

## PAMALI CULTURE OF POLEWALI COMMUNITY IN WEST SULAWESI AND APPRECIATION OF ISLAMIC JURISPRUDENCE

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### **Abstract:**

*The article explores the values of the local wisdom ('urf) of the West Sulawesi Polewali community and an appreciation of Islamic law towards it. This research used a qualitative approach. Data collection was done through triangulation techniques that were intended to obtain more complete data. Data were analyzed with content analysis techniques and semiotics analysis approach. Content analysis can provide closer philosophical meaning of the phrase. While the semiotics approach can help to understand the meaning of the symbolic expressions of Pamali. The phrases in Pamali contain very deep and philosophical meanings. This research showed that Pamali has a depth of meaning so that a symbolic and contextual analysis approaches can give exact meaning of Pamali expression. Thus, the local wisdom in muamalat can be considered in formulating Islamic law that applies to the Mandar community in general and the Polewali community in particular. Local wisdom in the Polewali community can be used as a consideration in the formulation of Islamic law and development policies in Polewali.*

*Artikel ini mengupas tentang nilai-nilai kearifan local ('urf) masyarakat Polewali Sulawesi Barat dan apresiasi hukum Islam terhadapnya. Penelitian ini menggunakan pendekatan kualitatif. Pengumpulan data dilakukan melalui teknik triangulasi yang bertujuan untuk memperoleh data yang lebih lengkap. Data dianalisis dengan teknik analisis isi dan pendekatan analisis semiotika. Hal itu karena prsan di dalam Pamali yang menggunakan bahasa simbolik*

untuk tujuan tertentu. Analisis isi dapat lebih mendekati pada makna filosofis dari ungkapan. Sedangkan pendekatan semiotika dapat membantu untuk memahami makna ungkapan simbolik Pamali. Ungkapan pada Pamali mengandung makna yang sangat dalam dan filosofis. Hasil penelitian menunjukkan bahwa Pamali memiliki makna yang dalam sehingga hanya dengan pendekatan analisis simbolik dan kontekstual dapat menempatkan makna ungkapan Pamali secara tepat. Dengan demikian, kearifan local dalam muamalat itu dapat menjadi pertimbangan dalam merumuskan hukum Islam yang berlaku bagi masyarakat Mandar umumnya dan masyarakat Polewali pada khususnya. Kearifan lokal pada masyarakat Polewali memungkinkan untuk dijadikan pertimbangan dalam perumusan hukum Islam dan kebijakan pembangunan di Polewali.

**Keywords:** content analysis; Islamic law; local wisdom; Pamali; semiotics

## Introduction

The fight between local wisdom and modernity is an increasingly hot theme discussed because it brings the two opposing sides (*vis a vis*) (Nuroniayah, 2014 & Abdullah, 2008). The socio-cultural and *Maqashid al-Sharia* approaches in studying sharia are needed to obtain a format of sharia that is appreciative of the culture of Muslim societies (Djamil, 2017). While the core of *Maqashid al-Sharia* is beneficial because Islam exists to guarantee the safety and benefit of humans in the world and the hereafter (Yusuf, 2013). Every person, object, place, event, and activity experienced cannot be accepted and presented by the human mind in a free unit of information. With concepts, one can evaluate information, make decisions, and act based on these concepts (Abdullah, 2002). If everything is maintained well in a community then, in turns, it will produce local wisdom. A life set that has been formed directly will produce values that will form the basis of their relationship or reference behavior called local wisdom. Local wisdom is an attempt to find the truth that is based on facts or symptoms that apply specifically to the culture of a particular society (Abdullah, 2002). This is also a sign that the soul of the people who live in that place has its uniqueness.

Islamic jurisprudence should consider socio-cultural, political, and economic sources and contexts. The implementation of the law is flexible and can change according to the context of space and time. The re-actualization of Islamic teachings is adapted to the context of space, time, and the socio-cultural conditions of society (Syadzali, 1999). At present, local wisdom is a

general trend of Indonesian people who have accepted the regional autonomy (*otoda*) and the special autonomy (*otsus*) as the best political choices. Exploring regional values for the benefit of development becomes very meaningful for the regional or local struggle to achieve the best performance. Exploration of local wisdom is considered as a way of encouraging regional development by its' carrying capacity in solving local problems with dignity.

In this context, West Sulawesi, which is a division of South Sulawesi, should be able to take rapid steps in development based on the characteristics of the local culture and its carrying capacity. One of the local wisdoms that is still fundamentally maintained is *pamali* or *pemmali* (Bugis), *kasipalli* (Makassar), *Pamali* (Mandar) (Hastianah, n.d.). *Pamali* is a perception that is wisely conceptualized and cared for by people in Indonesia, which is one of the distinctive riches of national culture that has not been seriously "glimpsed" by the government. Many people question the relevance of local wisdom amid the struggle of mankind to look at globalization. Is local wisdom like *pamali* as a system of human knowledge is logical or just a myth, or is it based on empirical reality or just speculation of people who have certain interests? How does Islamic law views *pamali*? It requires separate attention and study to ensure this.

Studies on local wisdom and its relation to the formation of Islamic law have been widely conducted by Muslim researchers and scholars. Pettalongi (2012) divides the conditions set by scholars to make local wisdom as a source of Islamic law: (1) local wisdom applies in the majority of cases that occur in society, and the majority of them follows their behavior, (2) local wisdom had already existed before the emergence of a case to be determined by law, (3) local wisdom does not contradict with what is clearly stated in a contract, (4) local wisdom does not conflict with texts. The research provides a limitation for local wisdom to be adapted into Islamic law. The article's author matched local wisdom with *al-urf*, which is known in *ushul fiqh* (Pettalongi, 2012: 231-232).

