



Individual and community, A sociolegal imagination

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Abstract

Most sociological explanations tend to provide explanatory understanding of the social changes taking place in the Western world to gain inspiration and analogy to social development in other parts of the world, Aceh is one of such a part of Indonesian nation. From these experiences various typologies emerged from a relatively charismatic and traditional condition of society that led to more or less industrial and rational conditions. The explanation includes empirical aspects of the existence and awareness of Acehnese Indonesian citizens in the flow of social transformation, culture, economics, and politics in a society.

Keywords: sociolegal imagination, explanatory, community

Introduction

a. Acehnese Community problem

In the last few decades the problem of guiding ways of thinking and acting for individuals in Acehnese society has become increasingly unclear in its formal form or terms of reference. Old guidelines that emphasize the frame of historical identity and community in the form of customary norms (substantive: non-written), namely the customary order of products and practice of past generations' homogeneity which is still conducive for some of them and is experiencing the threat of erosion as a consequence of the experience of global modernization current. While the new guidelines that want to be used as a guide in the form of legal rules (formal written), namely the latest habits produced by individuals today are not accommodating enough for some of the more heterogeneous societies. If the old lifestyles are relatively closed and uphold the spirit of homogeneity, consolidated religious-communalistic, then the reference for the life of the New Aceh people should be more directed to the spirit of heterogeneity, organized and upheld individual openness.^[1]

The change from the old Acehnese community to the new one is of course related to the problem of morality differences, in which the cultural value system inherited from the past has been challenged by the morality of today's society which tends to be secular. In other words, members of the Acehnese community from various social layers and occupational groupings are undergoing a transition process from the guidance of communalistic-traditional collective morality towards individualistic rationality.^[2]

In such a transitional process there is a gap, in which citizens (through various levels of life: the upper, middle, and lower layers) experience a kind of discrepancy between the demands of the old cultural-value system (religious communalism) with the threat of present conditions of existence. The condition of the discrepancy has become the foundation of the resource struggle, as a base to deal with the various possibilities and challenges of the individual and group's future.

This written is more in the form of a proposed theoretical framework (frame of reference) for the observers and

supporters of the social sciences and humanitarian practitioners in an effort to trace the agency-structure relationship. The framework is a relational perspective to understand and give a new colour to the existence of individuals individually (agency) in relation to the objective awareness of their previous products. That awareness may be in the form of "law-morality" (structure: substantive and formal) that has been lived and practiced by people through the division of work in their social practices to obtain the possibility of a frame (format: normative-positive) for their future full of challenges.^[3]

Generally, sociological explanations tend to provide explanatory understanding of the social changes taking place in the Western world to gain inspiration and analogy to social development in other parts of the world. For example, from these experiences various typologies emerged from a relatively charismatic and traditional condition of society that led to more or less industrial and rational conditions. The explanation includes empirical aspects of the existence and awareness of citizens in the flow of social transformation (including history, education, health, mobility, inequality and stratification, etc.), culture (ways of thinking, acting, and feelings: ideology, religion, art and literature, etc.), economics (ways of production, distribution, consumption, and exchange), and politics (types of domination: autocracy and democracy) in a society.

Such a sociological picture is very likely to be used as a basis for the establishment of various rules of rational law (forma) in a social organization or the State. This is to say as far as possible the formation of the rule of law is a product of sociological reflection (social, cultural, economic, and political existence) of philosophical needs (awareness: future aspirations) in the framework of future development of society or nation. Academic sociological explanations, however, are actual (primary, secondary, tertiary) sources for the formation of individual and community relational structures in many social-humanitarian engineering contexts.

b. Enlightenment Process

The basic metaphor of enlightenment (the enlightenment) is light (light) which is assumed to be the rise of brightness (clarity) of intellectual understanding. This metaphor is faced with a dark age as a consequence of ignorance and emotional confusion that is strongly attached to the old order.^[4] In the enlightenment era there was a consensus that enlightened moral responsibility was found in political education to empower the community.^[5] The foundation of this enlightenment is very relevant to our structural conditions which are more referring to the (historical) awareness of the old community with the existence of increasingly progressive individuals (agencies).^[6]

