

Reconstruction of Principles of Good Governance Based on Local Wisdom in North Maluku Province

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Abstract

This research aims to determine the reconstruction of the principles of good governance based on local wisdom in North Maluku Province, analyze the urgency of implementing local wisdom in the administration of regional government in North Maluku, and examine the influence of local wisdom principles in the implementation of good governance in North Maluku. This research uses empirical legal research methods. Data obtained from interviews and literature were analyzed descriptively and qualitatively. The results of this research show (1) reconstruction of local wisdom-based government principles in North Maluku found in 4 Sultanates, namely Aadat se orang, jaga loa se banari, cing se singare dan bapatikamang in line with the general principles of government administration in a rule of law state. However, the Regional Government of North Maluku Province has not reconstructed this local wisdom in an effort to realize good governance. (2) The urgency of applying local wisdom in the administration of regional government is seen from 3 (three) aspects, namely: philosophical aspect (Jou Se Ngofangare), sociological aspect (Bala Kusus Se Kano-Kano), and normative aspects. However, the local government has not accommodated this. (3) The principles of local wisdom have an influence in the fields of public services, making regional regulations, and providing education, but regional governments have not implemented them in the legal politics of regional legislation.

Keywords: Reconstruction; Local Wisdom; North Maluku.

Introduction

Humans were created on this earth with diversity which is a gift from Allah Subhanahu Wa Ta'ala, Almighty God. Nations and tribes were created by Him, where one nation and another are different, as well as one tribe and another have different characteristics. Allah Subhanahu Wa Ta'ala created humans to be the best creatures with diversity that has been arranged by Him. The Unitary State of the Republic of Indonesia (NKRI) is a nation that was given by Allah Subhanahu Wa Ta'ala, the God of the universe as a pluralistic nation, with various religions, ethnicities, and races able to live in one territory of the Republic of Indonesia. With such diverse diversity, the Indonesian nation can be united in one frame under the national philosophy, namely *Bhinneka Tunggal Ika*, which means different but one. Apart from being diverse in religion, ethnicity, and race, Indonesia also has a very large territory, so governments were formed in the regions in the form of a unitary state with the concept of regional autonomy as wide as possible. Regional autonomy policies in the Indonesian government system are generally contained in the second amendment to Chapter VI Article 18, Article 18A and Article 18B of the 1945 Constitution of the Republic of Indonesia (hereinafter abbreviated to the 1945 Constitution of the Republic of Indonesia). Regional autonomy should be directed at accelerating the realization of community welfare through improving services, empowerment and community participation, as well as increasing regional competitiveness by paying attention to the principles of democracy, equality, justice and the uniqueness of a region within the system of the Unitary State of the Republic of Indonesia (hereinafter abbreviated to the Republic of Indonesia). Decentralization is a symbol of trust from the central government to regional governments, this will automatically restore the self-esteem of regional governments and communities. If in a centralized system, they cannot do much to overcome various problems, in this autonomous system they are challenged to creatively find solutions to the various problems they face. We can see constitutional recognition of customary law and local wisdom as in Article 18B

paragraph (2) of the 1945 Constitution of the Republic of Indonesia which regulates that the State recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the State. The Unitary Republic of Indonesia, which is regulated by law. Based on these principles, we can draw a brief conclusion that the state opens up opportunities for regions to develop their regions on their own initiative according to the particularities of the region as long as it does not conflict with the principles of the Republic of Indonesia. The recognition and guarantee of local wisdom is also constitutionally contained in Article 32 paragraph (1) of the 1945 Constitution of the Republic of Indonesia which stipulates that the State advances Indonesian national culture amidst world civilization by guaranteeing the people's freedom to maintain and develop cultural values. Based on Article 32 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, there are at least two things based on the rules above, namely the existence of an absolute obligation for the state to advance Indonesian culture and a guarantee from the state to the community to develop Indonesian culture, apart from that it also opens up opportunities for the government. regions to explore the values and principles of local wisdom in order to achieve good governance based on the values and principles contained in the region. The local traditional values adapted in the 1945 Constitution of the Republic of Indonesia were proven when there were regulations regarding decentralization which gave regional governments more authority to regulate their own government in regulations subordinate to them. From year to year since the reform began, laws regarding regional government have continued to change, starting from Law Number 22 of 1999 being replaced by Law Number 32 of 2004 until then being replaced by Law Number 23 of 2014 concerning Regional Government.

In the general explanation of Law Number 23 of 2014, it is regulated regarding the existence of local wisdom, this is emphasized that the Region as a legal community unit that has autonomy has the authority to regulate and manage its Region according to the aspirations and interests of its community as long as it does not conflict with the national legal order and public interests. . In order to provide wider space for the Regions to regulate and manage the lives of their citizens, the Central Government in forming policies must pay attention to local wisdom and vice versa. The Regions when forming Regional policies, whether in the form of Regional Regulations or other policies, should also pay attention to national interests. In this way, a balance will be created between synergistic national interests and still paying attention to conditions, characteristics and local wisdom in overall government administration. Judicially, local wisdom is well accommodated in the 1945 Constitution of the Republic of Indonesia and in law. Apart from that, local wisdom is also accommodated in Law Number 32 of 2009 concerning Environmental Protection and Management in Chapter IX Article 63 paragraph (1), in letter (t) this article regulates that the government determines policies regarding procedures for recognizing the existence of communities. customary law, local wisdom, and the rights of customary law communities related to environmental protection and management" Local wisdom is literally ideas or values, local or local views that are wise, full of wisdom, good value that are embedded and followed by members of the community. Local wisdom is a source of knowledge that is dynamically developed and passed on by certain populations which is integrated with their understanding of nature and surrounding culture. North Maluku Province is an area that cannot be separated from the history of this nation, with 4 (four) Sultanates in it. The sultanates are the Sultanate of Ternate, the Sultanate of Tidore, the Sultanate of Bacan and the Sultanate of Jailolo. Even though in history there was the oldest kingdom in North Maluku, namely the Loloda Sultanate, but what still exists today are the four remaining sultanates which in the archipelago era were sovereign countries. History records that these four sultanates played an important role in defending their territory from colonialism came from the Portuguese, Dutch and Japanese who targeted their territory and natural wealth such as spices in the form of nutmeg, cloves and cinnamon, but thanks to the persistence and toughness of the Sultans in the 4 (four) Sultanates, the Jazirah Al Mulk region (the land of kings) continued to exist and then voluntarily united themselves to build the Unitary State of the Republic of Indonesia. From various historical records, Imam Ja'far Sadiq or As Syarif Rafi'ah Tasyriful Ja'far As Shidiq, from Madina came to the archipelago via Java and arrived in Ternate, Moloku Kie Raha, on Monday 6 Muharram 643 H to coincide with 5 June 1245 AD It was on that day and date that this great cleric or preacher first uttered the phrase La Ilaha illallah, Muhammadar Rasulullah on the earth of Ternate Moloku Kie Raha. Imam Ja'far Sadiq, after arriving in Ternate married a woman named Nur Syifa (before being a Muslim named Baiguna from Tobona/Foramadiahi). They were blessed with 4 sons and 4 daughters as the forerunners of the novice rulers (rasa/sultan) in North Maluku (other name: Moloku Kie Raha MKR). In historical records, the first King of

Ternate was the youngest son of Imam Ja'far Shidiq (4th son), namely Cico Bunga and as an adult he was appointed as the first Sultan with the title Manshur Malamo (1257-1277). In many historical sources, Imam Ja'far Sadiq is recorded as having a lineage/genealogical relationship with Rasulullah Saidina Muhammad SAW, through Saidina Husain, the son of Fatima Azzahra and Ali Bin Abi Talib.