The research is in line with Harisudin (2016), who stated that the Islamic Law Compilation (KHI) contains considerations of customs as a legal basis so that the *fiqh* product of *gono-gini* possessions is different from the treasures of *fiqh* outside Indonesia. The rationale for *al-urf* is based on the fact that the law changes according to changing places, times, and circumstances. It provides an opportunity that Mandar's local wisdom can be adapted into Islamic law that applies to the local context of the local community. This opportunity is wide open when linked to the Regional Autonomy Law.

Similarly, Kriyantono (2018) argued two propositions to understand the local wisdom, including the public relations strategy which is easier to build public relations; and the use of communication strategies based on local wisdom which does not differentiate between BUMN and private companies. The research is considered to contribute to enrich public relations studies from a local perspective.

Another article provides a notice that there are several traditions and cultures of Aceh that are acculturated with foreign cultures, such as *rah ulei rituals* (Arifin & Khadijah, 2016: 251-252). While in the Islamic perspective, worshipping the grave expert and pleading to the grave expert spirit are the cases that violate the Islamic creed. Therefore, the other side of the local culture can have an impact on the purity of faith, especially when acculturating with foreign cultures. Foreign culture, local culture, and Islam are three aspects that influence each other.

Meanwhile, Irfan explores the kyai's shrewdness in reviewing the elements of Javanese locality and their relation to fiqh laws (Irfan, 2017). Of course, this view is not all relevant for all local contexts in other regions, especially outside Java. In addition, Yusuf reviews the relations of local wisdom values of the Bugis people who uphold the values of the *lemphu'*, *amaccang*, *agettengeng*, *asitinajang*, *reso*, and *siri'* (Yusuf & Ismail, 2017). If these values are maintained, corrupt practices can be prevented through the empowerment of these local values. Yusuf (2013) also argues that these values are in line with the Qur'an. Thus, this research reflects the local wisdom values of the Bugis community. The Bugis and Mandar people have very close relations and intensive interactions so that there are many similarities of local wisdom values. However, the results of this research do not represent the local wisdom of the Mandar community.

All of these studies used qualitative approach. However, the community has questioned whether local wisdom can be used as a source of Islamic law or not. The studies tend to look from the perspective of *maslahat* rather than linking with *bid'ah* because it is a matter of *muamalat*, not worship. Cultural diversity in Indonesia necessitates local wisdom as a source of consideration for the principle of Islamic jurisprudence as long as it does not conflict with the principle of *maslahat*, which is the goal of sharia. Cultural diversity is positioned as the wealth of the Indonesian nation, which is accommodated in nationhood regulation, namely *Bhineka Tunggal Ika*. The Compilation of Islamic Law (KHI) adapts local wisdom as a source of Islamic law in Indonesia.

Meanwhile, as one of Indonesia's tribes, the Mandar people live by making local wisdom and Islam as the foundation of social life. In this case, the study of *Pamali* local wisdom in Polewali makes the results of the research as the comparison, reference, and analysis to sharpen the analysis of findings of *Pamali* local wisdom values that are unique to the Polewali community and appreciation of Islamic law towards them. The last point of conditions of local wisdom to be adapted in Islamic law as *Pettalongi's* view needs an explanation. Scholars argue that *muamalat* should refer to *maslahat*. *Maslahat* should be prioritized from other legal sources, including the texts.

*Pamali* is derived from the Arabic "*fi'il madhi*" which shows the deeds of the past. These actions or events occur repeatedly and cause certain effects. Furthermore, the term was formulated to be an agreement in certain communities that take wisdom or policy. *Pamali* (Mandar), *Kasipalli* (Makassar) or *Pemmali* (Bugis) - can be understood as an experience of objects, events, or relationships obtained by summarizing information and interpreting messages that begin with the receipt of stimuli, until the stimuli are realized and understood by individuals so that individuals can recognize themselves and the circumstances surrounding them to be developed in society. Local wisdom (*al-'urf*) is something that is a custom and tradition for the community in the form of words or deeds or other things leaving something. Local wisdom that does not conflict with the basic principles of Islamic teachings can be considered as a shari'a which is confirmed to be a law. However, globalization has significantly shifted the local indigenous cultural values (Daniah, 2016) and erode faith.

Local wisdom has an orientation to bring *maslahat* to the local community, which is related to *muamalat* matters, not worship. Taking care of local wisdom and adapting to it is different from doing *bid'ah* because local wisdom is related to *muamalat* while *bid'ah* is related to worship, in which the worship refers to prioritizing text (*dalil*), while *muamalat* prioritizing *maslahat*. These must be positioned precisely, so they do not overlap. *Pamali* will only talk about *muamalat* problems or social interactions. As long as it does not conflict with the goals of sharia and *maslahat*, it does not include *ahl al-ahwa' wa al-bida'* (Kodir, 2016: 211-226). It is very essential to understand the concept correctly in discussing local wisdom (especially about *pamali*).

