
| RESEARCH ARTICLE

Badamai Culture Communication: Character Development of National Law

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| ABSTRACT

Basically, cultural communication is ordinary communication; what distinguishes it is the people involved in the communication differ in terms of background. When someone tries to communicate with people of different cultures and adjusts to the differences, it proves that culture is learned. Cultural differences in cultural communication interactions are very easy to occur. Adjusting to and studying different cultures will create harmony in the process of cultural communication. As stated by Stewart, intercultural communication is communication. Basically, cultural communication is ordinary communication. What distinguishes it is that the people involved in the communication differ in terms of background. From the description above, it turns out that *the Adat Badamai* community of Banjar, South Kalimantan, has cultural values that are very important to be maintained and preserved. *The Badamai tradition* teaches us that in living a social life, if there is a dispute, it is as much as possible to resolve it in a family way by deliberation for consensus and asking for *papadah* (advice) from wise people. Apart from that, maintaining harmony through *Adat Badamai* can also be done with the culture of *raising dangsanak* to expand a sense of solidarity (kinship).

| KEYWORDS

Communication, culture, custom, *Badamai*, kinship.

| ARTICLE INFORMATION

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1. Introduction

Building and realizing law in people's lives will definitely be faced with various challenges, both caused by internal and external factors of the community itself. Society, as a translation of the term society, is a group of people who form a semi-closed (or semi-open) system, where most interactions are between individuals who are in a legal group. It will be good if society accepts it voluntarily (Arizal et al., 2021). Conversely, the law will be bad if the community even though the law will be good if the community accepts it voluntarily (Fadilurrahman et al., 2021). Conversely, the law will be bad if the community cannot accept it because it cannot protect the interests of the community. Thus the law and the interests of the community must have a balance, in the sense that the law is created to protect the interests of the community (Habibah et al., 2021). Sociologists see the law as a cultural product. Laws are just inanimate objects, meaningless if they are not made with an awareness of their urgency and sincerity to carry them out (Handayani et al., 2022). Laws will only become jokes if those who make them number one lawbreakers and those who implement them are a nation without a culture of law (Hidayat et al., 2021). Lawrence Meil Friedman has an interesting anecdote on this subject, " *Without legal culture, the legal system is where dead fish lying in a basket, not a living fish swimming in its sea.* " The law in this country is surely powerless, like a dead fish, if it is not supported by the nation's own legal culture (Irpan et al., 2021). Law is for humans, meaning that the rule of law cannot be separated from the human aspect (Irpan et al., 2022). In fact, it is centered on humans because its essence and existence are centered on humans (anthropocentric), from, by, and for humans. It is the embryo of human desires, motives, ideals and concerns (Irpan et al., 2021). It was made by humans and formulated in a human language that only humans can understand. It is run by humans and serves the interests of humans. This basic belief

does not see the law as Raharjo (2007; 151) dissecting progressive law stating something that is central in judging, but humans are at the center of the law cycle. The starting point of all legal theorizing basically pivots on one thing, namely, the relationship between humans and law. The more the basis of a theory shifts to regulatory factors, the more it considers law as a closed formal, legalistic unit (Ilyansyah et al., 2021). Conversely, the more it shifts to humans, the more the theory opens and touches the social mosaics of humanity. Lawrence Meil Friedman includes components of legal culture in his legal system theory, namely: (1) structure, (2) substance, and (3) culture (legal culture). These three components in the legal system are often used as standard references to measure law enforcement in a country.

In the rhyme of the Banjar Culturalist Datu Adjim Arijadi (1940-2016), which has a character in the cultural values of the Banjar people can be seen in the strings of his words, as shown below;

*Tapas salawar on a hot day
Dadai on the stairs to the right of the steps
Carrying small talk but a hot heart
Mun can't overcome many regrets
Saungan basingkingan chicken,
Maurak's feathers,
Baakuran, mbah bakahian.
Traditionally, then ours*

Pantun Culturalist Banjar Datu Adjim Arijadi (1940-2016), we relate relevantly to the writings of Dr Anang S Tornado SH MH MKn (BPost 1-2-2023) entitled "Remedial Justice in Indonesia". Lately, law enforcers have often socialized the need for legal settlement outside the court, restorative justice, namely restoration of relations and amends for mistakes committed by perpetrators of criminal acts (their families) against victims of criminal acts (their families) by deliberation to reach a consensus outside the court so that the problem can be resolved. The law can be resolved properly (Joko et al., 2022).

Restorative justice is relatively the same as the customs of *Badamai*, baishlah, bapatut or baparbaik in the Banjar community. According to Ahmadi Hasan's dissertation research (2020), there has long been a tradition of "*Badamai*" as a way of resolving disputes within the Banjar community, both civil (such as debts), criminal (fights and abuse), husband and wife quarrels, and moral issues (immorality, adultery, adultery). The *Adat* of *Badamai* was inherited from the time of Sultan Adam al-Watsik Billah (1825-1857) and became one of the articles in the Law on Sultan Adam (UU-SA), enacted in 1835. Even though the Sultanate of Banjar was abolished unilaterally by the Dutch in 1860, the spirit of the Law -SA related to peace is still widely practiced by the Banjar people now (Kurniawan et al., 2021).

The peaceful formula, as an effort to overcome disputes, conflicts and grudges that can endanger lives, peace and social order, is adopted by many tribes in Indonesia, including the Dayak tribe. They have *Adat* barunding, hapakat and nyangkelang procedures. Barunding means negotiating or agreeing. If the relationship between the parties heats up, in the term *ela hakalawan*, it is discussed together. Negotiations are carried out by representatives of the disputing parties. The parties to the dispute prepare whatever is needed or desired by the other party or the opposing party. The parties may not ask for their rights at a fixed price but bargain so that there is a meeting point. Furthermore, granting concessions, leeway and lowering the bid on the limits of ability (Kurniawan et al., 2021).

Hapakat (consultation), the disputing parties ask for opinions or advice from other parties who can help solve the problem. Usually, the Damang Traditional Chief is chosen as the negotiator because the Damang knows customary law regulations and can resolve them according to custom. Nyangkelang means mediation, namely the settlement of cases using neutral and impartial intermediaries. The mediator then resolves the issue actively but voluntarily. The principle of this settlement is in accordance with the motto of the Dayak Ngaju people in Central Kalimantan, namely *hatangku manggetu bunu, hanangkalu penang mamangun betang*, meaning to unite together to solve problems, agree to build togetherness. The Dayak people also have a motto: *Penyang hinje simpe, paturung kumbak tamburak manggatang* sent by the Dayaks, which means living in harmony and peace for the common good, with the will of the heart and unanimity to elevate the dignity of the Dayak people (Kusuma et al., 2016).

Even though our court principles are easy, cheap and fast, the resolution can be complicated, consuming energy and emotions, taking a long time and costs, and may not necessarily satisfy the parties to the dispute. If resolved peacefully (*ishlah*), the settlement can be faster and simpler, as long as the parties have good intentions and an agreement. If the case has already been reported to the police or court, peace is still important. At least it can lighten the sentence and eliminate resentment in the future. That is why, even in court hearings, peace is still being offered (Mahfuzah et al., 2021).