An Islamic government is when it has been institutionalized by government regulations and the life of the people is imbued with Islam. Since Imam Ja'far introduced it in Ternate, Islamic law has only been applied to the royal family. It was only under Sultan Marmum (1465-1486) that Islamic law became popular in the Moloku Kie Raha area. A preacher from Java who arrived in Ternate in 1465 named Datu Maulana Husain, worked hard to accompany Sultan Marhum and his successor, Zainal Abidin (1486-1500). This Mubaliq was Sultan Zainal Abidin's teacher before he went to deepen Islam at Sunan Giri (a songo saint in Java). The Sultanate of Ternate had an important role in the eastern region of the archipelago between the 13th century and the 17th century. The Sultanate of Ternate enjoyed glory in the half of the 16th century, thanks to its spice trade and military strength. In its heyday, its power stretched to include the Maluku region, northern, eastern and central Sulawesi, the southern part of the Philippine archipelago as far as the Marshall Islands in the Pacific. The second major kingdom in North Maluku after Ternate was Tidore. It is not certain when this kingdom was founded, Valentijn Keyzer notes that the Tidore kingdom was originally located in the Chinese rock mountains to the south of Dodinga, but it is not certain when the center of the kingdom was moved to the current island of Tidore and who the first king was. Data about the king of Tidore in the early historical literature was recorded by De Clerq in the form of a brief chronicle. From this book it can be predicted that the first Ternate kolano was appointed in 1257, the Tidore kingdom had not yet been established. Between 1277 and 1322, there were 6 Kolano who reigned in Tidore respectively, (1) Busa Muangi (2) Bubu (3) Bali Banga (4) Buku Madoya (6) Sele. Experts note that the Tidore kingdom began to exist in 1274, 17 years after Mansur Malamo reigned in Ternate. Furthermore, Valentijn Keyzer 2 Kolanos who reigned in Tidore in the first half of the 12th century: first Nuruddin, who came to power in 1334 and secondly Hasan Syah, Nuruddin's successor, who came to power in 1373. These two Kolanos have not used the title of Sultan even though it can be confirmed that Islam has entered the community. Tidore Kingdom. M. Adnan Amal¹ revealed that Caliat assumed the title of new Sultan, who ruled from 1495 to 1512. Caliat's spiritual guide, Sheikh Mansur, gave him the name Jamaluddin. Between Kolano Hasan Syah and Sultan Jamaluddin there is a broken link, because there are no historical records about who was in power in Tidore at this time. The third sultanate is the Bacan Sultanate which is currently centered on Bacan Island. In historical records, the Bacan Sultanate was originally located on Makeang Island, which was then based on an agreement to divide the territory of the four Sultans, the Makeang Sultanate, then moved to Bacan Island and then became the Bacan Sultanate which was given the title Dehe Makolano which means ruler of the cape. The fourth sultanate is the Jailolo Sultanate, like the Bacan Sultanate, the Jailolo Sultanate was initially located on Moti Island, but in line with the strategic division of territory and responsibilities, the Moti Sultanate then moved to Jailolo and changed its name to the Jailolo Sultanate which was given the title Jiko Makolano which means ruler of the bay. In the system of government of the sultanates in North Maluku, there are basic principles that are used by a sultan and his traditional officials in carrying out the governance of the sultanate. The existence of these principles is still maintained and implemented by the sultans and their apparatus, which according to the author is one of the capitals for the existence of the 4 Sultanates in Moloku Kie Raha to this day.

In the customary order in North Maluku, the values that exist in the soul of the people are adhered to as the philosophy of social life and state administration of the sultanates in North Maluku which become the principles for administering the sultanate's administration according to customary law. The Sultanate of Ternate is known for the 6 (six) basic principles of statehood of the Ternate Sultanate (Kie Se Gam Magogugu Matiti Rara) and in the Tidore Sultanate the principles of state administration of the Tidore Sultanate are contained in the 1869 Kie Se Kolano Regulations (Constitution of the Tidore Sultanate) which are the principles of statehood. This is a reflection of local wisdom. To the best of the author's knowledge, these principles have not been explored in depth as to the values contained therein and have not been accommodated in government administration or in regional

¹M. Adnan Amal, 2010, North Maluku Historical Travel Spice Islands 1250-1950, Gramedia Popular Library, Jakarta.

government policy making in North Maluku. The implementation of the government of the Ternate Sultanate in carrying out its government is based on laws that have been compiled together according to existing ethnic groups which have become the state philosophy of the Ternate Kingdom which is known as six basic principles (Kie se gam magogugu matiti rara) which relate to social relations with its people, namely: Adat se atorang, (prioritizing basic laws prepared according to customs that can be accepted by all citizens), Istiadat se kabasarang (customary institutions in accordance with their authority) Galib se lukidi (customs that are guarded and maintained as the basis of social relations), Ngele se duhu (individual cultural forms -each ethnic group can be used together as desired), Sere se doniru (life system is based on culture and habits in social interactions), Cing se cingere (men and women have the same rights and obligations). In the customs of the Ternate people in particular and Moloku Kie Raha in general, there is one philosophy that is a guide in living life, namely the Jou Se Ngofangare philosophy which is the basis of religious values explained in the existence of you as God and I as a servant in the concept of unlimited space and time. . However, this thinking is not only limited to God's relationship with His Servants. Jou Se Ngofangare's philosophy will also philosophically protect human behavior in the world, including in carrying out government administration, because he is increasingly aware that there is a substance that monitors his movements at all times. If humans are aware of this and implement it within themselves, then in carrying out regional government administration, whether as government officials or as representatives of the people, they must prioritize the principles of life of the Ternate indigenous people in the Jou Se Ngofangare Philosophy, namely Tabeat Romtoha (Five Principles of Life) as for the five principles These terms of life are: tabeat kolofino (principle of fear of Allah), tabeat mahe (principle of shame/self-respect), tabeat nyinga maloas (sincerity principle), tabeat maloa (honest principle), and ingaku rai marua (sense of responsibility). Furthermore, the Tidore Sultanate which had a written constitution called the Kie Sekolano Regulation was formed on 3 Muharram 1285 H or 25 April 1868 AD during the reign of Sultan Ahmad Fatahuddin Nur Syah Kaicil Jauhar Alam (34th Sultan). The process of formation was through a deliberation mechanism of Bobato Syari'at (sultanate officials in the government sector) totaling 19 people. In the Kie Se Kolano Regulations, there are principles for administering the state administration of the Tidore Sultanate. The Principles of Government of the Tidore Sultanate, there are 6 principles, namely: Maintain loa sebanari (acting honestly and correctly), Kie se kolano (integrity between leaders and those led), Adat se nakodi (civilized humanity), Set the rules (delegation of authority), Fara se filang (sharing of results handed over to the government) Syah se fakat (deliberation and consensus). Furthermore, there are also 5 principles of social relations that have been established, namely: Oli se nyemo-nyemo se language (polite manners in speaking), Suba se pakasan (manners in behavior), Ngaku serasai (upholding trust and confidence), Cing se cingari (popular and humble) Mae se kolofinoto tede sub ate jou madubo (putting forward shame and fear of Allah SWT when doing actions that harm other people.). Likewise with the Bacan Sultanate, there are at least 4 principles that guide the Bacan Sultanate in running its government, namely the principle of Taat De Ompu Allah Taala (Obey Allah SWT), the principle of Palihara Piling (Maintaining Trust), the principle of Kaadilang Nang Kabanaran (Justice and Truth) , as well as the principle of Bapatikamang (Deliberation).

In essence, the principles of local wisdom in North Maluku should be accommodated in the practice of administering regional government in the concept of regional autonomy that customary law and local wisdom can be offered as an alternative/solution in anticipating and overcoming all forms of inequality in the administration of government in North Maluku Province, both as a basis ethics, in the form of Regional Regulations (Perda) or other policies in achieving good governance. The reality shows that the basic principles of governance in these sultanates have not had their values explored further in research that has produced scientific work. Revealing the values of local wisdom-based governance in the sultanate in North Maluku is basically a very important thing that will be used as a legacy for the next generation to use as a guide to navigate the oceans of life. It is also strongly suspected that local wisdom in governance in North Maluku has not been accommodated in the administration of regional government as a solution to solving the acute problem of poor governance in North Maluku Province. Based on research conducted by the Partnership Partnership Institute on good governance in 34 provinces in Indonesia, the results show that there are still many regions that have not carried out good administration based on indicators of general principles of state administration, resulting in poor service delivery and disparities. welfare of communities in areas that have problems in terms of poor governance. The results of this research are contained in the Indonesian Governance Index (IGI), which is an index for assessing and ranking the performance of the government sector, bureaucracy, civil society and economic society in each province. The research results

show that the lowest IGI was achieved by North Maluku with a score of 4.41 or in last place. The current poor governance of the North Maluku Provincial Government can also be seen from the results of the assessment from the Ministry of State Apparatus and Bureaucratic Reform. The North Maluku Provincial Government received a red report card from the Ministry of Administrative and Bureaucratic Reform regarding Government Performance Accountability. North Maluku Provincial Government's score is only 31.24 with a predicate (C), North Maluku is ranked below West Papua and is ranked 33rd out of 34 provinces. The values accepted by North Maluku Province are something that is very sad for government governance in North Maluku even though North Maluku has a lot of local wisdom that can be used as ethical values for responsible (accountable) government. Regional government administration that understands people's customs will definitely be able to account for its performance so that things like this can be avoided. In the description of the results of research by the RB Partnership and Security Assessment agency as stated above, the author considers that there is a strong suspicion that there are problems with good governance that do not meet expectations, which occur evenly in all regions in Indonesia, including North Maluku Province which is at the bottom. even though in North Maluku there is local wisdom that can be a solution in solving governance problems. Based on the legal construction and problems described above, the author feels it is necessary to conduct research with the dissertation title "Reconstruction of the Principles of Good Governance Based on Local Wisdom in North Maluku Province"

RESEARCH METHODS

This type of research is legal research, with a non-doctrinal research type. This type of non-doctrinal research is usually referred to as empirical legal research or socio-legal study research. Legal research with a non-doctrinal type of research is research that aims to explore law from an empirical sociological perspective, so that the object of observation is the history of law in the empirical realm. This research uses an approach in studying three areas of legal science, namely dogmatic, theoretical and philosophical as a consequence of the dissertation section which consists of a legislative approach, a legal history approach and a legal anthropology approach.