Historically, in Indonesia, there are at least three theories that are commonly used in bridging customary law and Islamic law (Ali 2008; Pettalongi, 2012). First, reception in a complex theory, in which according to this theory every resident applies the law of each religion. For Muslims, Islamic law applies, so

do followers of other religions. This theory was put forward by Van dem Berg (1845-1925). He argues that Indonesian Muslims have accepted Islamic law as a whole ... in the Batavian statute of 1642 it states that inheritance disputes between native Muslims who are Muslim must be resolved using Islamic law, the law used by the people daily. One form of elaboration is to compile a book that contains marriage law and Islamic inheritance law. The book was later revised and refined by the princess to further enact in the VOC colony (Ali, 2011).

According to Ali (1998), as long as the VOC was in power for two centuries (602-1800 AD) the position of Islamic law remained as before, applicable, and developed among Indonesian Muslims. This fact was made possible by the services of Islamic broadcasters who lived at that time. Likewise, the services given by Nasruddin Ar-Raniri who wrote the book *Sirat al-Mustaqim* in 1628 AD. The book was the first book distributed throughout the territory of Indonesia to become a guide for Muslims. This book was analyzed by Sheikh Arsyad Al-Banjari then commented on in a book entitled *Sabil al-Muhtadin*. This book was used as a guide in resolving disputes between Muslims, especially in the Banjar Sultanate area. Likewise, in the sultanate of Palembang and Banten several books of Islamic law were published and used to handle family law and inheritance matters. It was then followed by the kingdoms of Demak, Jepara, Tuba, Gresik, and Ngumpul (Ali, 1998: 81-82).

Second, there was a receipt theory. According to this theory, Islamic law does not automatically apply to Muslims. Islamic law applies to Muslims, if it has been accepted (received) and has become their customary law (Yafie, 2004: 51). Thus, what applies to them is not Islamic law but customary law. This theory was put forward by Cornelis van Vallen Hoven and C. Snouch Hungrounje, who argue that Islamic law is not law, but Islamic law will only become law if it has been accepted by customary law, therefore customary law determines whether or not Islamic law applies (Syadzali, 1999).

One example of an excerpt from receipt's theory is Islamic criminal law sourced from the Qur'an and hadith has no place of execution if the intended law is not promulgated in the Republic of Indonesia. Islamic criminal law has never been applied to its citizens as a constitutional law in the Republic of Indonesia since independence until now. Also, Islamic law can become a law that applies to its adherents in a formal juridical manner if the law has been enacted in the Republic of Indonesia (Yusuf & Ismail, 2012). If Islamic law has been promulgated it appears that there are still legal choices for Muslims.

This means that Muslims are still given the right to choose to use Islamic law or choose a law other than Islamic law, for example, Law number 7 of 1989 concerning Religious Courts (Ali,1998).

Third, the theory of *receptio a contrario*, which was pioneered by Hazairin (1905-1975) then developed and practiced by his students (Thalib, 1985; Ali, 1998). According to this theory, customary law can become applicable law in Muslim societies if customary law does not conflict with Islamic law ( Ali, 1998). One example of this theory includes the Kaili tribe in Central Sulawesi before being Muslim. If a man wants to marry a woman, then he should convey it first to the head of the *adat* council. Then the customary council will take clean water from the spring, then the water is customarily sprinkled by the customary council leader to the two brides, and this marks the completion of the marriage. However, after the Central Sulawesi Kaili tribe embraced Islam, such a marriage procedure is subsequently carried out by the two bride and groom candidates by Islamic marriage law. Another example is in the Bugis tribe in South Sulawesi. If the Bugis people divide the inheritance to the heirs of sons and daughters, the distribution shall be based on equal shares, namely the portion of the inheritance of girls (equal *wae asenna mana'e* or 1 : 1). However, after they embraced Islam, the distribution of inheritance is changed according to Islamic inheritance law, that is, the portion of a son is the same as the portion of two daughters (2: 1). The distribution of inheritance as it is then contained in a phrase in the culture (*adat*) Bugis called *majjunjung makkunrai'e mallempa 'oroane* (Yusuf, 2013: 199-216). The same thing also applies to Aceh's tribe which is known by the phrase in the culture of Aceh: *Adek* and *Syarak Sanda* host, *Syarakmangato Adek* uses. The relationship between customary law and Islamic law is very close, supporting each other, determining Islamic law, and implementing customary law (Yusuf & Ismail, 2018; Yusuf, 2013).

Some of the basic theories and descriptions stated above can be understood that customary law is drawn from local wisdom in a society then becomes an integral part of Islamic law. Most scholars agree that the primary sources of Islamic law are the Qur'an and Sunnah. Besides that, there are also other sources of Islamic law such as *ijma'*, *Qiyas*, and the last source is *al-urf'* (Hosen, 1995). However, some scholars do not include local wisdom as a source of Islamic law. Local wisdom is only considered as an external source in establishing Islamic law. One of the reasons of this is because there is still a dispute among some scholars (Mahmussami 1981), but scholars from large

schools such as Hanafiah, Malikiyah, Hanbaliyah, and Syafiiyah have used local wisdom as the foundation of Islamic law, although in numbers and details there are still differences in the opinion (Efendi, 2003). Acceptance of local wisdom as the proof of sharia among *fiqh* scholars was strengthened by the use of local wisdom/*al-'urf* by Imam al-Syatibi, an expert on the proposal of *fiqh* from the Maliki group, and Imam Ibnu Qayyin al-Jauziyah, an expert on the *fiqh* proposal from the Hanbali circles. However, behind 'the meeting point' (consensus) among the scholars, the issue of local wisdom is also still under consideration even still in the debate of Islamic jurists.