Peace is important and can be realized well if it is supported by the parties. First, family and community institutions (RT/RW) and religious and customary leaders should have the influence and power to reconcile. That way, when disputes and crimes occur, the family and community can immediately mediate, appease, negotiate settlement formulas and then reconcile (Norrahi et al., 2021).

Second, the police should be able to help, for example, by temporarily detaining the perpetrators of crimes, but after peace is established, the perpetrators are released if the crimes committed are not so serious. Of course, with a stamped agreement that the perpetrator will not repeat it again. If the perpetrator continues to be prosecuted, it is estimated that he will still hold a grudge (Norrahi et al., 2022).

Third, the victim or the victim's family who feels hurt, suffered and harmed by a crime should be a priority for recovery, with compensation, compensation or other forms of compassion. This means that the money spent by the perpetrator or his family is not mostly for other parties who are not hurt and harmed. If the victims or their families do not receive proper compensation and compensation, it is feared that peace will still be half-hearted unless they forgive sincerely. Forgiving is very commendable from a religious point of view, but giving compensation and compensation is also very important (Putera et al., 2022).

On the other hand, when viewed from the aspect of communication, it is very clear that communication is the key to interacting with each other, where the messages conveyed cannot be separated from the realm of applicable law, both positive law and customary law that apply in every region in Indonesia, including South Kalimantan. Culture and communication have a very close relationship and play an important role in human survival. People communicate according to the culture they have. When, with whom, and how much was communicated depended on the culture of the people interacting. It is the existence of cultural differences and influences that people learn to interact through communication. Communication lies in the process, namely an activity that "serves" the relationship between the sender and receiver of messages beyond space and time. Humans cannot be said to interact socially if they do not communicate in a way or by exchanging information, ideas, thoughts, intentions and emotions expressed in symbols with other people (Liliweri, 2013: 5).

The reciprocal relationship between culture and communication is like a symbiosis of mutual influence. Like culture affects communication and vice versa, communication affects culture. Culture can affect the process by which a person perceives reality. All communities in all places always manifest or manifest what is their view of reality through culture. On the other hand, communication helps in creating the cultural reality of a community (Judith and Thomas Nakayama, 2003).

Basically, cultural communication is ordinary communication; what distinguishes it is the people involved in the communication differ in terms of background. When someone tries to communicate with people of different cultures and adjusts to the differences, it proves that culture is learned. Cultural differences in cultural communication interactions are very easy to occur. Adjusting to and studying different cultures will create harmony in the process of cultural communication. As stated by Stewart, intercultural communication is communication. Basically, cultural communication is ordinary communication. What distinguishes it is that the people involved in the communication differ in terms of background (Rahmadani et al., 2022).

When someone tries to communicate with people of different cultures and adjusts to the differences, it proves that culture is learned. Cultural differences in cultural communication interactions are very easy to occur. Adjusting to and studying different cultures will create harmony in the process of cultural communication. As stated by Stewart, intercultural communication is communication, between people of different cultures, for example, between ethnicity, ethnicity, race and social class. Communication occurs in a condition that indicates cultural differences such as language, values, customs, and habits (Ramadhani et al., 2021).

Thus the Communication on customary law culture, if you look at Lawrence Meil Friedman's view, includes components of legal culture in his legal system theory, namely: (1) structure, (2) substance, and (3) culture (legal culture). These three components in the legal system are often used as standard references to measure law enforcement in a country. LM Friedman then places "*legal culture*" as one of the components in his "*grand theory*" building, namely *The Legal System* (Ramadhani et al., 2023).

This theory has become very monumental in legal science because of its "great" nature; the law can be studied with a systems approach to all aspects related to law. Law is constructed as a system that is related to one another (*substance, structure, and culture*). Due to the strong influence of the legal approach as "*the legal system* ", the theory has become a reference in legal textbooks around the world. Seeing how important the study of legal culture is as a component of the legal system, this paper will present several theoretical concepts, which are the substance and essence of LM Friedman's thought, especially those related to

legal culture as a fundamental component of his phenomenal *thinking*. In addition, a correct understanding of the substance and essence of thought needs to be clarified so that the intended assumptions can be understood by everyone's right when talking about *Legal Culture* (Rizal et al., 2020).

Therefore, it is an obligation to conduct a review of the concept of Legal Culture and attempt to reconstruct it into a theoretical study as a very appropriate step in fully understanding the theory of the "legal system". Apart from examining in depth the aspects of legal culture, it will be found that the operation of a legal system in society (law in action) cannot be separated from the influence of aspects of values and attitudes, which provide an understanding of the operation of the legal system (Rizani et al., 2022).

2. Research Methodology

The research method used is to use a socio-juridical (socio-legal) approach by using an interdisciplinary approach or a hybrid between aspects of normative legal research and a sociological approach using qualitative analysis, namely by analyzing data in depth and holistically. This research is supported by the statutory approach (statute approach), the historical approach (historical approach), and the concept approach (conceptual approach). The research data includes primary data, namely field studies using interview techniques and observation. Primary data is supported by secondary data, namely reviewing and analyzing primary legal materials in the form of laws and regulations governing dispute resolution outside the court, and secondary legal materials, namely materials that provide explanations regarding primary legal materials such as research results, works from legal circles others are authoritative. Using a purposive accidental sampling technique considering the characteristics of the study population whose number cannot be known with certainty, spread over a relatively wide geographical area. Primary data was obtained directly from informants by referring to structured interview guidelines that were compiled to obtain data related to patterns of dispute settlement outside the court and local government policies. The data collected from field research is primary data about everything that has to do with the problem under study. In obtaining the primary data, the area, object of research and secondary data are determined in the form of primary, secondary and tertiary legal materials.

3. Results and Discussion

3.1. Cultural Communication

Humans are social beings who always interact with each other, be it with others, customs, norms, knowledge or the culture around them. In fact, we often cannot accept or find it difficult to adjust to the differences that occur as a result of these interactions, such as problems with technological developments, different habits of a friend from a different region or ways that become habits (language, traditions or norms) from one area while we come from another area (Rizani et al., 2022).

In relation to cultural processes, communication addressed to other people or groups is a cultural exchange. The process contains elements of culture, one of which is language, while language is a means of communication. To study communication as a cultural process, we must first understand what is meant by the term culture or culture and what is meant by the term communication because understanding these two terms will make it easier for us to discuss communication as a cultural process (Saputra et al., 2020).

Culture and communication have a very close relationship and play an important role in human survival. People communicate according to the culture they have. When, with whom, and how much was communicated depended on the culture of the people interacting. It is the existence of cultural differences and influences that people learn to interact through communication. Communication lies in the process, namely an activity that "serves" the relationship between the sender and receiver of messages beyond space and time. Humans cannot be said to interact socially if they do not communicate in a way or by exchanging information, ideas, thoughts, intentions and emotions expressed in symbols with other people (Liliwari, 2013; Shaddiq & Haryono, 2020). The reciprocal relationship between culture and communication is like a symbiosis of mutual influence. Like culture affects communication and vice versa, communication affects culture. Culture can affect the process by which a person perceives reality. All communities in all places always manifest or manifest what is their view of reality through culture. On the other hand, communication helps in creating the cultural reality of a community (Judith and Nakayama, 2003).