Population and Sample

The population and samples that will be used by the author in the process of carrying out this research are:

a. Population:

The population in this study was all citizens of the sultanates in North Maluku, totaling 4 (four) sultanates, namely the Ternate Sultanate, Tidore Sultanate, Jailolo Sultanate and Bacan Sultanate. Apart from that, the author also took the Regional Government of North Maluku Province as the population in this research.

b. Sample

In this research, the author took samples/respondents of 10 people each:

a. Traditional Institutions of the Sultanate of Ternate 3 People

b. Tidore Sultanate Traditional Institutions 2 People

c. Jailolo Sultanate Traditional Institutions 1 Person

d. Traditional Institutions of the Bacan Sultanate 1 Person

e. BPSDM 1 Person

f. North Maluku Province DPRD 2 People

Types and Sources of Data/Legal Materials

The types of data that will be used by the author in the process of carrying out this research are:

a. Primary data is data that the author obtained in the field by means of interviews. Interviews are a way to obtain information by asking questions directly to the interviewee. Interviews are a process of interaction and communication. Interviews were conducted directly with sources related to this research.

b. Secondary data, namely data obtained from government agencies in the form of documents or processed statistical data related to the problem formulation. Data obtained through library research is in the form of written materials related to the problems to be discussed in the research

Data Collection Techniques

- a. The primary and secondary data collection techniques that the author uses include:
- b. Literature or documentation study is examining written materials in the form of books, official documents, laws and regulations, and other written sources related to the problem to be researched.
- c. The interview technique is a data collection effort carried out by holding questions and answers related to research activities. The interviews in this research were conducted using a free, guided interview method, meaning that the author brought a guideline which was only an outline of the things that would be asked of the interviewee. The interviews here are conducted directly with the sources.

Data analysis technique

Data obtained from primary legal sources and secondary legal sources are then analyzed qualitatively, namely a research procedure by providing detailed descriptions (descriptive) in words of the findings.

RESEARCH RESULTS AND DISCUSSION

Reconstruction of Good Governance Principles Based on Local Wisdom in North Maluku Province

Based on the results of research conducted by the author in the Sultanate of Ternate, Sultanate of Tidore, Sultanate of Bacan, and Sultanate of Jailolo, the author found the principles of good governance based on local wisdom in North Maluku which is very relevant in supporting the implementation of regional government today as the author describes as follows: following:

1. Principles of Local Indigenous Wisdom of Atoranand g

The local wisdom of the Atorang Adat is a principle that exists in all the sultanates in North Maluku with the same words. Hence, the author places it first in this discussion. Before the author discusses the influence of the Atorang Adat's local wisdom in supporting the regional government administration, the author first discusses the meaning and values contained in the local wisdom of the Atorang Adly, Adat se Atorang means basic laws that must be obeyed and compiled according to customs that all levels of society can accept. According to Tuli Lamo of the Sultanate of Ternate (scribe) M. Gunawan Radjim, Adat se Atorang is divided into two syllables, the cu, referred to here are the norms that live in society; these norms regulate how people live and socialize with society, This norm is inherent in the life of the indigenous people of the Sultanate of Ternate. Meanwhile, Atorang itself is a procedure for carrying out customs and good behavior in society, so Atorang's Customs are interrelated and have a reciprocal relationship. In the book Suba Jou, Hidayatullah M. Sjah² reveals that the subject of Adat se Atorang is how humans create a legal product that guarantees legal certainty to achieve justice, what basis must be used in making a legal decision, and how the law must be enforced. It has been established that human behavior or actions are limited by several rules to create harmonious relations between one another. Furthermore, the main reliance is on human values in the sense that laws made must be based on these values. In its application, all those who are concerned with the law are obliged to carry out or carry out the divine qualities that exist in humans. If the two supports mentioned above are implemented, the resulting output can provide legal certainty to achieve justice.

Based on the results of an interview with Jo Kalem, Sultanate of Ternate, H. Rindwan Dero, according to him, the values contained in the local wisdom of the Atorang Adat originate from the Tri Potential possessed by every person as the basic values, namely creativity, initiative, and taste. With these basic values, humans can create everything they want according to their knowledge. Still, no matter how high the knowledge we have, it must not be outside of the traditional values of Atorang because these values are our identity as a Moloku Kie Raha community. Which cover:

²Hidayatullah M. Sjah, 2006, Suba Jou, Gemusba Foundation, Jakarta.

1. Fato ahu/ Karma or good manners.
2. Fato gogahu/Ordinary morals
3. Morals are morals or manners.
4. Suba se mote/Tata istiqamah
5. Confess Yourself Matiti/Believe in your abilities.

From these five fundamental values, a person will be born who has a very steely inner strength if he can exercise three strengths, namely: qalbi strength, which means being able to guard the heart; kaoli strength, or being able to control speech; and Fi'li strength which means being able to maintain behavior. Deed. Furthermore, according to H. Ridwan Dero, a person who is called wise and wise, if he has these three powers, good qualities will emerge in his person if he has these three powers. They will be far from bad grades because three levels of perfect intelligence have been formed within them: moral, intellectual, and emotional intelligence. If we have these three levels of brightness, then wherever we are, we will always appear excellent because our movements are always controlled. The belief is always steeled that in what we do, there is a substance that controls, sees, and hears, namely Allah SWT, the Almighty God. According to the author, the principles of a person's customs, if reconstructed in government administration, are very relevant in supporting government governance towards a good and clean government, both in making regional legislative legal products, making policies, and implementing applicable regulations. This is because the values contained in the local wisdom of Adat se Atorang do not conflict with applicable national laws.

Moreover, these values are the crystallization of Islamic values themselves, as are the customary principles in North Maluku, namely "Ma Toto Agama Agama Rasullah (Islamic religion) Ma Basis of the Book of Allah Se Sunat Rasul ma Jojolo Dolobololo Proposition of Tifa Se Proposition of Moro I Torari Baldatun Taiyabutn Warabbun Gafur" which means customs based on the Islamic religion based on the Book of Allah and Hadith. Rasulullah is based on the ancestors' message in the form of a series of meaningful words toward the safe and peaceful land forgiven by Allah SWT. The local wisdom of the Se Atorang custom is currently often used in resolving problems that occur in society by involving the sultanate's traditional institutions, such as resolving regional boundaries between districts and regional boundaries between villages or sub-districts. However, the local wisdom of the Atorang Customs is, in fact, only used as a last alternative in resolving problems in the community by the Regional Government and the Police. Based on studies by the Department of Home Affairs and the Police of the Republic of Indonesia, North Maluku is included in the conflict-prone map. Based on research results, the DPRD of North Maluku Province, which is 24 years old, has not yet formed a regional regulation regarding handling social conflicts based on local wisdom, even though this Regional Regulation is reeded especially by accommodating local wisdom as the main method (premium medium) in resolving social conflict. This shows that the DPRD of North Maluku Province does not position itself as a representative of the people who is truly present for the interests of the people.

From the results of research conducted by the author, the implementation of local wisdom values of Atorang customs in the administration of North Maluku provincial government is still weak; this is proven by the large number of violations of regulations in the form of corruption, which are handled by law enforcement agencies, both the police and the prosecutor's office. It is still very high whether a withdrawal decision has been determined or is still in process is still very high. Likewise, violations in the form of enforcing employee discipline are still high. So, it can be assessed that the implementation of Atorang's Indigenous values upholding compliance and compliance with the law in administering government based on awareness of Atorang's Customary law has not been implemented optimally in regional government administration. Reconstructing local wisdom in order to realize good governance with the principles of Adat Se Atorang essentially starts from the attitudes and behavior of government officials in their daily lives, both as members of society and government officials. According to Mifta Baay, government officials need to receive character intelligence education as recommended by the current central government with the concept of mental revolution, so character education based on local wisdom is absolutely carried out in stages so that government officials are not only intellectually intelligent but also need to be socio-culturally intelligent, where officials uphold high values. -local wisdom values in North Maluku and then

apply them in their duties and responsibilities as government officials. According to the author, if Se Atorang customs can be implemented well, then there will be *het al.* in government life with its duties and responsibilities towards the community following government laws and regulations that guarantee good and correct governance (good governance) and (clean governance) based on local wisdom of Se Atorang Customs.

Based on the author's study in this research, it was found that the local wisdom of the Se Atorang Adat is essentially in line with the General Principles of State Administration as regulated in Article 3 Paragraph (1) of Law Number 28 of 1999 concerning State Administration that is Clean and Free from Corruption, Collusion And Nepotism, namely the Principle of Legal Certainty, which means the principle in a legal state that prioritizes the basis of statutory regulations, decency, and justice in every policy of State Administrators. Apart from that, it is also regulated in Law Number 30 of 2014 concerning Government Administration in Article 10 Paragraph (1) letter (a) and Letter (e), namely the principle of Legal Certainty and the Principle of Not Abusing Authority. In reviewing the theory of the rule of law, the local wisdom of Se Atorang customs does not conflict with legal norms when applied in the current modern era because local wisdom guarantees that the rights of citizens can be implemented properly.