The pattern of life of people who are still colored by rules that are prohibited or taboo, or other things that touch people's ethical and moral feelings, humans cannot be separated from several influential factors, such as environmental factors, psychological factors, and social factors (Yusuf, 2013). Local wisdom is all forms of knowledge, beliefs, understanding, or insight as well as customs or ethics that guide human behavior in life in the ecological community (Keraf, 2010), so it can also be in the form of truth that has been transmitted in an area. Local wisdom ('*urf*') is something that has been known by humans and has become a tradition either in the form of words or actions (Khallaf, 1996). Customs and habits are grown and developed in a community's life, so each region has unique values in addition to having similarities with different terms. Local wisdom must be seen as part of the living law in the Indonesia community and belonging existence (Suparji, 2019). However, in adapting local wisdom as a source of consideration, Islamic law only applies to matters of *muamalat*, not in cases of worship. Religious affairs are matters that refer to the argument. It is an agreement of scholars, especially *ushul fiqh* scholars. Therefore, discussion about *pamali* as part of local wisdom in the Mandar community means discussing *pamali* related to *muamalat*.

## Research Method

This research employed qualitative approach with field data sources. Triangulation techniques are applied to obtain diverse and complementary data to illustrate the meaning of *pamali* cultural phenomena in the Polewali community. Triangulation is intended to test research material as analytical material to increase the coherence and success of the research (Seale, 2003 & Zamili, 2015). The criteria for the validity or quality of qualitative research are varied. Lincoln & Guba (1985) call it trustworthiness which consists of



credibility, transferability, dependability, and confirmability. These four aspects can guide researchers to conduct data validity analysis.

The data collected through triangulation are systematized and reduced as necessary then analyzed by applying content analysis methods (Abdullah, 2002 & Arikunto, 1991). Content analysis is a methodology of study that utilizes a set of procedures to draw valid conclusions from documents. In addition to documents, oral statements from informants can also be approached with a content analysis approach, even community activities (Krippendorff, 1991). Statements, written documents, and values guarded by the West Sulawesi Polewali community, especially those related to *pamali* can be analyzed by semiotic analysis (Lincoln, & Guba, 1985). In this context, language is positioned as a symbol of meaning unique to *pamali* expression. The relationship between concepts and language for the reader refers to the real world of an object, reality, or the imaginary world of fictitious objects, humans, or events (Budiono, 2015). Because this study includes semiotic language strands that contain literary heights and depth of meaning, interpretation is needed.

### Perception of Pamali

There are several experts who formulated the definition of “perception”. Perception is a process that occurs in an individual that begins with the receipt of stimuli until the stimulation is realized and understood by individuals to recognize themselves and the circumstances around them (Walgito, 2003). In line with that, perception is a process of recognition and the process of giving meaning to the environment by individuals (Gibson, 1985: 79). Perception is also defined as the process by which a person or community interprets and organizes stimulus patterns in the environment (Atkinson et.al., 1991: 201). As a perspective, perception arises because of the response to the stimulus. Stimulus received by a person is very complex, in which stimulus enters the brain, then is interpreted and given meaning through complicated processes, and then produced perception (Atkinson et.al., 1991: 209). In this case, perception includes receiving stimulus (input), organizing the stimulus, and translating or interpreting the stimulus that has been organized in a way that can influence behavior and shape attitudes, so people can tend to interpret the behavior of others according to their circumstances (Gibson, 1985: 54).

Sarwono (2010) mentioned the factors that influence perception. First is attention, which usually do not capture all the stimuli around us, but f on just one or two objects. The differences in the focus of attention between

one another will cause differences in perception; Second is a person's mental readiness for stimuli that will arise. Third is needs, both temporary and permanent needs in an individual that will affect the person's perception. Fourth is the value system influencing perceptions; and fifth is personality type that produces different perceptions. Mead (1989) believed that the formation of perception, which is influenced by one's self-perception, is different from one to another. Robbin, in Hanurawan (2010) argues that some of the main factors that influence the formation of one's social perception are the recipient factor (the perceiver), the situation, and the target object (the target) (Listyana & Yudi, 2015).

To clarify the *pamali* narratives, it is necessary to examine deeply by looking at several factors causing the emergence of these *pamali* expressions. First, the expressions caused by environmental factors. There are several *pamali* expressions in the Mandar community in Polewali in the fields of religion, agriculture, economy, marine, and forestry, which are presented in Table 1.

**Table 1: Pamali expressions in the Mandar community in the religion, agriculture, economy, marine, and forestry fields.**

Factor	Wise sentence (Mandar Language)	Meaning	Moral message
Environment	<i>da pattabang ponna loka mua mani purai miana bainemu apa kamonge mongei manini anamu</i>	Don't cut down a banana tree for a husband whose wife has just given birth to a baby. Later his child will be sick.	Do not commit acts of violence/ commotion because newborn babies need calmness and are very easily shocked and it can be bad for the baby for a long time.
Psychology	<i>da pangino barras, apa rio manini maccoro barang barang pasananmu</i>	Don't play with rice, otherwise you will steal your in-laws' stuff.	Psychological behavior of children to frighten, so there is a ban because it does not deserve rice as a staple food used as a toy.
Psychology	<i>da pandoe urang mamaya urang siolai mata allo, apa rio manini napelluanni</i>	Do not shower rain when accompanied by the sun, otherwise you will be possessed.	Psychological behavior of children to frighten so that there are restrictions or inappropriate playing with rain because it can cause disease.