Enlightenment projects are more in an effort to control (eliminate) all habits, including the symptoms of superstition, backwardness, social practices and institutions that "maintain" all these things.^[7] Basically, the aim of the project is to emancipate the public from strong restraints and deadly prejudices, such as what is often called "character killing" from the womb of traditional cultural values and cultural systems inherited from the dark era.^[8] With "farewells" for "darkness" and "ancient regimes", as enlightenment thinkers say, it means that human reasoning has lived as a controller and self-reflection, which is foaming and contested with acceleration to the level of decency ----- so that it materializes a good society today.^[9]

At the end of the 18th century the world community recalled the famous words of a Roman philosopher, Horace (65 BC) namely Sapere Aude, Dare to Know, and Have the courage to use your own understanding. The meaning is free, "firm you on the results of your own thoughts", "do not just make a speech", ("do not copy the words of others without understanding the meaning)", "use your mind". That is among other things expressed by enlightenment thinkers through a big exclamation point.^[10]

Immanuel Kant (1724-1804) was one of the enlightenment thinkers. He called out with a hoarse voice after quite a long time peering himself in anxiety over many Question marks. Kant in his hoarse voice, argued that enlightenment is a human (rebirth) birth from its immaturity ('is man's emergence from immaturity'). So, the core of enlightenment is the maturity of thinking (which produces freedom based on the responsibility to act with one's own understanding), and is able to realize the understanding of the results of his thoughts without depending on the help of others.^[11]

Thus, the maturation (maturation) of the human self puts the truth in the throne of reason or reason.^[12] In other words, the truth does not remain silent on the mouths of the "rulers" of truth in the religious realm.^[13] Immanuel Kant blamed his era for not using reason to become a mature human. This is to show that the maturation of the human self is the immersion of rationality (reason) as a guide for human life in question.^[14] In summary, for Kant, enlightenment is a process in which humans participate as well as acts of courage to make personal self-improvement'.^[15]

Indeed, in Kant's time it was proven that people bravely used their own understanding in bearing the teststone of repressive habits, deadly prejudice, arbitrariness of power, even though the lives of the stakes were.^[16] The name "it is better to die from crossing the land than living in a carcass" is a principle that is upheld by the people at that time. The tradition of Galileo Galilei in the 17th century was the most tragic drama as an explicit rejection of the authority of the clergy to control all forms of knowledge and (monopoly) absolute claims of truth.^[17]

c. Discussion with Structuration

At the very least, there are two kinds of relations between individuals (agency: Acehese people who are subjective, creative and innovative) with society (structure: objective guide to community products). First, a deterministic (dualism) approach that is commonly developed in the social and human sciences. In social practices both in Aceh and in other parts of the world the dualism approach is more dominantly shown as objective imperialism towards the subject.^[18] Simply put, the object determines the subject (structure determines agency). The guide to life is the result of the formation of the subjects, especially the ruler and clever, the elite in the community, determines the life guidelines for the community in the form of teachings or orders, doctrine or dogma for various reasons of legitimacy or logical, non-logical, rational, and irrational justification. There are a number of anti-deterministic approaches as a reaction to activists or young Acehese intellectuals on "behavior guidelines" in the form of morals (academic ethics) and law formed by elites or leaders on the basis of the values-cultural system of the past that is in line.^[19]

The problem is that the frame of reference for the formation of the law of the past which is full of idealism is increasingly different from the demands of law making today which are full of challenges of materialism. The first implication is that "human strength no longer lies in what he says, but rather in what he does". Today's people are born as free people who are intelligent and understanding. Without a legal guide that is humanist and accommodating for pluralist interests it will only teach them as hypocritical individuals (split personalities). The experience refers to a number of expressions: "in the other eyes in the heart", "other words of action", "there are shrimp behind the stone", and so on. The structure (morality and law) that is formed based on the deterministic approach is no longer compatible with the conditions of contemporary society.

Second implication is a variety of relational views that emphasize reciprocal relationships between subject and object.^[20] The variety of internal, local, substantive life guidelines (customs, past habits that have ingrained) the old community products are almost impossible to provide significant learning (reward-punishment) and "bridging capital" for people or groups in life groups worldwide. Even though this still applies to certain circles or social strata, the rewards are no longer effective in building a dignified Acehese society.^[21]

Some empirical experiences in Acehese society both socially, culturally, economically and politically show positive dimensions (as they are) of degradation of collective morality and substantive-rationality decline.^[22] Emancipative, egalitarian, parallel social relations, for example, which our public servants (bureaucrats, administrators, local governments) exhibit in many civil and military government offices, both in work and outside organizations or with citizens are increasingly not based on relations rational (impersonal).^[23] (Actors) modern social (-political) organization of science and technology (science and technology) products, and therefore also administrators, bureaucrats do not have a conducive way of thinking (ways of thinking and acting) with rational bureaucracy that emphasizes relationships impersonal, efficient and effective.^[24] In this connection, there are many problems that lead to injustice, dishonesty, and untruth for the wider community,

especially the power oligarchy is detrimental to many disadvantaged people.^[25]

