

***The Imposition of Gogoli Punishments in the Sultanate of
Buton as a Strategy to Eradicate Corruption Crimes***

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ABSTRACT

Nowadays, the country of Indonesia is undergoing a corruption problem unresolved. a variety of efforts to combat corruption a criminal offence has been committed, but not yet scrapped in law enforcement. as can be eradicated up to its roots, it is to be one of the barriers that were experienced by our law enforcement officers, the overthrow of criminal sanctions as deterrent effects do not cause against the corruptor, then should the overthrow criminal sanctions heavier again. As well as administering punishment of Gogoli or death penalty applied in the Sultanate of Buton at the time of his reign, but in execution i.e. a rope twirled and drawn in a manner opposite direction until a dead, Surely the concept of the overthrow of the current criminal sanctions imposed during the reign of the buton Sultanate. pose a deterrent effect and a structural officials have feelings of fear to commit irregularities such as corruption, then the author represents the hope that the punishment could be applied nationally Gogoli considering the criminal act corruption happens almost throughout the regions and regional officials who are often exposed to cases of criminal acts of corruption

.Keywords: *Punishment of Gogoli, eradication of criminal acts of corruption, the Sultanate of Buton*

INTRODUCTION

Corruption is currently increasingly improving the condition of the country and presenting a bad image in the eyes of other countries. Various formulations have been implemented to eradicate and prevent criminal acts of corruption.¹ but it still happens, this of course has become a culture that commits corruption because the act is carried out repeatedly, of course, the culture adopted by someone who commits corruption is not the result of customs that occur in a community group. However, what happens is a paradigm shift in this person, the author believes that the customs that

¹ A Graycar, "Corruption: Classification and Analysis," *Policy and Society*, no. Query date: 2023-10-18 10:56:10 (2015): 43, <https://academic.oup.com/policyandsociety/article-abstract/34/2/87/6401359>.

have been in effect for a long time certainly do not teach members of community groups to commit corrupt acts, this is what is the problem today.²

Considering that the sanctions applied are clearly regulated in Law Number 31 of 1999 jo. Law Number 20 of 2001 concerns the Eradication of Criminal Acts of Corruption, although law enforcement against criminal acts of corruption has been regulated. However, it has not had a deterrent effect on corruptors, in fact, it is getting worse nowadays, and with the spread of corruption viruses in the bureaucracy, of course, no one wants this to continue to happen. There is a need for a formulation that can solve the problem of corruption. This actually describes the national law which occurs in Law Number 31 of 1999 jo. Law Number 20 of 2001 concerning the Eradication of Corruption Crimes still cannot guarantee that Indonesia is free from corruption.³

There is a need for the role of local wisdom in eradicating criminal acts of corruption considering that before national laws were implemented, of course, each region had customary laws that were enforced within a community group. because the customary law that forms the result of that society has become grounded and has become an agreement to be implemented by every member of society, such as what happened in the Buton Sultanate during the reign of the Buton Sultanate where gogoli or death was imposed on people who committed deviations, the criminal punishment was caused by wrongdoing. one commits corruption. However, these sanctions have not been enforced since 1960, so the government of the Sultanate of Buton decided to enact national law and this immediately ended the reign of the Sultanate of Buton.

So the author again brings up the customary criminal punishment system that was implemented in the Sultanate of Buton, during the reign of the Sultanate of Buton as an effort to find a concept of criminal punishment for criminal acts of corruption which is increasingly causing decline in this country.

From the above background, a problem emerges which will be discussed in this paper, namely "How is the overthrow of gogoli as a strategy to eradicate criminal acts of corruption based on local wisdom (study of the Buton Sultanate's period of power), in answering this question the author uses a literature review method based on the perspective of the period of Power. Buton Sultanate.

2. RESULTS

The Sultanate of Buton has a long history, based on sources it is estimated that it was founded in the 14th century by an immigrant from the Malay peninsula⁴. Interestingly, long before Indonesia became independent in 1945, the existence of Buton as a country was written about by Empu Pranca (a Majapahit writer) in the book *Negarakertagama* in 1364 which stated that during that time Buton had established relations with the Majapahit kingdom⁵. In the exercise of power, the Buton Sultanate had a distribution of authority. balance between the two social layers. In the structure of society, the two layers are Kaomu and Walaka, Kaomu holds power at the executive level and Walaka holds legislative power. Meanwhile, the papara layer is the community in their respective areas. In running a government, dynamics of course occur and problems often occur, namely power that is arbitrary

² O Weisel and S Shalvi, "The Collaborative Roots of Corruption," ... of the National Academy of Sciences, no. Query date: 2023-10-18 10:56:10 (2015): 3, <https://doi.org/10.1073/pnas.1423035112>.