2. Principles of Local Wisdom Protect Loa se Banari

Literally, Jaga Loa se Banari means upholding justice and truth. Furthermore, according to H. M. Amin Faroek, the important parameters that are meant by truth in Jaga Loa se Banari are Aki Loa se Faeli and Ahu Jang se Gogoru, which means good words align with good deeds. In the constitutional system of the Tidore Sultanate, Jaga Loa se Banari is positioned as an important principle in the administration of the government of the Tidore Sultanate and is carried out by the sultans who lead the Tidore Sultanate so that the existence of the Tidore Sultanate still has a place and is very influential on the indigenous people of the Tidore Sultanate. The principle of Jaga Loa se Banari is a principle of government written in the constitution of the Tidore Sultanate, namely the Kie se Kolano Regulations of 1868 AD. Before the formation of the Kie Se Kolano const the situation of 1868, in 1663, Sultan Saifuddin alias Jou Kota, who was in power from 1657-1674 AD, held the Syah Se Fakat (deliberation and consensus) council of ministers consisting of Joujau (prime minister r), It Tullamo (minister o State secretary), peak Compania (officials in the ence and security environment) and peak label (officials in the judiciary environment). The deliberation resulted in three important decisions, namely: (i) principles of government, (ii) principles of social relations, and (iii) principles of the economy. Taking care of Loa se Banari is determined to be part of the principles of government. This is in line with the definition of customary law conveyed by Ter Haar in his speech on the anniversary of the rechtshogesschool, Batavia 1937, entitled *adat recht van Nederlands indie in wetenschap, praktijk en onderwijs*, according to him, customary law is all the regulations stipulated in decisions with full authority. In its implementation, it is implemented by indigenous community units. The local wisdom of Jaga Loa Se Banari, if viewed from a legal philosophy perspective, is that the aim of the law is justice; in ethical theory (the theory), the view is that the law is placed in the realization of the maximum possible justice in the order of society. In the sense of the word, law solely aims at justice. Justice is also the philosophy of the Indonesian State in Pancasila in the fifth principle, namely "social justice for all Indonesian people." In the past, the Tidore Sultanate implemented Islamic law in the legal system that applied in the sultanate's territory. M. Amin Faroek revealed the application of Islamic law in the Tidore Sultanate, one example of which was that thieves had their hands cut off if they cheated or committed adultery in front of the sultan's mosque by planting someone or cheating up to the size of her breasts and then every person passing by the mosque lashes her 99 times, apart from that, in ancient times the sultanate's sharia judges once sentenced someone who committed adultery by being tied to a raft and then thrown into the sea. From the perspective of Islamic philosophy, according to Murtadha Muthahari in Sukarno Aburaera et al., the concept of justice is known for four things:

1. Fair means balanced in the sense that if a society wants to survive and be established, that society must be in a state of balance, where everything in it must exist at the proper level and not at the same level.
2. Fairness is the equality of disclaimer of any differences. Justice is meant to maintain equality when property rights are the same because justice is equality like that and requires it.
3. Fairness is preserving individual rights and giving rights to everyone who is entitled to receive them. This kind of social justice must be respected in human law, and every individual is ordered to uphold it.

4. Fairness is maintaining the right to continued existence.

Sukarno Aburaera et al.³ concluded that the meaning contained in the Islamic conception of justice is to put something in its place, charge something according to a person's carrying capacity, and give something that is his right in a balanced manner. According to the author, the local wisdom of Jaga Loa's Banari is in line with religious values, as J.J. H. Bruggink⁴ classifies values into four groups. Religious values are mostly related to moral and aesthetic values but are of another order. Values derive their form from the perspective of a particular religion, in which people feel included. In the traditional community environment of the Tidore Sultanate in particular and North Maluku in general, the local wisdom of Jaga Loa se Banari is inherent in every person as a view of life in life and life in the relationship between humans and God, the relationship between humans and humans and as a view of life in carrying out the mandate that is given to them. Given, including as a government administrator. In carrying out this mandate, there are ancestral messages in the form of the Tifa Proposition, one of which is related to the meaning of justice and truth in the principle of Jaga Loa se Banari, namely: "mancia ngadue mancia ngadue, gone ndadue ngone ngadue" which means their property is their property, their property. We are ours. This means that in this life, we should not be greedy so that we do not fulfill people's rights or even take them away. The Tifa proposition can be used as a reminder so that in carrying out our duties, we can avoid things that could harm the rights of other people and avoid acts of collusion, corruption, and nepotism. In the repertoire of local wisdom in Indonesia, the local wisdom of Jaga Loa Se Banari has similarities with one of the values of the Siri principle, which is Bugis-Makassar's local wisdom, namely Alempureng. Nurul Qamar⁵ revealed that in the Bugis-Makassar language vocabulary, honest is interpreted as Lempu (alempureng, which is the same as straight as opposed to crooked). Furthermore, according to Matthes B F, in the context, sometimes Iempu is also interpreted as sincere, true, good, or fair. So sometimes the word Lempu is opposed to the words culas, cheating, lying, betrayal, deviant, bad, deceitful, wrongdoing, and others.

The local wisdom principle of Jaga Loa se Banari, if applied in government management by officials, will guarantee the existence of good values carried out by government officials in their duties and responsibilities and as a basic principle in government decision-making. In essence, the principle of Jaga Loa se Banari is the nature of every human being because every human being is equipped by Allah SWT with a heart that can consider good and bad, right and wrong, a person's attitudes and actions. If a person has the characteristic of Jaga Loa se Banari in his life, he will always create a harmonious life in the midst of society and fellow officers in his work environment, which, in turn, this goodness can be felt by other people, so that it can also create a greater and more social relationship. Collective goodness in world life and with this characteristic will avoid mistakes that can bring disaster or loss in small and large aspects; this is where Tifa's proposition "world yo jira ua jira gone human" comes from, which means this world is not damaged but what is damaged in humans. Humans are required to have good relationships with fellow humans and with the surrounding natural environment because life and the natural environment have meaning that cannot be separated because humans need the environment to live as well as the environment for continuity and preservation. Sociologically, the people of Tidore have a sense of respect and even fear of the traditional values that live in their area. In their minds, these traditional values are even stronger and can have a more deterrent effect than statutory regulations, such as laws that have sanctions. Criminal. For example, the view of traditional oaths, traditional oaths (in Tidore language called Bobeto) are more certain in their power than oaths as in legislation. The local wisdom of Jaga Loa se Banari as a basis or principle for acting honestly, correctly, and fairly should be reconstructed in the formation of regional regulations and other policies as a framework for implementing regional government to support good governance so that local values are also accommodated as principles. It is important in carrying out regional government administration within the framework of the concept of plural regional autonomy. This principle basically does not conflict with the concept of good governance; in fact, it really supports the concept of good governance. Based on the results of the study conducted by the author, the local wisdom of Jaga Loa se Banari, which has existed since time

³Sukarno Aburaera, 2013, Philosophy of Law Theory and Practice, Kencana, Jakarta

⁴J.J. H. Bruggink, 3rd printing 2011, Reflections on Law Basic Understandings in Legal Theory, Citra Aditya Bakti, Bandung,

⁵Nurul Qamar, 2013, Human Rights in a Democratic Legal State, Sinar Graphics, Jakarta

immemorial in the community of the Tidore Sultanate, is in accordance with the values contained in the philosophy of the Indonesian nation, namely Pancasila in the fifth principle, namely social justice for all Indonesian people. Furthermore, the principle of local wisdom, Jaga Loa Sebanari, is in line with the principle of transparency and the principle of justice in Article 58 letter (j) of Law Number 23 of 2014 concerning Regional Government, in the principle of justice as in the principle of regional government administration, which means that every action in administering the state, must reflect proportional justice for every citizen. In reviewing the theory of the rule of law, upholding justice and truth (Jaga Loa Se Banari) is an important pillar that ensures that the legal system functions for the welfare of society and the common good. Through principles such as judicial independence, human rights, and legal certainty, the rule of law seeks to build a society that is just, equitable, and based on the values of truth. The local wisdom principle of Jaga Loa Se Banari, which existed centuries ago, is still essentially relevant to be applied in the modern era and even remains in line with and does not conflict with the principles of state administration as regulated in Law Number 28 of 1999 concerning Administrators. A country that is clean and free from corruption, collusion, and nepotism, as well as Law Number 30 of 2014 concerning Government Administration.

3. Cing Se Cingari Local Wisdom Principles

Literally, Cing se Cingari means people and humble. Humbleness does not mean low self-esteem but always being populist, in line with this. According to Aminuddin Salle⁶, humans need to be humble, meaning not only towards people who are older and experienced but also towards those who are younger. In the tradition of the sultanates of Ternate and Tidore, they have long been known to have a Cing se Cingari spirit, which was practiced by the sultans, because with a Cing se Cingari spirit, the existence of the Ternate and Tidore sultanates, can survive to this day and remains an important part of the people of Moloku Kie Raha, the sultan who owned Cing se Cingari made the sultan wherever he was, he was still accepted by the local population, this can be proven by the power of the sultanates of Ternate and Tidore. As stated by Amin Faroek Cing se Cingari (popular and humble) can be proven from the success of the Sultan of Tidore in uniting the people of Papua, which consisted of tribes that at that time were still backward tribes, but the Sultan of Nuku was able to unite them because of icing se cingare, sitting, eating and sleep together." In the local context, the principle of local wisdom of Cing se Cingari is not only interpreted as a custom but as a principle of social relations established during the leadership of Sultan Saifuddin, who ruled 1657-1674 AD. A leader is said to have the spirit of Cing se Cingari if he has four important conditions that are part of the principles of social relations of the indigenous people of the Tidore Sultanate, namely:

1. Oli se nyemo-nyemo budi se language, namely polite manners in speaking.
2. Suba se pakasan, namely obeying and believing in Allah SWT.
3. Confess as you feel, that is, holding firm trust and confidence.
4. Mae se kolofino to the suba te jou madubo, who put forward shame and fear of Allah SWT when they are going to do something that harms others.