Socio-cultural conditions in our field of education also deserve non-deterministic attention. That is, there is an unbalanced relationship between agency capacity and competence (teachers, lecturers, instructors in various educational institutions of logic, ethics, and aesthetics) with a modern-rational learning system. This approach does not simplify that all products of rational thought have a mutuality relationship with subjects in our developing society. As Ignas stated that the background variables of experience and interests on the basis of racial, ethnic and religious differences make the color of our democracy more dynamic than the experience of countries in Europe. Therefore, there are a number of local wisdoms from the perspective of past communities that should be used as social capital for agencies (large, medium and small) to form a new, inspiring and down-to-earth terms of reference.^[26]

The experience that enlightened the agencies, both from Immanuel Kant and Ibnu Rusyd, should be taken into account to enable the new generation of Acehese to have local and universal individual and communal capacity and knowledgeability. Not all past structures (morality and law) from both inside and outside Aceh have expired for the needs of the present and future community base. For this purpose the old generation (representation of state leaders) must improve their synergies with young people (representation of social institutions) independently (self-sufficient) and rationally organized (planned).^[27]

With a reliable frame of mind that enlightens all parties, both leaders representing social organizations or the State (social, cultural, economic, and political) as well as individual communities and groups deserve to work. The cooperation between the two parties for the sake of building a just and civilized humanitarian conscience, especially in Aceh, should be based on objective parameters of capacity and knowledge. Only agencies that have these two measures are able to provide significant and decisive influence on the formation of a new behavior. Judging from the peculiarities of Aceh in a subjective manner, it is very possible that the central point of building a synergistic future conscience will be started from the campus as a modern-rational science park and sharia court justice that enlightens humanistly.

d. Conclusion

Based on the description presented in the previous sections, it can be derived into the following conclusions.

The complete absence of enlightenment from the Acehese's past journey to the present is evident through the domination of deterministic legal guidelines. The cultural value system of the past tends to be unilaterally legitimized by our elites and intellectuals without an adequate scientific (sociological) foundation to be a guide to today's behavior. The spirit of enlightenment with a democratic relational legal commitment has not become a conscious choice for the development of a dignified society.

The Acehese are experiencing anxiety about losing ideological identity and dignity. The anxiety brought about the consequences of their thinking power being stagnant and no longer oriented towards the enlightenment of consciously organized minds full of meaning and supported by a global ascetic spirit.

To reach a balanced and democratic society within the framework of new Aceh, a number of old prerequisites and new secularization experiences are needed. Both relational links will produce conceptual references that enlighten internally (mental-spiritual logic education through campus as a non-ideological knowledge park) and external (religious judiciary, humanist sharia court) in the form of a rational and universal reference (law).

References

1. See at various discussions to dissect the contents of the 2010 Qanun Draft that concerning the Guardian of Acehese Territory as one of the guidelines proposed by the Aceh Legislature. Such a draft is almost no positive relationship between community awareness (the nation) of Aceh in the past (monarchi era and theocracy) and the existence of heterogeneous societies today. (see Serambi Indonesia), 2010, 2.
2. Some social scientists agreed that forms of community life guidance that emphasize collective morality (mutual conscience) tend to use more repressive laws in urban (urban, cosmopolitan) societies that are more likely to choose the law to replace (restitute). Based on the historical experience of the development of society in the world, the guide to living together (law) evolved from a communal repressive form to an individual form of morality that tends to be restitutive. However, it cannot be categorized explicitly, in the sense that there are many who are repressive there are only a few who are restitute.
3. Individuals and agencies have inherited world views that have been inherited from generation to generation, ways of thinking, acting, and feeling relatively uniform so as to form a mechanical solidarity. uniform (in decency, politeness, and religious manner). Individuals in such communities can almost be said to be robots that live without different roles from their collective conscience patrons.
4. The decline of Muslims in various fields of modern scientific disciplines, among others, is due to the weakening of the mastery of scientific specialization, the lack of translation of scientific works, inadequate references, and the "out of date" educational syllabus. See Yusra Habib Abdul Gani, "Qur'an in Europe", Serambi Indonesia Opinion, December 24, 2010, 22.
5. See Hearn, Frank. Reason and freedom in Sociological Thought, Boston: Allen & Unwin, 1985, 8-13.
6. Although the existence of individual humans as beings who understand and realize who they are, where they live, and how history is, but as an agency they wallow with empirical conditions and are at the substantive-micro level. Such conception is the result of individual human mutuality and social structure. In that connection will show a proposition that being an agent must be able to anticipate and engineer his life. According to Giddens, an individual is capable of proving the nature of his humanity, being himself rational, in concrete activities and at the same time reflexive. See Giddens, The Constitution of Society, Outline of the Theory of Structuration, Polity Press, 1984.
7. Perhaps various forms of heresy or beliefs that are not based on rational guidance can be considered part of the immaturity of reason thinking.