³ P Bardhan, "Corruption and Development: A Review of Issues," *Political Corruption*, no. Query date: 2023-10-18 10:56:10 (2017): 30, <https://doi.org/10.4324/9781315126647-30>.

⁴ A.M Zahari, *Sejarah Dan Adat Fiy Butuuni* (Jakarta: Departemen Pendidikan dan Kebudayaan., 1978).

⁵ Zuhdi Susanto, *Kerajaan-Kerajaan Tradisional Di Sulawesi Tenggara; Kesultanan Buton* (Jakarta: Depdikbud, 1997).

and solely for personal or group interests. One of the deviations committed by the sultanate's apparatus is the practice of corruption.⁶

Corruption is one of the problems in Indonesia which until now has not been able to find a formulation that can overcome this criminal act, even though there are many laws and regulations that regulate criminal acts of corruption.⁷ but unfortunately this still does not provide certainty that corruption can be prevented or eradicated from its roots, this is the obstacle, corruption is clearly included in the category of extraordinary crimes and unconventional crimes. So when carrying out preventive and repressive actions, they should be more serious in handling them, as if this proves that the action has not been able to provide a deterrent or deterrence effect and is no longer the optimum remedy or final remedy that provides a guarantee that no criminal acts of corruption will occur.⁸

Therefore, efforts are made to prevent and eradicate criminal acts of corruption. Serious attention is needed to find a formulation for preventing and eradicating criminal acts of corruption. ⁹If seen from the perspective of customary criminal law, the author will take the application of gogoli as a criminal sanction imposed in the justice system of the Sultanate of Buton for criminal acts of corruption that occurred within the government of the Sultanate of Buton in At that time, before going any further, the author will first define gogoli, in the language, gogoli comes from the word "gogo" which means tight, tight. So "Gogoli" in terms means tied, wrapped around a rope so tightly that the body loses its resistance completely¹⁰, "gogoli" means neck trap. "Gogoli" is included in the dead category or by wrapping a specially made rope around a person's neck in two opposite directions and then pulling it.

In imposing these sanctions, it was stated that they violated the provisions in force in the court system of the Sultanate of Buton, such as being contrary to religion, moral values, and moral values. The criminal act of corruption is an action that is included in these three, in the system of criminal sanctions that apply in the Sultanate of Buton which is a compilation originating from Islamic law and local customary law. This is because before it became the Sultanate of Buton, it used to be a kingdom that still had not enforced Islamic law. Later, since the arrival of Sheikh Abdul Wahid bin Syarif Sulaiman al-Fathani, who came from Johor before going to Buton and spread the teachings of Islam until he finally met the kingdom of Buton, which at that time was led by Raja Halu Oleo, long story short, this king converted to Islam and received the title of Sultan Murhum and became the first Sultan, so from that moment on he implemented Islamic law and transformed what was previously a kingdom into a sultanate. Therefore, it is not surprising that many of the sanctions that apply in the Sultanate of Buton are typical characteristics of Islamic law which are almost the same as those that applied in Arabia in the past. Regarding the imposition of criminal sanctions, there are various types, as follows:

- a. Karimbi (fine)
- b. Pekamate (death law)
- c. Tatalima (Hand cut)
- d. Kabebe Dara (flogging or stoning)
- e. Buso (exile)
- f. Dodobiwi (hurts his lips)
- g. Kabatua/Kasimbatua (slavery)
- h. Gogoli (wound a rope around the neck)

⁶ S Bahoo, I Alon, and A Paltrinieri, "Corruption in International Business: A Review and Research Agenda," *International Business Review*, no. Query date: 2023-10-18 10:56:10 (2020): 21, <https://www.sciencedirect.com/science/article/pii/S0969593119309473>.

⁷ AJ Heidenheimer, "Perspectives on the Perception of Corruption," *Political Corruption*, no. Query date: 2023-10-18 10:56:10 (2017): 90, <https://doi.org/10.4324/9781315126647-14>.