For the author, Cing se Cingari will guide leaders to avoid three bad things, namely arrogance, arrogance, and arrogance. So that it can be loved by its people; this is proven by the existence of the Tidore Sultanate since its founding until now. The research results show that the local wisdom of Cing se Cingari has not been interpreted in depth by regional government officials. This can be seen from the many complaints from the public about the poor public services provided by government officials. The principle of local wisdom of Cing se Cingari, the essence of which is expected that every leader must be populist and humble. In relation to good governance, Cing se Cingari is very relevant in supporting the public services provided by the government to the people because in looking at whether governance in an area is good or not, the important aspect that becomes the parameter is the public service aspect. With Cing se Cingari actualized in government officials, we can be sure that the public will feel comfortable and at ease in dealing with local government officials. So far, the matter of public service still seems feudalistic in that they see themselves not as servants of the people but as those who must be served. This

⁶Aminuddin Hall, 2007, Land Acquisition Law for Public Interest, Total Media, Yogyakarta,

kind of mindset of government officials must be re-actualized into a mindset that produces patterns of behavior that are in accordance with Cing Se Cingari in regional government officials so that the people can enjoy the expected public services. The concept of local wisdom (local wisdom), Cing se Cingari (popular and humble), is very relevant to be used as a philosophy in public services so that it is internalized and harmonized in government policies, either in the form of policies (bethinging) or in the form of regional regulations in efforts to implement good government. Based on local wisdom, it will provide a special place for local communities. The leadership principle based on local wisdom, Cing Se Cingare (popular and humble), creates a solid foundation for a just rule of law. By reconstructing elements of local wisdom in policies and actions and with a humble attitude that encourages sincerity, leaders can build a sustainable and harmonious society. Through collaboration between government, society, and legal institutions, this concept can be well integrated into a well-functioning legal state.

4. Principles of Local Wisdom Bapatikamang

Bapatikamang literally means consultation. Basis Bapatikamang is an explanation of the command in the Al-Quran to do deliberation. In addition to commanding, the Qur'an also mentions that deliberation is the basis of decision-making that is always held by believers. The technical term used by the Quran to refer to this principle is shura in the hadith of the Prophet SAW. There is a word that shows deliberation as the basis of policy. The word consultation used by the Prophet is masyurah. According to An-Nabhani, syura is a consultation to exchange opinions without being bound by the necessity of implementing the results, while masyurah is a consultation or exchange of opinions whose results must be implemented. Difference between shura and masyurah. By An Nabhani based on a hadith when the Messenger of God SAW said to Abu Bakr and Umar, "If you both agree in a consultation - the technical word used by the Prophet in this news is consultation -" I will not contradict him. Meanwhile, Qardawi mentioned that consultation is the basic element of the political, social, and economic policy system of the Muslim community. Muhammad Amarah mentioned that consultation is a vehicle for community participation in making public policy. Umar Sharif mentioned that consultation is the basis of Islamic political ideology, in addition to being the basis of the country's steps in taking policy. Theoretically, the theoretical basis for the principle of deliberation in the Islamic constitutional system is the word syurah, which is found in the Al-Quran surah Ass-Syurah verse 38. The word syurah is a form of masdar from the word syawara, which means asking for other people's opinions. Qadrawi further stated that shura is a socio-political principle that is global in nature. Islam does not specify the Shurah in great detail. In fact, Qardhawi continued, syurah is used by Islam as a temporal system relating to situations and conditions, even though in the Koran, it is mentioned sequentially with prayer, the rules of which are clearly permanent. The Muslim community, which is predominantly spread across the islands of the Bacan Sultanate, in resolving a problem or discussing issues relating to many people or family issues, always prioritizes the Bapatikamang principle because, with this principle, small and large problems can be resolved well. In essence, the Bapatikamang/Syah Se Fakat principle, which is the ancestral heritage of North Maluku, should be used as a good principle in the administration of regional government in North Maluku, but in reality, until now, this has not been seen because government policy is still based on personal interests and political interests. Problems that occur in society are not discussed properly, resulting in ongoing divisions in society.

In the context of the rule of law, the principle of Bapatikamang (deliberation) has an important impact. This principle helps ensure that decision-making related to public policy, legislation, and the application of the law is based on a transparent, participatory, and accountable process. Based on the author's study, in order to build good governance, it is important to consider the principles of local wisdom inherent in local communities. Reconstructing the principles of good governance based on local wisdom is crucial to ensuring sustainable development and harmony between the government and society in the North Maluku Province region. Reconstructing the principles of good governance based on local wisdom in North Maluku Province is an important step towards sustainable development and social harmony. By integrating these principles into government policies and practices, according to the author, North Maluku province will be able to achieve progress that is in line with the cultural identity and values of its people. Collaborative efforts between the government and the community are key in formulating and implementing the principles of local wisdom to achieve sustainable prosperity for all communities in North Maluku Province. By building synergy between government and society, the regional government of North Maluku province can reconstruct the principles of good governance

based on sustainable local wisdom that respects cultural heritage. This transformation is not only about improvements in good governance but also about changing the culture and mindset that underlies interactions between government and society. In the long term, the reconstruction of these principles will bring positive benefits to the development of a just, sustainable, and harmonious regional government and society in North Maluku Province.

The Urgency of Implementing Local Wisdom Principles in the Implementation of Regional Government in North Maluku Province

North Maluku Province is a region of Indonesia that is rich in culture, traditions, and local wisdom that has been passed down from generation to generation. In the context of modernization and development, it is important to understand and apply local wisdom values in the administration of regional government. The urgency of implementing local wisdom is not only related to preserving cultural identity but also has a positive impact on better governance and sustainable development. In the era of globalization and technological development, traditional values can often be eroded or neglected. Therefore, the urgency of applying local wisdom in the administration of regional government is becoming increasingly important. Local wisdom includes knowledge, values, norms, and practices contained in local culture. It is important to apply the principles of good governance based on local wisdom in the administration of regional government, so in this dissertation, the author conducted a research study on 3 (three) important aspects, namely the philosophical aspect, the sociological aspect, and the normative aspect.

1. The Urgency of Implementing Local Wisdom Principles from the Philosophical Aspect of Jou Se Ngofangare

The philosophical aspect is a consideration or reason that illustrates that the regulations/policies formed by the government must take into account the outlook on life, awareness, and legal ideals, which include the spiritual atmosphere and philosophy of the Indonesian nation, which originates from Pancasila and the Preamble to the 1945 Constitution of the Republic of Indonesia. Thus, a philosophical basis is a basic philosophical view or idea that becomes the basis for ideals when expressing desires and policies (government) into a plan or draft state or regional regulations and other policies. For example, in the Republic of Indonesia, Pancasila is the basis of legislative philosophy. In principle, no regulations should be made that conflict with this basic philosophy. Law has the power to act philosophically when the law is in accordance with the ideals of law (*rechtsidee*) as the highest positive value. The idea of the law of the Indonesian nation is Pancasila, which is the basis of the Indonesian state. We can see this ideal of law in the 4th paragraph of the Opening of the Constitution of the Republic of Indonesia in 1945, where it is mentioned that Pancasila is the foundation of the nation's ideology. So, a legal method is said to apply when it is based on the values of Pancasila. Jou Se Ngofangare is a philosophy or outlook on life of the traditional community of the Sultanate of Ternate, which is a nation and kingdom with great influence in the archipelago; the presence of an outlook on life as a guide to thinking, behaving, and behaving in people's lives is something that is inevitable. Jou se Ngofangare's view of life is the self-concept of the traditional community of the Sultanate of Ternate, which looks at their presence and the natural surroundings, the beginning and end of each person's life, where they come from, what they are for in the world and where they go after in the world and to whom we are responsible for our actions. According to Syarifudin Gazal⁷, Jou se Ngofangare, literally Jou in Ternate, is equivalent to "Gusti" (Javanese), Karaeng (Makassarese), and Allah (Arabic people). In order to realize his will as a creator in society and in this world, anthropologists suggest that, in general, the leadership system of ancient kings linked their genealogical ties to God, which is why the Kings of Ternate were usually called Jo'ou, A derivative of the word Jou (God), a nickname for people who receive grace and mandate from God to lead humanity. The word "Ngofangare" is a compound word consisting of the words Ngofa which means child and Ngare which comes from the word ngare which means the first person, man, and me. So the meaning of ngofangare in the Jou se Ngofangare relationship is essentially God's love for His servants (like the relationship between a parent and his child) or the opposite relationship, a relationship of sincere love that should be from a

⁷Syarifudin Gazal, 2008, JOU SE NGOFA NGARE Study of Islamic Mystical Transformation in the Customs of the Sultanate of Ternate (Anthropological Analysis of Religion), Hasanuddin University, Makassar, (Dissertation)

servant to his God (like a relationship of devotion from a child to his child. In line with According to Sultan Mudaffar Sjah, the close relationship in the context of Jou se Ngofangare was concluded by Sultan Mudaffar Sjah as "equal and united but not touching, separated by no distance."