Social	<i>da pikkoro di ende simata dipoanniotu mating)</i>	Do not sit on the steps. Otherwise you will be reprimanded.	To avoid the appearance of a less beautiful if often reprimanded for the same problem. Sitting on the street interferes with the journey of others who use it.
Social	<i>da paelong mamaya mapparessu, apa tomauuwen manini musikawengan</i>	Do not sing when you are cooking, otherwise you will get a match for an old person.	Do not let the habit of singing make negligent so that the cooking is scorched to black or the cooking is mostly salty because the cook does not concentrate on cooking due to singing.

The sentence *da pattabang ponna loka mua mani purai miana bainemu apa kamonge mongei manini anamu* (Hamdani, interview 10 August 2018), which means do not cut down banana trees for a husband whose wife has just given birth to a baby because later his child will be sick. The phrase *kamonge mongei manini anamu* means later your child will be sick. Therefore, do not commit acts of violence or commotion because newborn babies need calm and are very easily surprised. This can be bad for babies for a long time (Hamdani, interview, 10 August 2018). The moral message is to keep the baby calm and focus on caring for him to grow up healthy.

Second, psychological factors, which study psychiatric symptoms that can not be separated from the emergence of the use of *pamali*. The use of the word *pamali* about psychological factors can be seen from example *da pangino barras, apa rio manini maccoro barang barang pasanammu* (Nasir, interview 21 August 2018). Don't play with rice, otherwise you will steal your in-laws' stuff. The meaning of the expression in the example above is *apa rio manini maccoro barang barang pasanammu* that contains psychological behavior of children to frighten, so that there is a ban because it does not deserve rice as a staple food to be used as a toy (Ka.Dus Patampanua, interview 22 August 2018). For young children, it is forbidden to play rice because it is a waste while the supply of rice is limited.

*Pamali* expression about psychological factors, is for example, *mamaya urang siolai mata allo, da pandoe urang what rio manini napelluanni* (Ka.Dus Patampanua, interview 22 August 2018). Do not shower rain when accompanied by the sun, otherwise you will be possessed. Psychologically the use of the word *napelluanni*

(possession) implies that children's behavior is psychologically to frighten, so it is inappropriate to play with the rain because it can cause disease. The message is to maintain health, because health is precious for healthy people. One way to protect maintain children's health is that children are prevented from playing with rain.

Third, social factors, which implies *pamali* or taboo or prohibition in Mandar Patampanua society is lack of attention, for example, "*da pikkoro di ende simata dipoanniotu mating*" (Ka.Dus Patampanua, interview 22 August 2018). Don't sit on the steps, otherwise you will be reprimanded. The expression *simata dipoanniotu mating* implies on nothing but to avoid the appearance of a less beautiful if often reprimanded for the same problem (Ka.Dus Bulu Bawang, interview 22 August 2018).

Meanwhile, the social factors that state the meaning of *pamali* expressions about age is for example, *da paelong mamaya mapparessu, apa tomauwwen manini musikawengan* (Ka.Dus Patampanua, interview 24 August 2018). Do not sing when you are cooking, otherwise you will get a match for an old person. The meaning of the phrase in the sentence is *pamali* people are forbidden to sing in the kitchen. The expression *tomauwwen manini musikawengan* (married to an old person) means this expression is intended at the age level of girls who will be married to men whose age is old. Girls in principle want to marry to a suitable age partner, a handsome young man. This phrase contains lessons that do not let the habit of singing negligently, so that the cooking is scorched to black or the cooking is mostly salty because the cook does not concentrate on cooking due to singing. The mother teaches her daughter to be disciplined and focus on her duties in the kitchen, so that later the girl grows and develops has experience and skills in managing the household. The kitchen is a symbol of family service or the heart of domestic service. Skills in the matter of strict expectations for girls are fundamental when married later.

### Using Perception of *Pamali*

The scope of the use of the *pamali* expression until now is not clear. There has not been accurate data about who and at what age a person can be expressed in the form of a prohibition. *Pamali* perception or prohibition can be ascertained that those who fulfill the conditions that can accept this expression are children, men, or women (especially those who are single) who are adults, and husband and wife. The *pamali* expression is sometimes used in context and is full of symbolic semiotics. *Pamali* perceptions of the people

who live in the Matakali area considered that the words of the parents who are advised to their children and grandchildren contain a subtle and symbolic message. This abstinence does not come from the ruler, but a kind of message from the *tomauenta* (ancestors) that an action should not be done. If it is done it will be fatal for the culprit and even the surrounding community. *Pamali* expressions are conveyed to children, men or women, and husband and wife with almost the same meaning. Words that will be issued or something that will be done must be considered first, not to have restrictions.