⁸ M Philp, "Conceptualizing Political Corruption," *Political Corruption*, no. Query date: 2023-10-18 10:56:10 (2017): 23, <https://doi.org/10.4324/9781315126647-4>.

⁹ SP Huntington, "Modernization and Corruption," *Political Corruption*, no. Query date: 2023-10-18 10:56:10 (2017): 50, <https://doi.org/10.4324/9781315126647-24>.

¹⁰ Zahari, *Sejarah Dan Adat Fiy Butuuni*.

However, the author focuses on Gogoli in imposing criminal sanctions in the Buton Sultanate system, for Gogoli's¹¹ implementation process as follows:

1. Process of implementing gogoli in criminal acts of corruption in the Sultanate of Buton

In imposing gogoli sanctions, the role of the sultanate's government officials will first be explained, namely:

1. Central Government Official (Pangka)

1. Oputa/Sultan

- a. Possessing with his eyes the ocean of hearts and conscience of the people.
- b. Become a guide and lead in the kingdom and outside the sultanate
- c. Became the Father of the People in the Sultanate of Buton
- d. Maintaining justice in the sense of correcting it according to custom or not as long as it aims for the greatest good.

2. Sapati

- a. Acting as Aroana Sara, namely from legal wrongdoing or speaking indiscriminately to even the sultan.
- b. Dalango means defender or protector of the Sultan and the people
- c. Salambi means strengthening all conclusions
- d. Bararapu means confirming a conversation that has become a resolution
- e. Judging the balance sheet means always acting fairly
- f. Navigating over two seas, namely the inner self and then the people.
- g. All consensus must be adhered to and must not be changed by adhering to the proposition of not changing promises.

3. Kenepulu

He is a Sapati assistant in addition to his main task of managing inherited and stolen property. In principle, there are five cases of liability, namely: unmarried people, property claimed by their children, property claimed by their grandchildren, property claimed by their grandchildren, and stolen property.

4. Capitaraja

There were two Kapitaraja, namely Kapitaraja Matanaeyo and Kapitaraja Sukanaeyo. Kapitaraja led the royal army which was called the "Patanguna Campaign". Kapitaraja has only known to accept the government once in his task of dealing with chaos.

5. Bonto Ogena

- a. There are also two Bonto Ogena people, respectively Bonto Ogena Matanaeyo and Ogena Sukanaeyo
- b. Bonto Ogena, according to tradition, is the concubine of Sapati
- c. Bonto Ogena is also one of the swordsmen of the Papara people.
- d. Bonto Ogena is the inner sultan of papara.
- f. Bonto Ogena is to rule the papara people.
- g. Bonto Ogena is also called "Tolowiwi from Sapati" meaning that violations are made by Sapati, Bonto Ogena is the one who opposes them according to custom and if necessary they are eliminated.
- h. Bonto Ogena is responsible for the 8 articles below which are under its supervision and responsibility as follows:
 1. Weti or tax is an offering from the people in the form of land products.
 2. Bante also comes from land dedicated to the people.
 3. Kabutu is the product of the land offered by the people.
 4. Pomua is also a product of the land offered by the people.
 5. Mamata's kahoti is also the fruit of the land offered by the people.
 6. Polanggana Kampua means market and currency of the kingdom made from woven cotton.
 7. Kalonggana Papara, namely the people's assistance at a simple party held by the sultan in the form of plantation products and if the party is large it is accompanied by money.
 8. O-Aba Tee Posanga means asking and asking permission

6. Siliombona

¹¹ Sri Andriani Askar, "Gogoli, Tinjauan Hukum Pidana Dalam Sistem Kekuasaan Kesultanan Buton" (Kendari, UNHALU, 2010).

Silimbona has the following duties:

- a. Has a relationship with the sultan who is even ten and comes from being one, in fact, brothers.
- b. Get to know the nobility of the three komboru-mboru schools.
- c. Know all the problems of the great people of the sultanate (rank)
- d. Getting to know Pulanga Kaumu Walaka and Aristocrats.
- e. Recognize small and large mistakes.
- f. Get to know Matalapu.
- g. Know all the provisions of the Sharia.
- h. Has the right to reprimand and advise people who violate customs.
- i. Siolimbona holds the title of ulama in Butonese terms and is a leader in customs.
- j. Siolimbona is obliged to know the basics of releasing and appointing sultanate employees.
- k. Siolimbona must know the basics of the judiciary and kadie.
- l. Siolimbona is also said to be waiting for the kadie he heads.
- m. Siolimbona is obliged to know all conversations with all sultans and other sultanate officials.
- n. Minister Peropa and Minister Baluwu are specifically obliged to know the 12 sultan's obligations.
- o. Minister Peropa and Minister Baluwu are also called manggedaina male wolio in the tradition, because of their very close relationship with the sultan.
- p. Siolimbona is obliged to know the origins of the nobility of Walaka.