8. According to Morse Peckham, enlightenment tends to "emphasize the power of individual consciousness in the framework of their creation based on him, with the right vision of order, to find a true setting, for the sensitivity of the value of his own identity". Basically, ignorance (ignorance, ignorance) is the source of human anxiety in the world. When ignorance is able to be overcome, the individual's reason shows its superiority, and the human world will manifest as a pleasant "paradise" to be inhabited.
9. One characteristic or parameter of modern humans is that those who have experienced industrial life are class divided society.
10. See Sufi Dance Jalaluddin Rumi: "Clear my eyes, O Allah, O Rabb; So that I can see Your face in the west and in the east..." "Arise, now rise up as a new man!" Jalaluddin Rumi... It was downloaded from <http://search.yahoo.com/search?p=Jalaluddin+Rumi%2C+bangkitlah&fr=ush-mail> on December 24, 2010.
11. Individuals who have enlightened self-love, may be, those who have creative and innovative abilities in the flow of global modernization. Individuals who are motivated by traditional spirit (ethics) (communalism: the value-culture system) are obtained through intra-generation relations (parental advice and local wisdom).
12. The development of sciences and socio-cultural 13th & 14th centuries (in the West) have brought influence at the height of the development of science, Renaissance (art and philosophy), and Reformation (religion) in 15th & 16th century Europe. Science and Philosophical thought from the Islamic world (pioneered by Ibn Rushd, 13th century) was assumed to be one of the sources of inspiration for the peak of enlightenment. Western debates and connotations (materialism, intellectualism and individualism) and the East (spiritualism, emotionalism, and collectivism) turned out to be not only related to the advancement of science and technology and modernity (see S.T. Alisyahbana Cultural Polemics in Daniel Dahkidae, Scholars and Power), 2003.
13. These are the signs of the times when the altar (altar, place of sacrifice) was evicted by human reason. An era when the palace as a symbolic reference center was replaced by a library. In other words, people can no longer be relied on what they say, but we have arrived at the time to see and understand the record of what people have done who want to say that they desire to be leaders or aspirants in the world.
14. Rational Islamic thought (Ibn Rushd, living at the end of the "golden era of Islam) that had grown up in the West (Magrib) also clashed with the views and behavior of the Eastern world Muslims (Masyrik). That is, among other things, because conservative clerics feel threatened with Greek "classical sciences" (vide Fatima Memissi, Islam and Democracy, Fear Antology), 2001.
15. See Budiman, Hikmat. Failed assassinations: modernism and crisis rationality according to Daniel Bell, Yogya: Student Literature. Furthermore, Ibn Rushd is an autonomous agent (carrying dual ideas) with a separate identity (as Averroism, 1270), possessing discursive awareness (capability) which allows him to rationalize the courage of his teachings and actions. He is able to provide the basis and reason for his school of thought and continue to communicate it. With knowledge ability, he dares to act and understand the actions of others when the person is not able to articulate his rationale in a discursive manner, 1997.
16. In medieval times the realm of interpretation and teaching of life became the privilege of religion which caused the impoverishment of intellectual and social life.
17. According to Kant enlightenment is "the escape of man from immaturity which he created himself, namely the inability of a person to use his thoughts without the help of others. The immorality occurs not because of a lack of power of thought, but because of a lack of determination and courage (individuals) to use their own understanding ". In a number of ways, Ibn Rushd is a model of mindfulness based on the courage to think (against individual thoughts that are cultured and institutionalized) and acts to liberate people in the world to think rationally about themselves and their society.
18. See Gidens, Anthony. The Constitution of Society: Outline of the Theory of Structuration, Polity Press, 1984.
19. See some opinions in Serambi Indonesia daily. Headline Serambi "In the End, The Implementation of Islamic Sharia Must Be Complained", "Banner of the Chancellor", December 2, 2010. "News of the Raqan Porch Headlines Discussed Referring to the LoGA", December 4, 2010. Opinions "Hallucination Politics" and "Fooled Local Wisdom", December 9, 2010. Opinion of "Tuha nanggroe Government", December 11, 2010. Panteie: "Hacking traces of Guardian" and opinion of "Tracing Ethnic Gayo", December 12, 2010. Opinion of "Nanggroe Waliisasi", December 15, 2010. Opinion "lamenting Jantong Hatee", December 16, 2010. Salam Serambi Headings: "Raqan WN violates the Law", and the "Feodal Qanun" Opinion, December 20, 2010. All information is part of their complaints and criticisms of the formation and realization of substantive and formal laws that are not relational and democratic.
20. This relational perspective is discussed in order to reduce the degree of determinism, the emphasis on cause and effect leads to the spirit of objective imperialism, as occurs in the general scientific approach. The relational approach tries to find a balanced and enlightening solution for individuals in forming new guidelines in the mutuality literature which emphasizes reciprocal relationships.
21. For the authors the parameters of the dignity of individuals and groups are the visits to the nature of honesty (amamah), justice and truth substantively and formally. There is an absolute necessity in the process of establishing normative and positive, substantive and formal life guidelines for the needs of a balanced and challenging (competitive) life together. The Aceh Health Networking Program (JKA) is a brilliant idea from agency Acehnese, but there are almost no efficient and effective measures of success. See public representation concerns, reports Aiyub Ilyas, "JKA, Sharing Experiences from Norway", Tabloid Tabungan Aceh, Issue 10, November 2010, 13.
22. Socially including the symptoms of the erosion of collective morality (collective conscience) as social