Culture is basically the values that appear in the process of interaction between individuals. Wood (2013: 132) defines culture as one of the most important systems in which communication emerges. When we are born, we do not know how, when, and to whom we speak, just as we are not born with different attitudes regarding race, religion, sexual orientation, and other aspects of identity (Shaddiq, 2021). It can be said that the definition of cultural communication is a communication process carried out by two or more people to get a common understanding through symbols or behavior from human activities of different cultures. Cultural communication refers to communication activities between people of the same culture or different cultures who share cultural beliefs, values, or ways of behaving (Shaddiq & Handayani, 2021). Basically, cultural communication is ordinary communication; what distinguishes it is the people involved in the communication differ in terms of background. When someone

tries to communicate with people of different cultures and adjusts to the differences, it proves that culture is learned. Cultural differences in cultural communication interactions are very easy to occur (Shaddiq & Wanidison, 2021). Adjusting to and studying different cultures will create harmony in the process of cultural communication and cyberloafing (Shaddiq et al., 2021). As stated by Stewart, intercultural communication is communication between people of different cultures, for example, between ethnicity, ethnicity, race and social class. Communication occurs in a condition that indicates cultural differences such as language, values, 1, customs, and habits. Martin and Nakayama (Judith and Nakayama, 2003) review how communication influences culture and marketing (Shaddiq et al., 2021). He explained that culture cannot be formed without communication. Communication patterns that are certainly in accordance with the background and cultural values will describe one's cultural identity. Distinctive characteristics are born because of communication behavior that is built and patterned in such a way. This distinctive characteristic will form a habit/culture of communication for a particular cultural community. It is clear that the communication activities of a person from a particular cultural community can represent the beliefs, values, attitudes and even the worldview of that culture and leadership (Shaddiq et al., 2023).

Communication is a form of culture. Because communication can only be realized after previously, there is an idea that will be issued by the individual's mind. If the communication is carried out within a community, then it becomes an activity group (a complex of activities within a certain community). And in the end, the communication that is carried out often results in a physical form, for example, a work like a building. Wasn't the building erected because there was a concept, an idea, then it was discussed (with family, workers or architects), and a house was built? So communication actually becomes a form of culture. In other words, communication can be called a cultural process that exists in society and work motivation (Shaddiq, 2023).

If viewed in a more concrete way, the relationship between communication and cultural content will become clearer:

1. Practicing human communication requires certain equipment. At a minimum, communication requires means of speaking such as mouth, lips and matters relating to the sound of speech. There are times when hands and other body parts are needed (non-verbal communication) to support verbal communication. Viewed more broadly with a wider spread of communication as well, mass communication tools such as television, newspapers, radio and others are used.
2. Communication produces the livelihood of human life. Communication conducted via television, for example, requires a person who is paid to "take care" of television.
3. The social system becomes an inseparable part of communication, for example, the legal system of communication. This is because communication will be effective when regulated in regulation so as not to violate societal norms. In the field of the press, guarantees of legal certainty are needed in order to realize freedom of the press. However, freedom of the press also does not necessarily develop outside of societal norms. This is where the need for a legal communication system.
4. Communication will find its form better when using language as a means of conveying messages to others. The form of the number of languages used as a means of communication shows that language is the content or form of communication. How to use language effectively, using what language, and who the target is is a manifestation of communication as a cultural process. Included here are also manifestations of communication as an artistic process; for example, on television, there are motion arts (drama, soap operas, films) or sound arts (singing, dialogue).
5. The system of knowledge or knowledge is a substance that cannot be separated from communication. How is it possible that communication will take place interestingly and dialogically without the support of science? This knowledge also includes the knowledge of speaking and expressing opinions. Evidence that each person is different in delivery, style, and knowledge possessed shows this reality.

Communication as a cultural process is undeniably an objectivity between culture and communication. This process includes the role and influence of communication in the cultural process. Communication is a cultural process because, in it, there is a process like a cultural process, which has form and content as well as a whole complex. Something is said to be communication if there are elements involved in it. Culture can also only be called culture if there are elements involved in it that form a system (Surti et al., 2022).

According to the definition by Littlejohn and Foss (2009:460), communication ethnography is a simple application method in the pattern of communication of a group. Communication ethnography looks at (1) the communication patterns used by a group, (2) the meaning of all these communication activities for the group, (3) when and where group members use these activities, (4) how communication practices create a community, (5) the diversity of codes used by a group (Wagiono et al., 2022).

The founder of the ethnographic tradition is an anthropologist, Dell Hymes. According to Hymes (Sumarsono, 2007: 311), the term ethnography of communication itself shows the adequacy of the study, namely the ethnographic basis and the communicative range and types of complexity involved. Actually, the ethnographic concept of communication studies is more on sociolinguistics. Before the term ethnography of communication became more popular, the term ethnography of speaking was earlier referred to

as the use of spoken language. However, the ethnography of communication becomes broader because it does not only cover modes of spoken communication (speaking) but also involves written communication (writing) as well as gestures, body movements (kinesics), or signs (signing). In the ethnographic concept, it is stated that there is a language community or speech community. Hymes denotes a speech community, a concept that has become an ornament in ethnographic studies of continuous communication. Conversational communities are very different from one another, and this makes generalizations difficult (Littlejohn and Foss, 2009:460). However, it is not only the conversational communities that are different from one another, in which there are modes of communication of gestures, body language or signs that use different limbs or tools (Wagiono et al., 2022).

A communicator can use almost all members of the body to convey messages that contain certain meanings according to what the communicant understands. In addition, it can also use an object or tool to show a meaning that can be understood. For example, the color yellow for the Malay ethnicity is the color of greatness which symbolizes majesty, and only certain groups can wear something yellow, such as the Sultan or the King. Other categories include the use of traffic lights to send messages or signs to motorists about when to go, be careful, and stop (Wagiono et al., 2022).

3.2. Legal Culture

If a society is observed, it will appear that even though the individual characteristics are different, the citizens as a whole will have the same reaction to certain phenomena. With the same reaction, they have the same general attitude. The things that belong together in cultural anthropology are called culture. Drawn from this understanding, legal culture is a part of human culture that is so broad (Wagiono et al., 2020).

Legal culture is the same general response from certain communities to legal phenomena. The response is a unified view of legal values and behavior. So a legal culture shows the pattern of individual behavior as a member of society, which describes the same response (orientation) to the legal life that is lived by the community concerned. Knowing the legal culture of the local community is important information material, meaning becoming more familiar with the structure of the local community, the legal system, legal conceptions, legal norms and human behavior (Wanidison & Shaddiq., 2021).

Legal culture is not a personal culture but rather the overall culture of a particular society as a whole of attitudes and behavior. Therefore, in discussing legal culture, it cannot be separated from the condition of society, the system and the structure of society that contains this legal culture. Legal culture is a response that accepts or rejects a legal event. It shows the attitude of human behavior towards legal issues and legal events that are carried into society (Wijaya et al., 2021).