**Table 2: The form of *pamali* perception conveyed to the children is presented as follows.**

For	Pamali	Meaning	Moral Message
Children	<i>da pangino barras, apa rio manini maccoro barang-barang pasanammu</i>	Don't play with rice, otherwise you will steal stuff later.	Planting courtesy, manners, ethics from an early age so that staple foods are not used as game materials.
Children	<i>da pimmande mamaya uran anna guttur, apa naruaao manini guttur.</i>	Do not eat if it is raining accompanied by thunder, otherwise you will get struck by lightning.	Instil vigilance during bad weather and avoid the appearance of neglect in children.
Children	<i>da patindo pe uppan, apa manini kamamu madugai mate</i>	Don't sleep on your stomach, otherwise your father will die young.	Every child should maintain good manners when going to sleep.
Adult	<i>da pappolong belua mua mamayao battang. Malai tu u botak anakmu</i>	Do not cut your hair if you are pregnant. Woe to the child later.	Pregnant women, especially young mothers, should avoid sharp objects that can injure the body. Psychologically, women who are pregnant are in an unstable condition, so it is feared that they could be injured by sharp objects.
Adult	<i>da patindo di wattu magari apa makkuranni pappiwenganna puang</i>	Don't sleep at dusk because it will be bad for your fortune.	Do not get used to sleeping at dusk because it is time for evening prayer, which is very short. Sleep will make someone negligent.

Adult	<i>da passio namummande mua to melo lumamba, malai narua accilakangan ditangalalan)</i> "	Don't offer food to someone who wants to leave, otherwise he will get an accident on the road.	Offering food should not be terminated until after someone wants to travel or leave. This is more about the cultivation of etiquette and ethics when serving guests.
Husband and wife	<i>da mu biasakan Isipau pau di patindoanmu to sola muane baine, apa simata siallao Manini</i>	Don't make it a habit to talk in bed for husband and wife, otherwise they will often quarrel with one another.	Each married couple should use their time in bed to rest and let go of fatigue after working during the day. This is more about assistance and caring based on love and responsibility.

### Children's level

In general, the ancestors and elders from the past until now have spoken the Pamali expression or prohibition verbally to their children and grandchildren at certain times. For example when children want to play or do something. This Pamali expression can contain advice whose intentions are not directly expressed to children. The purpose of the disclosure is that children do not do what they want to do, for example, (1) *da pangino barras, apa rio manini maccoro barang barang pasanammu*); Don't play with rice, otherwise you will steal things; (2) *da pimmande mamaya uran anna guttur, apa narua manini guttur*. Do not eat if it is raining accompanied by thunder, otherwise you will get struck by lightning; (3) *da patindo pe uppan, apa manini kamamu madugai mate* (Camat Matakali, interview 7 September 2018). Don't sleep on your stomach, otherwise your father will die young.

The meaning of the expression in the first example above does not refer to textual meaning, but rather to the cultivation of manners or ethics from an early age so that the staple food is not used as a game material. In the next example, it does not refer to the concept *da pimmande mamaya uran anna guttur, apa narua manini guttur*. The intention of this expression is to raise alertness during bad weather and avoid the emergence of neglect in children. The third example *da patindo pe uppan, apa manini kamamu madugai mate* means every child should keep trying his best to maintain manners when going to sleep.

### **Adult level**

Some *pamali* expressions are often spoken by parents aimed at the adult level, both men and women. Some examples of abstinence at the adult level are (1) *da pappolong belua mua mamayao battang. Malai tu u botak anakmu* (Ka. Dus Patampanua, interview 24 August 2018). Do not cut hair if you are pregnant. Otherwise your son will be born bald. This phrase provides a lesson for pregnant women, especially mothers, to avoid sharp objects that can hurt their body. Psychologically, when women are pregnant, they are in a more unstable condition, so it is feared that they could be injured by sharp objects; (2) *da patindo di wattu magari apa makkuranni pappiwenganna puang* (Jaya, interview 4 September 2018). Don't sleep at dusk because it will be bad for your fortune. This expression contains lesson that dusk time should be used for doing evening prayer, not for sleeping. In addition, according to *fiqh* the prayer time at dusk is very short (*mudhayyaq*). Thus, sleep will make someone negligent and; (3) *da passio namummande mua to melo lumamba, malai narua accilakangan ditangalalan*. Don't offer food to someone who wants to leave, otherwise he will get an accident on the road. The purpose of this expression is that offering food should not be terminated until after someone wants to go away or guest wants to leave the house. This is more about the cultivation of etiquette and manners when serving guests. This is in line with the Prophet's orders to glorify guests.

### **For husband and wife**

*Pamali* or taboo between husband and wife, in general taboos, should be avoided. The reason is to avoid feelings of displeasure or disgraceful, bad and vile actions. Generally the goal of *Pamali*'s husband and wife's expressions is to simply remind them that the conversation tends to be more emotional including *da mu biasakan I sipau pau di patindoanmu to sola muane baine, apa simata siallao* (Hamdani, interview 10 August 2018). Don't make it a habit to talk in bed for husband and wife, otherwise they will often quarrel with each other. This expression does not refer to the prohibition of people telling stories in bed because two possibilities can occur, namely the existence of people who listen to the conversation (confidential), or maybe the talk will be able to cause anger in one party (either husband or wife) that later triggers a fight. The purpose of the above expression is that all married couples should use their time in bed to rest and let go of fatigue after work during the day. They are also expected to guide each other, and advise each other to

create peace and tranquillity in their domestic lives. Therefore, both parties are actively creating cooperation, filling each other's gaps with compassion and responsibility (Hamdani, interview 10 August 2018). This is in line with *sibaliperry* culture which is the concept of partnership of the Mandar people.