2. The Urgency of Applying Local Wisdom From the Sociological Aspect of Bala Kusu Se Kano-Kano

In the practice of administering government everywhere, state administrators always interact with the community. Therefore, the interaction between government administrators and the community is a proposition that is generally accepted (universal). In the concept of a legal state, society or the people is a group of people who have sovereignty over the state. The concept of sovereignty over the state is based on the doctrine that the state is formed by its citizens through a social contract. It is this doctrine that the people or society becomes the holder of sovereignty. Therefore, the concept of good governance places society as one of the actors or components. The position of society as a component in good governance is based on the doctrine that society holds sovereignty. This concept originates from the social contract theory, which was built from Plato's thoughts in the book Republik. In the local wisdom of the sultanate in North Maluku, it is known as bala kusu se kano-kano, which literally means bala is the people, kusu is the Muslim people, and kano-kano is the non-Muslim people. Sultan Mudaffar Sjah revealed that in administering the state administration of the Sultanate of Ternate, bala kusu se kano-kano emphasized that everything sensible belonged to the people, and no policy was implemented without the people's approval. Social life in North Maluku Province is characterized by a variety of religions and tribes, which not only come from within North Maluku but also come from various regions in Indonesia who have lived for hundreds of years in the Moloku Kie Raha area and are accommodated in the government system. Sultanate. This can be seen from the representation of these tribes in the government structure of the Ternate Sultanate, such as the Javanese nyira, which represents the Javanese ethnic group, the Chinese capita, the Arab capita, the Bugis capita, and the Minahasa capita which represents these ethnicities in the government structure of the Ternate Sultanate. In the Tidore Sultanate, as stated by Jojau Tidore Sultanate M. Amin Faroek, there was a Bugis-Makassar priest who, because of his excellent religious knowledge, was appointed by Sultan Nuku as high priest of the Tidore Sultanate mosque at that time.

The role of ethnic and racial representation in building a human civilization by upholding the values of local wisdom as outlined in dolo bololo: ino for Makati nyinga doka gosora se bua lawa, which means let us unite like nutmeg and mace which has a further meaning that The differences that exist within the bala kusu se kano-kano are interpreted as rahmatanlilalamin who, even with these differences, can live in harmony and peace in building a just and prosperous life. More than that, the relationship between the government and the people must be united in developing the region so that there is a harmonious relationship between the government and the people. According to the author, in the concept of bala kusu se kano-kano 3 important values in social life can be drawn, namely:

1. Pluralistic in religious and tribal life.
2. Association in society.
3. Harmonious relationship between leaders and people.

The spirit of the values of bala kusu se kano-kano, in its implementation in the North Maluku provincial government, has not been seen significantly. This can be seen from the fact that there is still a pattern of government that still leads to ethnic majority groups occupying positions in each decade of government, thus not reflecting the values of bala kusu se kano-kano, which are understood and carried out within the government environment of the Sultanate of Ternate as part of the government culture adopted so far.

Efforts to realize governance that prioritizes the principles of unity as was the hope of the founding fathers of the nation as outlined in the Pancasila values, the third principle of Pancasila, namely the unity of Indonesia, still needs to be encouraged in the regional government system in North Maluku Province in order to synergize all human resource potential as subjects and objects of development so that these strengths are optimized as much as possible to create a civilized North Maluku society. In accordance with the observations of researchers, as well as the results of interviews with resource persons, it was found that the North Maluku provincial government has not implemented the local wisdom values of balakusu se kano-kano specifically, in development plans, so the life of

diversity in society is still fragmented and this is very unlikely. In accordance with the basic philosophy of *mari moi ngone future*, which is embedded in the symbol of the regional government of North Maluku province, the progress expected from the philosophy of *mari moi ngone future* means that if we unite, we will be strong, the results have not yet shown as expected. Local wisdom in the concept of *Bala just se kano-kano* has at least laid down the principle of the leader's obligation to the people in *Moloku Kie Raha*, where currently a regional head leader is elected directly through regional elections by the people, in this case, *Kusu se Kano-kono* which as expressed in local wisdom "*Fotike rimoi toma dofu madaha fodero madofu toma rimi madaha*" which means the people choose one leader from among the many potential leaders during the regional elections with the hope of getting many benefits from the one leader they have chosen.

The reality shows that after the regional elections were held simultaneously and they were elected and appointed as regional leaders, there was actually conflict between the candidates and even between supporters which resulted in disharmony in the government being run, there was even unfair treatment regarding equitable development and this was very contrary to local wisdom that guides us to "*Rubu-rubu se rame-rame Doka saya rako moi*" let's gather together like arranging various types of flowers so that they are pleasing to the eye. Other philosophies, such as "*Marimoi Ngone Futuru*," which has become a symbol of the Regional Government of North Maluku Province, means: let's unite to be strong. It turns out that this principle is still limited as a symbol; it can be seen that there is still disharmony between leaders and staff, between leaders and leaders, and between government staff and fellow staff, which leads to disruption of duties and responsibilities in realizing the vision, mission, and goals of the government in power. , this means that short, medium, and long-term programs that have been well-programmed are not realized.

The development process carried out by the North Maluku provincial government from year to year does not show significant progress. This can be seen from research on government performance accountability conducted by the Partnership Partnership institution, which places North Maluku province in 33rd place. To answer this problem, it is very important to reconstruct the value -The value of local wisdom in the North Maluku provincial government is absolutely necessary to mobilize various ethnic and religious differences so that they exist in harmony. Basically, Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia stipulates that sovereignty is in the hands of the people and is implemented based on the constitution, meaning that the people have the highest sovereignty in the Unitary State of the Republic of Indonesia which needs to be protected and prospered by the government as mandated in the opening of the 1945 Constitution of the Republic of Indonesia.

3. The Urgency of Applying Local Wisdom from the Normative Aspect

According to the author of this dissertation, the normative aspect is the legal basis for the recognition of local wisdom in laws and regulations in Indonesia as well as the application of local wisdom in the Regional Government of North Maluku Province, as the soul of every policy for the benefit of the people. Hamdan Zoelfa revealed that the consistent application of the principles of the rule of law in a country gave birth to the theory of legality, which is firmly adhered to by all modern legal countries. The theory of legality requires respect for legal principles and statutory regulations in all State actions and policies. In this regard, according to the author, local wisdom as a source of legal awareness and the soul of the Indonesian nation in its recognition must look at the normative basis in the legal structure of the Republic of Indonesia so that it can fulfill the principle of legality in the concept of the rule of law. The state explicitly recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, which are confirmed in Article 18B of the 1945 Constitution of the Republic of Indonesia. In addition, The state also respects the cultural identity and rights of traditional communities in line with developments over time and civilization as regulated in Article 28I paragraph (3). To form legal instruments that accommodate local wisdom values in the formation of regional regulations or other policies, we must look at the juridical aspect. as a basis for forming a regional regulation so that it applies juridically. Based on this, Hamza Halim and Kemal Redindo⁸, in their book "*Practical Ways of Preparing &*

⁸Hamza Halim and Kemal Redindo Syahrul Putera, 2013, *Practical Ways of Preparing & Drafting Regional Regulations*, Kencana, Jakarta,

Drafting Regional Regulations" reveal that there are three views from figures regarding law that applies juridically, namely: first, Hans Kelsen views that law applies juridically, if the provisions are based on norms at a higher level, secondly, W. Zenenbergen views that law is juridically valid if it is formed according to a predetermined method, and thirdly, J. H. A. Logemann views that law is juridically valid if it shows the necessity between a condition and its consequences.

The Influence of Local Wisdom Principles in Implementing Good Governance in North Maluku Province

1. The Influence of Local Wisdom in Public Services

One indicator of the success of implementing regional autonomy policies is the realization of quality public services. Various efforts have been made by the government to create quality public services, starting from regulations on public services, providing budget allocations for public service activities to providing various training and utilizing information technology in the public service process. However, until now, the condition of public services is still a complaint for the majority of the public. One of the issues that are a problem in North Maluku Province is the government's public services to the community, where the span of control of the capital of North Maluku Province, which is in Sofifi, Halmahera Island, creates ASNs that, On average, residing in Ternate City takes 1-2 hours by sea which results in only being in the office effectively on Mondays, Tuesdays and Wednesdays so that the public service process does not run well. The weakening level of motivation of the State Civil Apparatus (ASN) has become a problem for government organizations since the reform era, which was followed by the decentralization paradigm through the implementation of entering offices only to fulfill their main absences. The current problem is that regional heads do not use local wisdom in North Mauku as an ethical standard or norm that must be applied in administering government. This can be seen from the research results where there is not a single Gubernatorial Regulation or appeal and the like displayed in the North Maluku Province government work environment that displays local wisdom as work motivation for government officials.