In the government of the Sultanate of Buton, there was a division of powers such as executive, legislative, and even judicial long before joining the Unitary State of the Republic of Indonesia the Sultanate of Buton had implemented it so that in its journey the sultan who led it did not run the government in an authoritarian manner and of course this would lead to mutual supervision between institutions and the creation of checks and balances. In connection with the occurrence of a problem or dispute, the Sultanate of Buton has a justice system that can be used by every person who lives within the scope of the Sultanate of Buton, such as when a criminal act occurs, the person who will be the prosecutor is Sapati who of course has the task of carrying out the prosecution of all accusations against the Sultan. as well as by ordinary people. As for whether the information about the case was found, it came from Bonto (Minister) Ogena Inuncana and Bonto (Minister) Kanjawari or directly seen with his own eyes. The determination was based on four components which would be the basis for cases to be handled by functional institutions. , namely: has a collective nature, does not lead to religio-magical values, the Sultanate of Buton is filled with concrete structuring thoughts, and the laws of the Sultanate have a visual nature.

The procedures for implementing Gogoli in the Sultanate of Buton are as follows:

- Determination of the place and time for the gogoli implementation is determined at a plenary meeting attended by all members of the council of ministers, senior leaders, and the accused as well as other invitees.
- Gogoli was imposed based on a decision from a plenary meeting attended by all members of the council of ministers, pangka, and the accused as well as other invitations held at Balairung or in Buton terms called Baruga.
- Kompanyia Pataanguna (as the executor of the decision) so that it is immediately executed at the time and place in accordance with what was mandated at the meeting.
- Kompanyia Pataanguna is responsible for security and order during the implementation of Gogoli.
- Sara's Council will provide the tools necessary for the execution of the death.
- The tool used by the Pataanguna Company to carry out executions was a rope made specifically from thread called Rabuta which is known in the Buton language.
- If the convict wants to convey a few words, the message can be conveyed at the meeting in Baruga or during the execution moments when it turns out that the convict wants to convey something, then it must go through Kompanyia Pataanguna and it will be followed up to the addressee.
- The convict was taken to the Gogoli execution place with only sufficient guard.
- After the gogoli has been carried out and resulted in the death of the convict, the person who will bury him is the execution officer or someone who has been prepared by the Sara Council and if the convict's family wants to bury him then that is permitted too.

So that is the mechanism for implementing gogoli which was in effect during the heyday of the Buton Sultanate. It is important to know that law enforcement in the Buton Sultanate has become an

obligation for the sultanate's officials to make it equal to everyone. Even though he has a structural position in the Buton Sultanate, he must be punished as fairly as possible and in accordance with the regulations that apply to the Buton Sultanate because of this, "In connection with fair law enforcement, do not differentiate between types of people because the person punished is brave, noble, rich, powerful, your acquaintance or biological child."¹²

3. CONCLUSION

In the case of Gogoli, it was a criminal sanction applied by the Sultanate of Buton during its reign, but its implementation was not immediately applied to everyone. but more so on the officials of the Buton Sultanate or those who have structural positions, considering that in carrying out structural leaders or subordinates we often find them committing acts that deviate from the moral values that live in society, such as criminal acts of corruption, so if something like that happens, something appropriate is needed. remembering that the person who did this was someone in government who should be an example to society, so gogoli is effective. The author suggests that imposing criminal sanctions on people who commit criminal acts of corruption is very necessary, which has a deterrent effect on the perpetrator so that the act does not happen again and creates fear in people who want to commit criminal acts of corruption. and in its implementation it is not only limited to the Sultanate of Buton but is also implemented nationally, considering that criminal acts of corruption have become a problem faced by the Indonesian state which has not yet been resolved and is increasingly worsening the condition of the country today, it is appropriate for the government to look for a formulation imposition of criminal sanctions for corruption based on local wisdom.

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¹² Niampe, *Undang-Undang Buton Versi Muhammad Idrus Kaimuddin* (Kendari: FKIP UNHALU, 2009).