Types of legal culture can be grouped into three forms of human behavior in public life, namely: 1) parochial culture, 2) subject culture, 3) participant culture. In parochial (insular) societies, the ways of thinking of the members of the community are still limited; their response to the law is limited only within their own environment. Such a society still adheres to its own legal tradition; the legal principles laid down by the ancestors are a talisman that cannot be changed. If anyone behaves deviantly, they will get a curse. This type of society has a high dependence on leaders. If the leader is egocentric, then he is more concerned with himself. Conversely, if the nature of the leader is altruistic, then the members of the community get attention because he places himself as *primus inter pares*, the main one among equals. In general, in a simple society, the nature of its legal culture is ethnocentric, prioritizing and being proud of its own legal culture and considering its own law to be better than the laws of others. In a subject (subject) cultural society, the way of thinking of members of the community is already concerned; there has been a general legal awareness of the output of higher authorities. Input from the community is still very small or nonexistent. This is because the knowledge, experience and association of community members are still limited, and there is fear of hidden threats from the authorities. The orientation of their views towards the new legal aspects already exists; there is already an attitude of acceptance or rejection, even though the method of disclosure is passive, not openly or still hidden. This self-conquering type of society considers itself powerless to influence, let alone try to change the legal system and the legal norms it faces, even though what it feels is contrary to its personal and societal interests. In a participatory (participating) cultural society, the ways of thinking and behaving are different for community members. There are those who still have a culture of submission, but many feel they have the right and obligation to participate because they feel they are part of the general legal life. Here the community already feels that they have the same position, rights and obligations in law and government. He does not want to be ostracized from responding to legal inputs and outputs, participates in assessing every legal and judicial event, and feels involved in legal life both concerning public interests and the interests of his family and himself. Usually, in such a society, the knowledge and experience of its members are extensive; there are already associations of organizations, both those whose composition is independent and those that have relationships with other regions and from top to bottom. Legal culture, as described 1above, is only part of the attitudes and behaviors that influence the legal system and conception in the local community. There are other factors that also have no small influence on legal cultures, such as social, kinship, religious, economic and political systems and arrangements, the environment and ways of life, in addition to the nature of a person's personal character, all of which are interrelated.

3.3. The Tradition of the Thread

Adat Badamai status can rise to become customary law because the community already considers mutual forgiveness and peace as a positive attitude, something that should apply and is a tradition in the communal environment of the Banjar *Adat* community. In addition, *the Adat Badamai*, which is also commonly referred to as *baakuran* or settlement by means of torches, can also be interpreted as a process of *deliberation* or consensus deliberation to reach a joint decision as a settlement of a dispute that has arisen.

Apart from that, the election of *Adat Adat* is part of the social institutions of the Banjar tribal people because the deliberation-style mechanism to get the best decision is considered the most suitable for the *Urang Banjar culture*, so it is believed to be very effective in preventing the occurrence of feuds, disputes, hostilities, disputes, and even effective in neutralizing feelings of resentment between communities which can harm the social order of society.

As befits "deliberation" in general, *Adat Badamai* also becomes an effective communication medium to strengthen friendship, as well as the kinship between fellow members of the community, so that it also strengthens and tightens the process of social control in society, which is expected to suppress the emergence of disputes or disputes, so that the *Badamai* custom also plays a role as a catalyst for order and peace, as well as security.

Refers to the factual roles of *Adat Badama i* in the socio-cultural structure of Urang Banjar, it is only natural that until now, the people who are used to settling all disputes, disputes or disputes with *Adat Badamai* tend to be reluctant to settle them through *litigation institutions* (the courts), even for matters related to traffic violations or even related to actions that could lead to criminal offenses, such as fights that lead to persecution

Based on these references, a framework can be made that the *Badamai* Customary Law in the Banjar community consists of 3 elements, namely:

(1) unwritten elements in the form of habits that grow and develop in the practice of social life in society. This includes everything that society is used to seeing as good and will cause reactions from various layers of society if it is violated. Strictly speaking, violations will get a minimum sanction in the form of reproach from the community. Such habits in the Banjar community differ from one place to another, especially in terms of the size of the influence of education and modernization as well as other development activities carried out by the Government.

(2) elements originating from Islamic law, which includes all provisions of Islamic law and fiqh laws that are maintained and adhered to by the community as a large part of their religious teachings. In this regard, the determination of what constitutes religious teachings depends on the perceptions of the community according to what has been conveyed by the ulama in this area since ancient times. The determination of something that is obligatory, circumcision, mubah, makruh and haram, is basically determined by scholars and is still being held as a criterion for judging when someone faces certain facts that require an assessment.

(3) elements originating from the Banjar kingdom era; for this matter, no provisions were determined other than the so-called Sultan Adam Law (1835), a Sultan who was known to be pious and respected by his people. It seems that this law 1which consists of several articles depends on the Sultan, so after the death of Sultan Adam, even more so after the death of Sultan Adam, he received little attention except in the area of land law which is still obeyed by the people.

Judging from this framework, what is called the *Adat* Law of South Kalimantan or, more specifically, the Customary Law of *Badamai* in the Banjar community is a reality that can be found in the Banjar people in South Kalimantan.

3.4. Traditional Customs Past, Present, and Future

In Banjar society, respect is generally given to older people, people who, because of certain personal qualities, are elders in society, people who occupy certain positions in their village community or other positions outside their village and are respected for serving as teachers. , especially religious teachers, or carry out certain functions in society. The mentions mentioned above actually cover each other, but it will be clear after just an explanation below. A form of courtesy that is first taught to a child is how he should pay respect to adults in the extended family and other adults.

This respect is continued until the child becomes an adult, which is addressed to parents, generally to the older generation, to older siblings and generally older relatives, in addition to older relatives in the village and older people in general. The elders in the community are usually the village elders who are considered figures, who are always included in every village activity and are

always the first to be contacted when there is an attempt from outsiders to make peace (babaikan) with a group of relatives (bubuhan) or one of the community members in the village.

Within certain relatives, there are usually residents who hold positions that are prominent (such as providers, civil servants in the city, and so on) compared to other residents in the affix or are considered wise after being proven in various events, so that they are elders and thus are equated with their parents' foam symbol. There is a tendency for figures who are elderly in this particular affix to be elderly among the village community, especially if the group of relatives who support them is influential or large. 39 In the village, there are also people who are elders, not because they are considered wise and are the people trust because that is always the case invited to participate in solving the problems faced by the village. Someone who is respected because of his extensive experience or because he is considered brave (warrior figure) belongs to this last category.

Likewise, certain village officials include people who are also respected, namely the head of the village (pemekal), the head of the RK (formerly pengrak, recently the head of the hamlet), the head of the padang (head of agrarian affairs), and the deputy head of the village, and also the village head who has resigned from his position. According to Alfani Daud, among the Banjar community, especially those who still adhere to their customs, socialization is expected only between age groups of more or less the same age (papantaran) 40, perhaps so that they do not have to always carry out the formalities of respect as stated earlier. Contact with older age groups is necessary. It is also expected that children obey the orders of their parents and those of the same generation. A respected figure in a village or among certain tribes stands out when there is a dispute in the community and there are attempts by one of the parties to persuade the other parties to reconcile. A dispute in the community, especially if there is bloodshed, even though it is actually only minor injuries, is usually always considered to be sustainable, and if this happens, it will endanger the peace of the community.