According to the author, the local wisdom of the Se Atoran Adat should be implemented by the Regional Government in running the government with the values of Ahlak se Kalakuan (Morals and character). One of the values in the local wisdom of the Se Atoran Adat, if implemented, will produce government officials who are responsible for carrying out their duties and authorities so that public services can run effectively. In government management by officials, the influence of the local wisdom principle of Jaga Loa se Banari is also appropriate to be applied by ensuring that good values are carried out by government officials in their duties and responsibilities and as a basic principle in government decision-making. The principle of Keeping Loa se Banari is the nature of every human being because every human being is equipped by Allah SWT with a heart that can consider the good, the bad, the right, and wrong, a person's attitude, and actions so that in every government policy taken, they will consider the aspect of the benefit of society which is the main thing rather than personal interests. or groups. Apart from the local wisdom of Adat Se Atorang and Jaga Loa Sebanari, which is worthy of being used as a reference, there is also the local wisdom of Cing Se Cingare, which is also equally good to apply to government administration in terms of public services, where the local wisdom of Cing Se Cingare essentially means that every leader must popular and humble. In relation to good governance, Cing se Cingari is very relevant in supporting the public services provided by the government to the people because in looking at whether governance in an area is good or not, the important aspect that becomes the parameter is the public service aspect.

Cing Se Cingare Local Wisdom has four important values, namely Oli se nyemo-nyemo budi se language (polite manners in speaking), Suba se pakasan (obedience and trust in Allah SWT), Ngaku se rasai (upholding trust and trust), Mae se kolofino to the suba te jou madubo (shame and fear of Allah SWT when doing an act that is detrimental to others). If the values of Cing Se Cingare local wisdom are implemented by government officials, it can be ensured that the impact will be very good, namely that the community will feel comfortable and at ease in dealing with local government officials in matters of public services. We can see the implementation of local wisdom in the delivery of public services in the South Sulawesi Region as in research conducted by Nurbiah Tahir and Muchlas M. Tahir (2017), that the transformation of Siri' na Pacce cultural values in public services has had a big impact on improving the quality and quality of services, because this is also felt by the community as the public who are served at the Takalar Regency One-Stop Integrated Service Office (KPTSP). Public Services Siri' Na Pacce culture is the culture of the Bugis-Makassar community and can be used as a control in the behavior of

government officials, including in public services. A culture of shame, self-sensitivity to social care, and an attitude of willingness to sacrifice become a guideline for government bureaucrats in providing their services to the public, embarrassed when their services to the public are not in accordance with service indicators and the real ideal goals of the bureaucracy, as well as being sensitive to the needs of the public as the recipient of services. Government bureaucrats are public servants or community servants in terms of administering government and providing services to the public in need. Service standards, government regulations, and the existence of existing service operational standards (SOPs) will, of course, become standard and rigid rules so that the transformation of local wisdom values in public services will give a little new polish to each of these standard rules without taking any form of violation as per the meaning of the *Se Atorang* Customary values, because with the values contained in the local wisdom of the *Se Atorang* Custom, *Jaga Loa Se Banari* and *Cing Se Cingare* will provide wisdom in every action taken by government officials in providing services to the public, and this is its own form of art that was born with this local wisdom.

2. The Influence of Local Wisdom in the Formation of Regulations

The importance of implementing government principles based on local wisdom values in North Maluku is an effort to maintain the identity of the Indonesian nation, which is uniquely diverse as the motto of the Indonesian nation. By prioritizing the principles of local wisdom in every regional policy decision, each policy is, of course, for the personal interests or interests of certain groups of officials but is for the benefit of society in general. From the results of the research carried out, it was found that actualizing local wisdom as a principle in the administration of regional government in the field of forming regulations has a good influence on the environment and society. For comparison, in Bali Province, there is a regional policy that prohibits residents and entrepreneurs from constructing buildings that do not exceed the height of a coconut tree or 15 meters. We can find this in the Decree of the Governor of Kdh Kindergarten 1 Bali, dated 22 November 1971, no 13/Perbang 1614/II/a/1971 and Bali Province Regional Regulation Number 3 of 2020 concerning Amendments to Regional Regulation Number 16 of 2009 concerning Governance Plans Space and Territory of Bali Province Bali 2009-2019. This Bali Provincial government policy is a real commitment to maintaining spatial planning traditions that have been passed down from their ancestors. This policy is under the basic philosophy of *Nungun Sat Kerthi Loka* Bali, which contains the meaning of maintaining the purity and harmony of Balinese nature and its contents. Based on the results of research in North Maluku, the local wisdom concept of *Bapatikamang* (*Musyawara*) has not yet been seen to be implemented by the regional government of North Maluku province. The most basic thing that can actually be implemented is *Musrembang* activities starting from the village level. Sometimes, *musrembang* activities are just an activity to relieve obligations because not all people know about these activities and are not involved, so people's aspirations cannot be channeled. Likewise, the results of *musrembang* are rarely accommodated by regional governments in regional budget regulations. A chronic problem is also the issue of village boundaries up to the district boundary level, where the local government decides on boundaries without deliberation with the community, so in the future, it becomes a serious problem, leading to conflict in the community. Therefore, if the local wisdom of *Bapatikamang* is applied, it will have a very good influence on conflict resolution in the region.

In social life, long before the birth of legal norms, society was familiar with other norms that served as guidelines for social interactions. This norm lives and is maintained from generation to generation and even becomes a belief in the community. If these values are then accommodated in the Regional Regulations, the effect can be seen in the level of community compliance with the Regional Regulations, which will be better because implementing the Regional Regulations is the same as following their beliefs. According to the author, there are at least 3 influences of local wisdom in implementing good governance in terms of forming regional regulations, namely:

1. Can be used as a value in procedures for forming good regional regulations. This role can support the formation of regional regulations that meet formal requirements.
2. Can be used as a reference in determining the content of the Regional Regulation. This role can support the formation of regional regulations that meet substantive requirements.
3. It can be used to support community obedience and the realization of justice because it can support the achievement of legal objectives, namely legal certainty, benefit, and justice.

Local wisdom cannot always support the effectiveness of implementing regional regulations. Therefore, to be able to create a good Regional Regulation, the Regional Regulation makers must pay attention to several things, namely:

1. Local values that are worthy of being a reference in the formation of regional regulations, both as formal references and substantive references, are regional regulations that have a positive content in developing society in a better direction.
2. Local values that do not conflict with the basic rights confirmed in the constitution.
3. Local values that do not cause unrest in society.
4. Local values that do not conflict with the spirit of the unitary state.

In essence, local wisdom has an important role in the formation of Regional Regulations, namely as a supporter of good procedures for forming Regional Regulations, as a reference material for the content of the Regional Regulations to be formed, as a means of increasing public compliance with the Regional Regulations that are formed.

3. The Influence of Local Wisdom in the Implementation of Education

The educational conditions currently facing Indonesian society tend to experience a shift in orientation. Educational goals are expected to face dilemma situations. On the one hand, the implementation of a competency-based curriculum has succeeded in improving the quality of science and technology, but competencies in the field of character and morals have been neglected. In fact, character is the foundation of a nation that is very important to instill in children from an early age. This is because indicators of achievement or success in education are not returned to the student's character and character values. On the other hand, society has a pragmatic tendency, namely that after children (students) complete the educational process, they immediately get jobs according to their competence in the field of science and technology, which generally returns to market needs in the world of work. The emergence of various moral deviations among teenagers cannot be separated from various factors, including, first, the weak grip on religion, even though it has become a tradition that everything can be achieved with science. This results in the disruption of religious beliefs belief in Allah SWT. Only symbols, prohibitions, and commandments are no longer observed. When a person's grip on religious teachings is released, the power of control that is within him is lost. Second, ineffective moral development is carried out by households, schools, and communities. So far, much of the development of morals in children has been done by having children memorize formulas about good and bad so that children are raised without knowing morals. Children are not used to instilling and cultivating behavior and morals that are considered good. Third, the rapid flow of materialistic, hedonistic, and secular culture. Character is a very important aspect of the quality of human resources. A person with high intellectual abilities can be useless or even detrimental to society if his character is low or bad.

Various cases that are not in accordance with ethics, morals, manners, or behavior that shows low character have become rampant in society. This shows that the moral character of this nation is experiencing instability. Therefore, it is very necessary to instill the values of national character in children, especially elementary school-age children. This proves that education is less successful in forming good character. This condition is quite relevant to reveal the old paradigm of education as a legacy of noble values to the nation. The values inherited from the past contain many character education values. Efforts to build the moral character of human resources so that they are able to form strong personality traits in facing increasingly fierce competition in the future are through formal, informal, and non-formal education. The multicultural style of our country with diverse backgrounds is an invaluable wealth. Tens of thousands of islands stretching across the emerald equator from Sabang to Maruke, from Minangas to Rote Island, it is no exaggeration to call it like a carpet. Behind the expanse of the island is also stored cultural wealth in the form of local wisdom values that arise naturally along with their closeness to nature.