- capital, among others, occurs in the context of mechanical cooperation (Durkheim: mechanic solidarity), mutual cooperation, for the needs of the local community. The Governor of Aceh invited the community to revive the culture of mutual cooperation is one form of concern of degradation in the mechanical solidarity of the Aceh community religious-communalism products lately. See "Governor Invite Mas" Arakat Turns on Mutual Cooperation Culture, *Tabloid Tabungan Aceh*, Edition 07, August, 2010, 15.
23. How apprehensive is the spirit of justice, honesty, and truth that was once the mainstay of civilization and the triumph of the Islamic community in Aceh in the past. This symptom is to show that past experiences that have become part of the awareness of the Acehnese cannot be presented as a guide, their mainstay to face the challenges of the present. See "Salam Serambi: Recruitment of Old Style CPNS" vulnerable to KKN (corruption, collusion, and nepotism), *Serambi Indonesia*, December 1, 2010.
 24. "The Head of Region is indeed Easy for Corruption", the Minister of Home Affairs Gamawan revealed that during the reform era 17 Governors and 150 Regents and Mayors entered prison for corruption. See *Salam Serambi*, *Serambi Indonesia*, October 19, 2010. The alleged corruption case of 220 M. by North Aceh's Bupati and Deputy Regent still threatens the justice of the Acehnese people.
 25. There are many criminal cases and violations in the field of law, such as among others published in the headline: *Salam Serambi*, "Corruption Want Prevention" put forward by each new Chief Prosecutor in Aceh. See *Serambi Indonesia*, 24 November 2010: 18. Various public secrets can be obtained from members of the public about violations of morality and allegations of corruption, collusion and nepotism (KKN) which cause crime and violation of law in society. This is partly due to the contradiction of the (legal) awareness of the community with their existence (needs) in the face of the possibility of a better future.
 26. That the various crises of the modern state continue will continue, while individual freedom and the activities of community groups will increasingly play a role in the creation of their own welfare. According to Thomas L. Freidman (2000) in A. Sudiarja said there were three waves of globalization which increasingly reduced the role of the State, especially in the economic field. (1) Modern countries still have a big role; but waves (2) and (3) the role of the State has been shifted by multinational companies and finally by individuals (agencies).
 27. In *The Third Way*. Giddens has inspired the importance of the formation of community citizens. However, he still believes in the role of the State, insofar as it is still being reformed in its relations with the community. This is to show that Giddens proposed a relational approach that takes into account the reciprocal needs between leaders representing the State and the agencies representing the community, 1998.