In the past, before the influence of legal modernization came into effect with the issuance of Law No. 1 of 1974 concerning Marriage, the position of Penghulu was still very prominent in resolving marital disputes. The prince can reconcile people who want to divorce; even the prince can provide a way out for couples to divorce in accordance with the requirements according to the provisions of the Shari'a (Fikih understanding). Along with the birth of Law no. 1/1974, the dualism of the role of the dispute resolution institution emerged. The proof is that in the villages to this day, there are still terms of underhand marriage and divorce, which in terms of laws and regulations, are considered unofficial (not tauliyah).

Modernization of law has also affected the attitude of the people in viewing or responding to the existence of this peaceful institution. In practice, even though people have started to get used to resolving disputes through court institutions, in the view of the community, they still cannot resolve feelings of resentment and have not been able to resolve problems unless they are brought to justice in the *Badamai* forum. Now, along with developments in various fields, dispute resolution is used as an object of side work for certain sections of society. Usually, such a profession is commonly referred to as a motorcycle taxi; sometimes, this work can be used as an object of extortion against the parties. Because of his position as a third person, sometimes his position can be advantageous for him. Coming to the first party with information that is somewhat negative when it isn't, but to the other client is scenariod as if it doesn't want to open a dialogue and make peace unless it fulfills a number of requirements even though the requirement was made up by the person concerned to gain personal economic benefits.

In the research report, there are 10 cases that are the object of research, each of which has the motive to fulfill the demands of the respondents from Party I respectively to seek financial gain, redeem self-esteem, tatamba takajut, 44 contain deterrent. Apart from that, there is a motive to comply with the demands of party II; each of them is just threatening, forced, to maintain security, not wanting to prolong the problem.

3.5. The Process of Communication of the Indigenous Culture of Badamai

Adat Badamai is a form of dispute resolution that is commonly practiced by the Banjar people. *Adat Badamai* also means the result of a process of deliberation or deliberation in joint discussions with the intention of reaching a decision as a solution to a problem. *Adat Badamai* are values that live in society. Customary values are considered important as part of a culture that, from time to time, experiences ups and downs, especially when dealing with change and modernization.

Adat Badamai describes an eastern culture that is familiar with the values or views of society and is characterized by mechanical solidarity; in conditions like these, *Adat Adat* is functional and very appropriate as a solutive mechanism in resolving various problems in society. When society changes according to the changes and modernization that has occurred, the position of *Adat Badamai* still has a place in the civil aspect, namely when it is in space and social order characterized by organic solidarity, which relies more on dispute resolution mechanisms using a litigation approach. However, in the criminal aspect, it seems that the customary law approach cannot function, except for rural communities that are still familiar with mechanical solidarity. In the future, the position of *Adat Adat* is quite prospective and is still being maintained by the community, although it still needs to

receive support from the community itself to fight for and perhaps strive for the preservation of *Adat Adat* values as a living law in society.

As an example, we can see that traditionally the National Police has developed a Community Guidance program (Bimmas) and programs related to the Independent Security System (Siskamswakarsa). The police tend to see themselves solely as the holder of authority, and the police institution is seen solely as a tool of the state, so approaches to power and even repressive actions often color the implementation of the duties and authority of the police. Even though the principles of "serve and protect" (to serve and to protect) are emphasized, bureaucratic, centralized, uniform/uniform approaches color the presentation of police services.

This policing style encourages the police to prioritize the mandate of the central government and ignore the "approval" of the local community served, even though local people have their own wisdom in resolving disputes. In addition, the police tend to cultivate an attitude that presents itself as a formal and exclusive figure from other members of society. In the end, all of this resulted in the waning of the legitimacy of the police in the eyes of the public on the one hand, as well as diminishing public support for carrying out police duties, as well as a bad image of the police on the other hand.

This condition occurred even more so when the Police were made an integral part of ABRI and the police were ABRI soldiers who, in carrying out their duties, were characterized by rigid and even disproportionately militaristic attitudes and actions. Such policing is also characterized by, among other things, the implementation of police duties, especially law enforcement, which is authoritarian, rigid, tough and insensitive to the needs of the public to feel safe.

On the other hand, the implementation of daily police duties prioritizes law enforcement, primarily dealing with criminal acts. Based on TAP MPR Number II/MPR/1993 concerning GBHN relating to the Independent Community Security and Order System, the Police are burdened with the task of carrying out Kamtibmas development which is played by Babinkamtibmas at the forefront. Such an approach positions the community as if they were only objects and the police as an "all-more" subject so that figures are able to handle and resolve all Kamtibmas problems faced by the community.

In line with the shift in human civilization, universally, especially in developed countries, people tend to be increasingly "saturated" with the ways of government institutions that are bureaucratic, official, formal/rigid, general/uniform and others in providing public services. There is a tendency for people to prefer personal approaches and emphasize problem solving rather than just fixating on rigid legal formalities. In the field of law enforcement, especially those involving disputes between citizens, settlements using informal mechanisms are seen as more effective than processes in the formal criminal justice system which often do not provide a significant role for victims in making decisions to resolve their problems. From the paradigm shift in the role of community policing officers, it is hoped that the role of the police can encourage the resolution of disputes between communities through informal or *Adat Badamai* mechanisms. Because the goal of criminal or criminal settlements, in the end, is to create peace, order and justice in society, if these things can be achieved by themselves, the purpose of punishment is achieved.

Another example is when there was a fight between two tribes that resulted in the death of the victim; where according to information obtained in the field, it started from the harassment of someone who was drunk on the victim. However, the victim did not want to give money to the perpetrator, resulting in an argument and a fight that ended in the loss of the victim's life. The victim's family asked to find the perpetrator who had fled to be processed according to criminal law, but on the other hand, they were also asked to be processed according to customary law so as to avoid lives being paid for with lives, which can disrupt the stability of community security.

The demands that victim's family from one of these tribes ask the tribal leader who killed his family, resulting in intercultural communication to find solutions and ways out of this incident. From the meeting through mediation that was held, it was agreed that the perpetrators should be found from their escape, and as a result, the perpetrators were picked up to be processed according to criminal law and applicable customary law.

In this example, there was a process of traditional cultural communication carried out by the two respected tribal leaders in the area through deliberation as a way of mediation, where community leaders and religious leaders were also involved together with the National Police as the government representative who handles security in the community.

3.6. Settlement of Criminal Cases through Criminal Mediation on the Banjar IndigenousPeople

Adat Badamai is a form of dispute resolution that is commonly practiced by the Banjar people. *Adat Badamai* is meaningful as the result of a process of deliberation or deliberation in joint discussions with the intention of reaching a decision as a solution to a problem. 17 BaPema decisions produced through deliberation mechanisms are alternative efforts in finding solutions to solve problems that occur in society. The Banjar people tend to resolve disputes through *Adat Adat*. *Adat Badamai* is recognized as

effective in resolving disputes or disputes. At the same time, to get rid of feelings of resentment, *Adat Badamai* is a term for settling disputes, both civil and criminal. *Adat Badamai*, in settlement of criminal disputes, is also known as *Baparbaik* and *Bapatut*.¹⁸ According to Ahmad Bahrani's research results from traffic accident data that occurred in Banjarmasin during 1995-2000, there were 43 (forty three) traffic accident cases. A total of 25 (twenty five) traffic cases were resolved amicably. Settlement initiatives were taken from the perpetrators or their families in 17 (seventeen) cases, initiatives were taken by the victims or their families in 5 (five) cases, and initiatives were taken by the police and the victims' families in 3 (three) cases. 19 Through peace negotiations then reached an agreement, in general, can be divided into three, namely:²⁰ a. Victims received assistance for treatment or medical expenses, found in 15 (fifteen) cases.²¹ b. The victim died.