### **Appreciation of Islamic Law towards Pamali**

Religious orders to communicate with humans are based on the level of competence and background of the speaking partner necessitates a varied communication pattern. If the phenomenon is drawn into the context of the use of local wisdom, the use of the sentence is based on the context of the use and the target or object. The various sentence variations (in *pamali*) appear based on these various considerations. In the study of understanding the traditions, the existence of traditions that are universal, local, and temporal is also known. The attitude of separating a message from its context is a 'gateway' for the occurrence of fatal mistakes in capturing the moral message of a message. Therefore, if *maslahat* becomes the standard and condition for adapting local wisdom to Islamic law, it will undoubtedly be in line with the goals of the Sharia because Sharia is here to bring benefit. In *muamalat*, the highest argument is *maslahat*. Unlike worship, text (*dalil*) is the highest argument. It must be mapped in advance to position *pamali* as a source of consideration for Islamic law. Therefore this discussion does not discuss aspects of worship, but only on parts of *muamalat*.

In the aspect of worship, no worship can be advised to be contrary to *maslahat*, because the goal of the Sharia is *maslahat*. The argument for establishing a law refers to 'illat, so that the formula may lose its relevance when conditions, times, and places change. It must be based on an 'illat (the motive for determining the law), which is to realize the worshipers' benefit (Al-Syatibi n.d., 2-3 & Yubsir, 2013). Similarly, al-Syatibî said, Islamic law is stipulated to bring about the benefit of the worshipers (*mashâlih al-'ibâd*) in this world and in the hereafter. Najamuddin At-Thufi explained that *maslahat* is the strongest *syar'i* argument among other *syar'i* arguments, so it must take precedence over text and *ijma*. All benefits from *sare* are prescribed, and the benefits do not need to be supported by the texts, even by certain texts. Or by the meaning contained in several texts. *Maslahat*, according to him, is the strongest argument that independently can be used as an excuse in determining the *sharak* law (Haroen, 1997: 125; At-Thufi, 1972: 110; Abidin, 2010; Sya'bani, 2016; Akbar, 2012; Thohari, 2013; Aibak, 2009; Halim, 2010; Ahmad, 2008;



& Has, 2013). *Maslahat* in this case is in *mumalat*, not worship. In social relationship (*muamalat*), the Islamic law is changeable (dynamic), while in worship, it is fixed (*thabit*).

In a dynamic, adaptive, and elastic Islamic Sharia, it is in this position that *'urf* occupies a position as the basis for consideration of the legal process (*istimbath*). Islam is intended for all mankind, a universal religion is explained in Surat al-Anbiya 'verse 107: "And We did not send you (O Muhammad) but as a mercy to the worlds". In one of the traditions narrated by Ahmad from Abdullah ibn Mas'ud: *مَا رَأَى الْمُسْلِمُونَ حَسَنًا فَهُوَ عِنْدَ اللَّهِ حَسَنٌ*: "Something that is considered good by Muslims, then in the sight of Allah is good". This hadith must be positioned in the context of *muamalat*, not in worship. The experts of *usul fiqh* understood that the traditions of the community that did not conflict with the principles of Islamic law could be used as a basis for consideration in establishing Islamic jurisprudence. From this hadith the rule of *fiqh* was established *الْعَادَةُ مُحْكَمَةٌ* (A custom can be used as legal considerations). Of course, what is meant by 'Muslims' is enlightened Muslims, that is, Rasulullah's friends, *tabiin*, and scholars who adhere to the Qur'an and Sunnah.

If an *'urf* is contrary to the Qur'an or Sunnah as is the custom of the public to do part of the prohibited acts such as drinking wine or eating *usury*, then their *'urf* is rejected. Certain areas or groups of people related to *muamalat* aspects, such as *'urf* related to trade, agriculture, and so on. The importance of the position of *'urf* or custom in Islamic legal theory is the agreement of the *ulama' ushul*. The position of the *urf* is important because in reality, it is the living law in society. That is why the meaning of the text and the context are reconciled, the legal proposition and the law are examined, and good practices are accommodated as part of legal considerations. There are several conditions set by the *ulama* so that local wisdom or *'urf* is treated as a source of consideration of Islamic law. The considerations are stated as follows. First, it is applied in the majority of cases that occur in the community and its validity is adopted by the majority of the community. Second, it existed before the emergence of a case which would be determined so that it is not biased. Third, it does not contradict with what is clearly expressed in an *aqad* (transaction). Fourth, it does not contradict to primary texts. Moral reference in the application of *muamalat fiqh* is a characteristic of an Islamic universality. The last point is different from At-Thufi's view that if *maslahat* contradicts to the text or other legal sources, then *maslahat* must be prioritized. Especially in matters of *muamalat*, which presents a greater benefit, then there is Allah's law.

Prophet Muhammad SAW once passed a grave. He suddenly stopped and took the palm fronds that were still wet. The Prophet divided the two palm fronds into two parts, and each was placed on two graves. One of the curious companions kept asking the Prophet why he was like that. Then, the Prophet explained that the torture of people in the tomb would be alleviated as long as the date palm stem was still green/not yet dried. It turns out that the Prophet's deeds were symbolizing a meaning. This is when *pamali* exists because *pamali* culture is a symbol of meaning in the form of community messages for generations. Some Islamic jurists view local wisdom if it can still be given a regional memorandum, it should be given a regional tax first. Because there are no date palms in Mandar, it can be replaced with other leaves. It approaches the *qiyas* method, and a semiotic approach, symbolizing that prayer reduces the inhabitants' punishment in the grave. In addition, people do not tread properly, and the provocateur gets punishment in the grave. The people who refuse to use *qiyas* and semiotic approaches in understanding social practice judge it as *bid'ah*.

