics of the universe so that each universe characteristic is abstracted to get a naming of the unity of the characteristic.
2. The success of the “penormaam awal” (initial normalization) method becomes the basis for the derivation of the next normalization method with the same symbolic polysemic pattern but with different goals. In the initial pattern to concretize the abstract characteristics of the phenomenon of the object, and the subsequent pattern of the derivation of the special characteristics of the object into the general characteristics of the basic law and the general characteristics are concretized into special characteristics, thus symbolizing the existence of the law, institutions-institutions (legal structure) as

outlined in the Basic Law called “Hontak Soko Pisoko”, and this basic law becomes the basis of imputative, predictive, sparative legal formation (substance) and legal structure (institution).

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