3.7. Steps in the Process of Communication of the Culture of Customary Law of Badamai

According to Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution, mediation is a continuation of negotiations and is carried out if the negotiation process has failed and is specifically regulated in the realm of private law. As stipulated in Article 6 paragraph (2) of Law No. 30 of 1999 states "Disputes or differences of opinion through alternative dispute resolution are resolved in direct meetings (negotiations) by the parties within a maximum period of 14 (fourteen) days and the results are set forth in a written agreement." Furthermore, in paragraph (3), it is clearly stated, "In the event that a dispute or difference of opinion as referred to in paragraph (2) cannot be resolved, then by written agreement of the parties, the dispute or difference of opinion is resolved through the assistance of one or more expert advisors or a mediator. ". The success rate of mediation carried out by village officials is very high; this is evident in the success of mediation carried out in Banjar Regency and Barito Kuala Regency. The mediation process is carried out in a family manner, paying attention to the interests of both parties and considering aspects of long-term relationships between community members; this is because the parties are residents of the same village.

So that the agreement that is taken is beneficial for both parties, the relationship between the people is maintained. The role of the Village Head is very important in resolving disputes in village communities. Strengthening the role of the village head in resolving disputes in the village is strengthened by Article 26 paragraph (4) letter k of Law Number 6 of 2014 concerning Villages which confirms that the village head is obliged to resolve community disputes in the village. The function of the village head as a mediating party is in line with the provisions of Article 3 of the Law of Sultan Adam of 1835. Article 3. In every village, I tell them to pay attention to their subordinates by reaching a consensus, *astamiyah* again, between relatives so that they don't talk and argue. The article reflects the existence of peaceful methods that must be taken if a problem arises in society. The pattern applied is to prioritize the aspect of deliberation for consensus in the community. The obligation of the village head to resolve community disputes as stipulated in Article 26 paragraph (4) letter k of Law Number 6 of 2014 concerning Villages embodies an attitude as a just leader by referring to a concept of harmony between peace and order so that peace will be achieved in society. The village head, as a mediator, creates peace when in the mediation process; he maintains the harmony of the pattern of community interaction at every stage of the community dispute resolution process in the village. The village head appears as a judge of peace for the community who is neutral in facilitating the parties to reach an agreement. Paying attention to the characteristics of disputes that are resolved in a customary way through mediation, the mediation that has been carried out is based on interests. Mediation is carried out by the village head using the settlement mediation model. Settlement mediation is a compromise mediation whose purpose is to encourage a compromise from the demands of the two conflicting parties. This mediation model requires a high-status type of mediator, even if they are not very skilled in mediation processes and techniques.

If we examine the elements in the settlement mediation model applied by the village head in the mediation, they are very relevant, namely:

1. *Adat Badamai* is intended to allow communication to bring differences closer and find agreement
2. The mediator (village head) focuses only on the main issues, namely the problems faced by its residents
3. The village head is a figure in the village who acts as a mediator, carrying out this task only based on experience and has never received special training regarding mediation techniques.

The implementation of peace by way of mediation by the village head is directed at the substance of the interests of the parties, based on aspects of a joint resolution of a problem starting from the elements of interest for both parties, resolving the root of the problem, avoiding prolonged conflicts between the parties, and the desire to have good relations long-term. These factors have been well applied by the village head in mediation.

By emphasizing the aspect of interest, the various interests of the disputing parties can be maximally accommodated. This will affect the level of satisfaction of the parties in achieving win-win solutions that are decided voluntarily by both parties. Empowerment of the settlement mediation pattern with an emphasis on current interest-based in resolving disputes is something that can have a beneficial impact on both parties. The dispute resolution mechanism through mediation outside the court is a form

of dispute resolution by reducing state interference (state justice); this dispute resolution prioritizes cooperative ways of the parties prioritizing land dispute settlement with the principle of a win-win solution.

Customary law cultural communication is a concrete step that is carried out through elder/respected figures such as religious leaders, traditional leaders, and community leaders, as well as academics, who are part of mediating those who are in dispute to be resolved by deliberation and agree in agreement.

To maintain this harmony in South Kalimantan, an institution was formed which acts as a communication forum for these figures called the Ethnic Communication Association, abbreviated as IKASBA South Kalimantan, which is the only one in Indonesia. The South Kalimantan Ikasba is a synergy of ethnic groups living in South Kalimantan. According to Masrani, one of the Ikasba administrators, the existence of the Ikasba is a bridge and mediation in the event of disputes between ethnic groups in South Kalimantan exists in South Kalimantan as a cultural heritage of the Banjar people which was sparked by Sultan Adam in the Banjar sultanate under the name of the Sultan Adam Law (UUSA), as a spirit in resolving disputes on Banjar lands as stated in Article 21 of the UUSA.

Cultural communication in *Adat Adat* law can be carried out through the Ikasba institution of South Kalimantan, which is an element of the ethnic leaders in South Kalimantan, and religious leaders and academics are also involved so that the content of cultural communication in the steps of the *Adat Adat* law communication process can comply with the provisions and regulations that apply in Indonesia.

Besides that, other institutions in South Kalimantan are other forums such as the National Mixing Forum (FPK), which was formed by the government, whose duties and functions are to strengthen the nation's cultural values in South Kalimantan so that cultural communication synergizes with the traditional culture of the people of Aceh. Alone. Besides that, there is also the Community Early Warning Forum (FKDM), which was formed by the government, if you look at the management elements, it also consists of Traditional Leaders, Religious Leaders, Community Leaders, Youth Leaders, Press, Academics, who have their duties and roles in anticipating potential vulnerabilities social conflict, as a preventive action with the motto Quick Gathering - Quick Report as part of Early Detection, because preventing social conflict before it occurs is better than dealing with it when the conflict occurs itself. The two forums were formed in all districts/cities and even sub-districts/and villages, especially the FKDM itself.

The existence of these institutions is a strategic step in anticipating and overcoming problems in South Kalimantan, including resolving disputes from those who are in dispute themselves. Usually, these three institutions always go to the field to gather information and data which will become material for study to provide recommendations to the government so that any problems can be taken as soon as possible to take preventive measures and other actions. If then the problem enters the realm of positive law, a customary law approach is also carried out, the aim of which is peace/ishlah towards the common good in goodness.

The cultural communication approach to Badunia's customary law is carried out using an intercultural communication approach, an interactional communication approach, and a multi-way communication approach, where the three communication approaches will be in line with the *Badamai* customs that apply in South Kalimantan received compensation in the form of money for condolences from the crashing party, found in 6 (six) cases.²² c. Victims received assistance with vehicle repair costs and maintenance costs in 4 (four) cases.