As time goes by, it is not impossible that local values will be eroded following the flow of globalization; this is due to the influence of foreign culture entering Indonesia, which cannot be stopped, especially as mass and electronic media in Indonesia do not support local culture to be preserved. Apart from that, in some circles, the

love for local cultural values is decreasing, even though local values are values that contain high meaning for adherents. Therefore, cultural preservation is considered important to maintain the characteristics of a region as an identity. An important element in cultural education is through educational institutions. Instilling local values in the world of education is absolutely necessary to maintain the principles of local wisdom. According to Jumriani et al., "One of them is by designing curriculum development through a learning process based on local wisdom to increase the awareness of students as future generations of the importance of local wisdom for people's lives." that one of them is by designing a development curriculum through local wisdom-based learning process to increase students' awareness as the next generation of the importance of local wisdom for community life.

The people of Moloku Kie Raha (North Maluku) view their local cultural wisdom as a guide and legal awareness in interacting with nature and other humans in their daily environment. The local wisdom of North Maluku is essentially related to manners of behavior that must be prioritized in every human activity, both interactions between humans and interactions with nature; therefore, if the local wisdom possessed by the Sultanates in Moloku Kie Raha is accommodated in the implementation of government in the field of education, the development of good character for the nation's children can be realized with wisdom values sourced from the wealth of local wisdom in North Maluku. According to the author, the urgency of implementing character education will be very effective if character values have a close factor to the socio-cultural and religious context of students. Internalized character values are cultural values that they know and understand every day. Therefore, students are familiar with these values, making it easier for them to use them as guidelines for their daily behavior. Apart from being able to be applied effectively, the internalization and habituation of character values will also be firmly ingrained in students, as expressed by Syahrudin Nawi⁹, that obedience to the law is when someone who already has legal awareness, then obeys or adheres to it in behaving legally.

The Relevance of Theory to Research Results

1. Rule of Law Theory

The essence of the theory of the rule of law is that it refers to the figure of a state that is organized based on law, and the government is run by the rules of the game (Government under law); the government is based on law, not based on human will (Government by law, not by men) and *machtstaat* (power). The term rule of law contains the intention of limiting the power of state authorities so that they do not abuse their power to oppress and neglect their people. The rule of law places equality before the law and protection of the fundamental rights of the people, and the law and judiciary are fair and just. The relevance of the research results to the theory of the Rule of Law is that Local Wisdom is a policy that originates from local values that can limit the power of state authorities so that they do not abuse their power to oppress and neglect their people, as the results of research studies show the nature of the value of local wisdom in Atorang Customs that humans create a legal product that guarantees legal certainty in order to achieve justice, what basis must be used in making a legal decision and how the law must be enforced. It has been established that human behavior or actions are limited by a number of rules so that there are harmonious relations between one another. Furthermore, the main reliance of the *Se Atoran* Custom is on human values in the sense that the laws made must be based on these values. Based on the research results, the theory of the rule of law is still relevant for use in Indonesia to protect human rights and limit the power of rulers.

2. Theory of Government

In general, the definition of government is the process or way the government exercises its authority in various fields (economics, politics, administration, etc.) in order to manage various state affairs for the welfare of society. The definition of government in a narrow sense is all activities, functions, duties, and obligations carried out by executive institutions to achieve state goals. Meanwhile, the definition of government in a broad sense is all activities that originate from sovereignty and independence, based on the basis of the state, the people or population, and the territory of the country in order to achieve the goals of the state. C.F. Strong defines government in a broad sense as all activities of public bodies, which include legislative, executive, and judicial activities in an effort to achieve goals. The relevance of government theory to research results shows that local

⁹Syahrudin Nawi, 2021, *Sociology of Law and Theory of Legal Effectiveness*, Cretakupa, Makassar

wisdom essentially supports government activities in carrying out its authority. The behavior of government officials must reflect the values of law enforcement, which are based on religious values, namely truth, and honesty, as stated in the Jaga Loa se Banari Local Wisdom philosophy, which means being honest, true, and fair, which is the principle of life for government officials at various structural levels of government. If this can be done well, there will be harmony between government life and its duties and responsibilities towards society in accordance with government laws and regulations, which guarantee good and correct governance and clean governance.

3. Theory of General Principles of Decent Government (Alegemene Beginselen van Behoorlijk)

A Muin Fahmal revealed that the general principles of proper government are actually guidelines for state administrators in carrying out their duties. These signs are needed so that actions remain in accordance with the true objectives of the law. The relevance of the theory of general principles of proper governance to this research study is that local wisdom of good governance in North Maluku can support the implementation of regional government, which, in essence, building a better and more effective bureaucracy does not mean eliminating customs or eliminating cultural wealth in a region, because these things are very closely related to one another, so that if development in all fields, including the development of government bureaucracy, actually eliminates customs, then it is certain that the region will lose its identity in the flow of globalization. The theory of general principles of proper government is still very relevant to be applied in Indonesia by accommodating local wisdom in it.

4. Legal System Theory

Lawrence Meir Friedman stated that the legal system is influenced by three factors, namely legal structure factors, legal substance factors, and legal culture factors. Lawrence M. Friedman further explained that the relationship between legal structure, legal substance, and legal culture can be likened to the illustration that legal structure is a machine, legal substance is what is done and produced by the machine, and legal culture is whoever decides to turn the machine on or off. Including use for anything. The relevance of legal system theory to this research is that one of the legal subsystems, as proposed by Friedman, is legal culture as the research results show that local wisdom in North Maluku is a legal awareness of the people of North Maluku in everyday life long before Indonesia was formed into a country.

5. Theory of Volge

Savigny, under the terms Volkgeist, constructed his theory of law. According to Savigny, there is an organic relationship between law and the nature or character of a nation. The law is only a reflection of the volkgeist. Therefore, 'customary law,' which grows and develops in the womb of the volk geist, must be seen as the true law of life. True law is not made. He must be found. Legislation is only important as long as it has the declarative nature of the true law. The relevance of the Volkgeis Theory to this research is that, essentially, an important task in the legal field is not to be busy making this or that rule. On the contrary, what needs to be reminded is to explore the pearls of legal values in the content of people's lives. Likewise, the main problem in legal management is not to form principles and doctrines artificially. But find principles and doctrines in living legal values. We must know, discover, and understand the values of true law in the life of the nation that owns it. And to understand the value of the law, there is no other way than to delve into the core of the people's souls. The soul of the people is contained in the local wisdom values of the Indonesian nation. For the author, Volkgeis Theory is still very relevant to be applied in Indonesia as we know that the Indonesian nation has a variety of customs, tribes, and languages , which also have a lot of local wisdom that needs to be discovered and brought back into the characteristics of state life.

6. Legal Pluralism Theory

In this sense, pluralism is constructed as a situation where two or more legal norms apply in social life and can be negotiated to produce two types of legal systems in an area. Furthermore, Sally Engle Merry put forward the meaning of legal pluralism. Legal pluralism is "generally defined as a situation in which two or more legal systems correct in the same social field." The definition of legal pluralism presented by Sally Engle Merry is focused on the application of two legal systems that live side by side and develop in social life. This means that state law and

local law apply together in community life, and there is no question as to whether legal pluralism is strong or weak. The relevance of the Legal Pluralism Theory to the results of this research study is that the local wisdom of a region can be applied side by side with State law which applies simultaneously in people's lives because local wisdom is a way of life of the Indonesian people that existed long before the State of Indonesia was formed. For the author, the Legal Pluralism Theory is still very relevant to be applied in Indonesia because each region has its own customary law, which is different from one another, so it needs to be accommodated by the state by referring to the Legal Pluralism theory.

Research Findings

Based on the research results, it was found that the reconstruction of local wisdom-based government principles in North Maluku is substantive for realizing good regional government and in accordance with the values contained in the Indonesian nation's philosophy, namely Pancasila.

Conclusion

Departing from the results of the research and studies described in the previous chapters, in this final chapter, the following conclusions and suggestions will be presented:

1. That, in essence, the reconstruction of the principles of good governance based on local wisdom in North Maluku, namely adat se atorang, guard loa se banari, cing se cingare, and bapatikamang do not conflict or are even in line with the general principles of governance in a rule of law state. However, the research results show that the Regional Government of North Maluku Province has not reconstructed this local wisdom in an effort to realize good governance.
2. the urgency of applying local wisdom in the administration of regional government is seen from 3 (three) important aspects, namely: the philosophical aspect (Jou Se Ngofangare), the sociological aspect (Bala Kusus Se Kano-kano), and the normative aspect. It is very important to reconstruct the local wisdom of North Maluku in the form of regional regulations as well as legal and ethical values in law enforcement and regional government administration. However, the regional government of North Maluku province has not accommodated this.
3. That the principles of local wisdom in North Maluku have an influence on the implementation of good governance in North Maluku, namely in the fields of public services, making regional regulations, and implementing education, but the regional government has not implemented them in the legal politics of regional legislation.

Suggestion

1. The local wisdom found in the 4 Sultanates in North Maluku Province should be reconstructed in order to realize good regional governance based on local wisdom.
2. In administering the Regional Government in North Maluku, it is necessary to accommodate philosophical aspects, sociological aspects, and normative aspects in the formation of regional regulations and legal ethical values that originate from local wisdom values.
3. That the legal politics (Recht Politik) of regional government should accommodate local wisdom values in the fields of public services, the formation of regional regulations, and education in the context of preserving the customs and culture of North Maluku.

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