In the science of Tafsir, *takwil* is divided into three forms, namely 1) *Takwil li al-qawl* (speech takwil). Means the meaning of a word and the intended nature. In Arabic, words are divided into two; that is, *insha'* and *khobar*, the main part of *insha'* is *amr* (command). *Takwil* in this case has two meanings; a) *Takwil Amr*, namely by doing what was ordered, for example, the history of Hadith Aisha r.a. , the Messenger of Allah, in bowing and prostration read a lot: "سبحنك اللهم ربنا و بحمدك اللهم اغفر لي: "Glory be to you, O Allah and praise be to You, O Allah, forgive me «as the territory of Q.S. An-Nashr: 3; b) *Takwil Ikhbar*, namely the occurrence of an event as reported, as the word of God Q.S. Al-A'raf: 53. Allah announces the coming of doomsday, while humans are waiting for the *takwil* (occurrence) that the Qur'an reports; 2) *Takwil li al-fi'l* (*takwil* deed). Like what was said by the friend of the Prophet Musa a.s. after perforating the boat without permission of its owner, killing a child, and reestablishing collapsed buildings, in Q.S. Al-Kahfi: 82; and 3) *Takwil li ar-ru'ya* (dream takwil). *Takwil li ar-ru'ya* or *takwil al-ahadith* (*takwil* dream), such as the blessing of the Prophet Ya'qub to his son Prophet Yusuf a.s. in Q.S. Yusuf: 6, and vice versa in verse: 100.

If there are people who consider *pamali* as a part of what is "invented" by the community (*bid'ah*) then it can be found that the majority of Muslims divide *bid'ah* (something not introduced by the Prophet Muhammad) into two, namely heresy the praiseworthy (*mahmudah*) and the despicable heresy

(*madzmumah*). Imam Shafi'i divided heresy into two types; first, something new that is contrary to the commands of the Qur'an, hadith or *ijma'* is called heresy (*dhalalah*), second, something new in the goodness that does not violate the Qur'an, hadith or *ijma'* is called an unimpeachable *bid'ah* (*hasanah*) Even al-Imam al-Shafi'i denied the name of heresy to something that has a foundation in sharia even though it has never been practiced by the Salaf. He said that "Anything that has the basis of the arguments of shara', then not including heresy even though it has never been done by the Salaf".

Al-Imam Izzuddin bin Abdussalam categorized heresy into five parts explained as follows; 1. *Bid'ah* is obliged to lay the foundations of religious knowledge and Arabic language that did not exist in the time of the Prophet. This is to maintain and preserve religious teachings, such as the codification of the Qur'an for example. 2. *Bid'ah sunnah* is like establishing a madrasa in a mosque, or *halaqas* in religious studies and reciting the Qur'an in a mosque. 3. Unlawful *Bid'ah* (*bid'ah muharramah*) such as chanting the Qur'an to change the original meaning, 4. *Bid'ah makruhah* like decorating the mosque with pictures 5. *Bid'ah mubahah*, touching delicious food and drinks, beautiful clothes, luxurious accommodation, wearing oversized clothes, and so on. In the context of *muamalat*, as long as no argument prohibits it is permissible, while in the matter of worship as long as no proof supports it, it is not allowed. *Pamali* is more in the context of *muamalat*, so the position is permissible as long as no argument prevents it. In this context, the Prophet said 'Whoever gives birth to good activities (*sunnatan hasanatan*), then for him is the reward and (also get) the reward of those who helped do it'. In the socio-cultural reality, there is socio-cultural diversity of the community there are relics that exist or are recorded as cultural heritage. Inheritance is a *muamalat* matter, so it must be a priority from other Islamic law sources. The application is flexible as long as it does not conflict with the greater *maslahat*.

## Conclusion

After reviewing various discussions about the *pamali* issue, the authors provide several notes as the main points; first, *pamali's* perception arises due to at least 3 main factors, namely environmental factors (religious, agricultural, economic, marine, and forestry), psychological factors (thoughts, delusions, and feelings) and social factors (age, sex, religion, attention, and work). Second, the scope of *pamali's* perceptions includes the level of children, adults, parents (husband and wife). Third, customs are tested naturally and are certainly of

good value, because they are repetitive and reinforced social actions. If an action is not considered good by the community then it will not experience continuous reinforcement. Movement naturally occurs voluntarily because it is considered good or contains goodness. Local wisdom can be considered as the formulation of Islamic law as long as it does not conflict with the main texts, the Qur'an and the Sunnah. Studying *pamali* is not enough to understand the string of sentences, but to understand the intentions and objectives desired by the phrase. Because the *pamali* expression uses more oral language which is very philosophical and generally only understood by its users, to understand the expression it cannot be comprehended textually. The closest analysis approach is content analysis and semiotics approach. Content analysis can bring closer to the philosophical meaning of the phrase. While the semiotics approach can help to understand the symbolic expressions of *pamali*. Local wisdom in general, and *pamali* in particular, are living laws in society, so that it will grow and develop according to society's dynamics. As long as local wisdom does not conflict with universal and *maslahat* values, in cases of *muamalat*, it can be adapted into Islamic law. It is the same as the views of at-Thufi and some other *ushul fiqh* scholars. *Pamali* in Polewali focuses more on the moral and social order aspects.

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