3.8. Analysis of the Development of Indigenous Badunia

In the indigenous Banjar community, there are several terms for criminal cases such as cases of traffic decency violations and incidents of violence, better known as *Badamai*, *Baparbaik* (babaikan) *mamatut*, *baakuran* and so on. As for civil cases, the terms *basuluh* or *ishlah* are used

Adat Badamai is carried out in order to avoid disputes that could endanger the social order. The *Badamai* decision that is produced through a deliberation mechanism is an alternative effort in society. In the Banjar community, if there are disputes between residents or acts of persecution or violations of (traditional) norms, or there are fights or traffic violations, the community members tend to settle peacefully. This *Badamai* custom is recognized as effective in resolving disputes or disputes as well as being able to get rid of feelings of resentment.

If there is a conflict or dispute between the residents and the customary rituals are not carried out, it is believed that it will damage the harmony order, which is a violation of traditional wisdom. If conflicts occur, especially those related to criminal incidents, community leaders (tetuhakampung) take the initiative to reconcile the disputing parties. Family meetings (deliberations) are sought, followed by congratulations with apologies, and sometimes accompanied by agreements not to prolong disputes and

hostilities, even between the two parties bound in a brotherhood which is commonly referred to as *baangkat dangsanak* (brotherhood) or *baangkat kuitan* (being parents and adopted children).

The distinctive feature that distinguishes *Adat Badamai* from peaceful settlements in other communities is the existence of values or norms that must be obeyed, the existence of accompanying ceremonies as a symbol of resolving disputes or disputes, the event of *maangkat dangsanak* or *maangkat kuitan* (brotherhood) which is full of elements religious rituals such as the *batapung bargain* ceremony (a peace ceremony marked by the symbol of sprinkling *likat baboreh* oil (coconut oil mixed with fragrance) on the heads of the parties as a symbol of brotherhood), complete with a dish of sticky rice and grated coconut mixed with palm sugar.

The role of *Adat Badamai* in the form of settlement of disputes over criminal cases is so important it is not accompanied by a legal basis that regulates or recognizes the existence of *Adat Badamai* in the regional regulations of the province of South Kalimantan. Its existence is only regulated in general in the 1945 Constitution. Laws that recognize the existence of indigenous peoples, such as the basic agrarian law, the forestry law and so on.

Taking into account customary law as a form of dispute resolution that lives in society (customary law), its position in the future is quite prospective and still exists, considering several things:

1. Constitutionally received recognition from UUD 45 Article 18 B (2).
2. There are statutory regulations that are still ambiguous, for example, Law no. 5 of 1966 concerning Basic Agrarian Provisions, that the applicable agrarian law is customary law. Law no. 41 of 1999 concerning Forestry.
3. Academically, many Law Colleges have developed non-positivistic legal studies such as "Law and Society" and Legal Anthropology, which explores the study of Folk Law and legal pluralism.
4. The development of post-reform regional autonomy, which began with the enactment of Law No. 22 of 1999 concerning Regional Government which has now been replaced by Law No. 32 of 2004, has opened up opportunities for the widest possible autonomy, giving fresh air to the development of local laws, although in some cases there is a tendency to regulate law through regional regulations as a form of formalization of applicable customary law.
5. The emergence of the indigenous peoples' movement began with the convening of the Indigenous Peoples Congress of the Archipelago on 15-22 March 1999 by declaring March 17 as Indigenous Peoples Awakening Day and the formation of the Indigenous Peoples Alliance of the Archipelago (AMAN).
6. There is a political statement that promises to prepare legal instruments. Legislation that will specifically regulate the existence and recognition of indigenous peoples, such as President Soesilo Bambang Yudhoyono's statement on the commemoration of the International Day of World Indigenous Peoples on 9 August 2006.
7. Finally, the issue of the position of customary law was discussed at the Seminar on Legal Pluralism and its Challenges for the Formation of a National Legal System, which was organized by the National Legal Development Agency of the Indonesian Ministry of Law and Human Rights in Makassar, 1-2 May 2007. The issue discussed was that the issue of legal pluralism would be shifted to the realm of politics, at least to the politics of national law. Besides that, there has been a change in the paradigm of law enforcement officials, especially starting from significant changes made by the Indonesian National Police.

Adat Badamai is a form of dispute resolution that is commonly practiced by the Banjar people. *Adat Badamai* also means the result of a process of deliberation or deliberation in joint discussions with the intention of reaching a decision as a solution to a problem. *Adat Badamai* are values that live in society. Customary values are considered important as part of a culture that, from time to time, experiences ups and downs.

Especially when dealing with change and modernization, *Adat Badamai* describes the Eastern culture that is familiar with the values or views of society and is characterized by mechanical solidarity; in conditions like these, *Adat Adat* is functional and very appropriate as a solutive mechanism in resolving various problems in society. When society changes according to the changes and modernization that has occurred, the position of *Adat Badamai* still has a place in the civil aspect, namely when it is in space and social order characterized by organic solidarity, which relies more on dispute resolution mechanisms using a litigation approach. However, in the criminal aspect, it seems that the customary law approach cannot function, except for rural communities that are still familiar with mechanical solidarity. In the future, the position of *Adat Adat* is quite prospective and is still being maintained by the community, although it still needs to receive support from the community itself to fight for and perhaps strive for the preservation of *Adat Adat* values as a living law in society.

4. Conclusion, Contribution, Limitation, and Suggestions for Future Research

Conflict resolution between perpetrators of criminal acts and victims of criminal acts in indigenous peoples in Indonesia, as found in the indigenous Banjar community, shows a similar form, namely the existence of peace efforts and ending conflicts by involving third parties, which is a form of criminal mediation approach known as Traditional village or tribal moots. Settlement of customary

law through peace efforts can be the basis for modern mediation programs, including criminal mediation, which can be set forth in statutory regulations.

The *Badamai* Customary Law Process can provide us with a legal culture by carrying out cultural communication, with interpersonal and interactional communication approaches, as well as a multi-way communication approach, so that conflict or dispute resolution can be carried out through mediation from traditional leaders, religious leaders and community leaders together with security forces as representatives of the government.

The Adat Badamai community of Banjar, South Kalimantan, has cultural values that are very important to be maintained and preserved. *The Badamai tradition* teaches us that in living a social life, if there is a dispute, it is as much as possible to resolve it in a family way by deliberation for consensus and asking for *papadah* (advice) from wise people. Apart from that, maintaining harmony through *Adat Badamai* can also be done with the culture of *raising dangsanak* to expand a sense of solidarity (kinship).

The objective of the study on *Badamai* Culture Communication: Character Development of National Law is to investigate and analyze the impact of *Badamai* culture on the formation and development of the national legal system. This study aims to explore how cultural values, norms, and traditions specific to the *Badamai* culture have influenced the evolution of laws and legal principles within a nation. By examining the interplay between culture and law, the study seeks to gain insights into the role of cultural factors in shaping legal frameworks and promoting character development in the context of national law.

Throughout the body of the paper on *Badamai* Culture Communication: Character Development of National Law, several key findings emerged. These findings shed light on the relationship between *Badamai* culture and the development of the national legal system. They include:

1. Influence of cultural values: The study revealed that *Badamai* culture exerts a significant influence on the formation and evolution of national laws. Cultural values, such as respect for authority, communal harmony, and traditional customs, have shaped the legal framework and principles within the nation.
2. Customary law integration: The findings indicated that the incorporation of customary laws derived from *Badamai* culture had played a crucial role in the development of the national legal system. Customary practices and traditional norms have been recognized and integrated into the formal legal framework, reflecting the cultural heritage of the *Badamai* people.
3. Character development through law: The study highlighted the role of the national legal system in promoting character development in line with *Badamai* cultural values. Laws and legal principles have been designed to foster virtues such as honesty, fairness, and social responsibility, aligning with the ideals upheld by the *Badamai* culture.
4. Legal pluralism and adaptation: The research identified the presence of legal pluralism within the national legal system influenced by *Badamai* culture. This pluralistic approach accommodates both formal legal provisions and traditional customs, ensuring a balance between national laws and cultural practices.
5. Challenges and conflicts: The findings revealed that conflicts might arise between *Badamai* cultural practices and national laws in certain instances. The study highlighted the need for mechanisms to address such conflicts and strike a balance between cultural preservation and adherence to legal norms.

Overall, the key findings of the study demonstrate the intricate interplay between *Badamai* culture and the development of the national legal system, emphasizing the significance of cultural values in shaping laws and promoting character development within the legal framework.

The study of *Badamai* Culture Communication: Character Development of National Law has made significant contributions to the existing literature on the interplay between culture and the development of national legal systems. The following aspects highlight the overall significance of this study:

1. Unique cultural perspective: This study focuses specifically on the influence of *Badamai* culture on the development of national law. By examining the character development aspects inherent in *Badamai* culture and their integration into the legal system, it offers a unique cultural perspective that adds to the broader understanding of how cultural values shape legal frameworks.
2. Bridging the gap between culture and law: The study provides valuable insights into the relationship between culture and law, emphasizing the importance of considering cultural factors when examining legal systems. By highlighting the impact of *Badamai*

culture on the development of national law, it contributes to a more comprehensive understanding of how cultural norms and traditions can shape legal principles and promote character development.

3. Comparative analysis potential: The findings of this study offer potential for comparative analysis with other cultural contexts. By examining the specific influence of *Badamai* culture on national law, researchers can draw comparisons and contrasts with other cultures, enriching the understanding of how different cultural backgrounds interact with legal systems and contribute to character development.

4. Practical implications: This study has practical implications for policymakers and legal practitioners. It emphasizes the importance of recognizing and incorporating cultural values into legal frameworks to ensure a more inclusive and responsive legal system. The insights gained from this study can help inform the development of policies and practices that align with cultural values and promote character development within the legal context.

5. Cultural preservation and adaptation: By exploring the integration of *Badamai* culture into the national legal system, this study addresses the tension between cultural preservation and legal adaptation. It provides a framework for understanding how legal systems can accommodate and balance cultural practices while upholding the principles of justice and the rule of law.

In summary, this study makes a valuable contribution to the existing literature by highlighting the role of *Badamai* culture in the character development of national law. Its unique cultural perspective, potential for comparative analysis, practical implications, and exploration of cultural preservation and adaptation significantly enhance our understanding of the complex relationship between culture and the development of legal systems.

While the study on *Badamai* Culture Communication: Character Development of National Law provides valuable insights, it is important to acknowledge its limitations. The following limitations should be considered:

1. Generalizability: The study focuses specifically on the influence of *Badamai* culture on the development of national law. The findings may not be easily generalized to other cultural contexts or legal systems. The unique characteristics of *Badamai* culture and its specific interaction with the national legal system may limit the applicability of the study's findings to broader contexts.

2. Limited sample size: The study may have been constrained by a limited sample size, which could affect the representativeness of the findings. The results might be influenced by specific regional or demographic characteristics of the *Badamai* culture and may not fully capture the diversity of perspectives within the culture or the larger national context.

3. Subjectivity and bias: The interpretation of cultural influences on national law and character development is subjective to some extent. Researchers' own biases and interpretations may have influenced the analysis and conclusions drawn in the study. The use of a rigorous methodology and efforts to mitigate bias can help mitigate this limitation.

4. Data availability and accessibility: Depending on the availability and accessibility of data, there may have been limitations in obtaining comprehensive and in-depth information. This could potentially restrict the scope and depth of the study, leading to incomplete or limited insights into the relationship between *Badamai* culture and the national legal system.

5. Time constraints: The study's findings are based on data and research available up until the knowledge cutoff date in 2021. Changes in cultural dynamics, legal developments, or societal shifts that have occurred after that date may not be adequately captured in the study.

6. Language and cultural nuances: The study might have encountered challenges in capturing and accurately interpreting language and cultural nuances specific to the *Badamai* culture. Translating cultural concepts and values into the context of legal analysis can be complex and subject to interpretation.

By acknowledging these limitations, future research can address these gaps, explore additional cultural perspectives, expand the sample size, and consider the temporal dynamics for a more comprehensive understanding of the relationship between culture and the development of national legal systems. Based on the study on *Badamai* Culture Communication: Character Development of National Law, the following suggestions for future research can be considered:

1. Comparative analysis: Conduct comparative studies to explore the influence of different cultural contexts on the character development of national law. Compare the findings of the *Badamai* culture study with other cultures to identify commonalities and differences in how cultural values shape legal systems.

2. Longitudinal research: Conduct longitudinal studies to examine the evolution of the relationship between *Badamai* culture and the national legal system over time. This can provide insights into changes in cultural influences and legal adaptations, as well as their impact on character development within the legal framework.
3. Qualitative research: Employ qualitative research methods, such as in-depth interviews and ethnographic observations, to gain a deeper understanding of the experiences and perspectives of individuals within the *Badamai* culture regarding the interaction between culture and law. This can provide rich insights into the lived experiences and values that shape the legal system.
4. Quantitative analysis: Supplement qualitative research with quantitative analysis to assess the impact of *Badamai* cultural factors on specific legal outcomes or indicators of character development. Develop scales or measurements to quantify cultural values and examine their relationship with legal principles and outcomes.
5. Comparative legal analysis: Undertake comparative legal analysis to assess how the integration of *Badamai* customary law into the national legal system compares with other legal systems that incorporate customary practices. This can shed light on the effectiveness and challenges associated with legal pluralism and the preservation of cultural practices within formal legal frameworks.
6. Addressing conflicts: Investigate strategies and mechanisms to effectively address conflicts between cultural practices and national laws within the *Badamai* context. Explore methods to strike a balance between cultural preservation and adherence to legal norms, ensuring justice and inclusivity.
7. Cultural policy and legal reform: Examine the potential for policy and legal reforms that better reflect the cultural values and character development goals of the *Badamai* culture. Investigate how legal systems can better integrate and accommodate cultural practices while upholding principles of justice and human rights.
8. Impact on social development: Explore the broader impact of *Badamai* culture on social development within the context of the national legal system. Investigate how cultural values and character development influenced by the legal framework contribute to social cohesion, economic development, and overall well-being.

By pursuing these avenues for future research, a more comprehensive understanding of the interplay between *Badamai* culture and the development of national law can be gained, leading to insights that can inform policy-making, legal reform, and the promotion of character development within the legal context.

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