

III. CONCLUSION

From the description above, we can conclude that Indonesia as a country that has a large area with many islands spread from Sabang to Merauke has logical consequences for various social compositions. Starting from the diversity of culture, ethnicity, religion, economic and political conditions so that not infrequently lead to conflict, both vertically and horizontally. The existence of these conflicts (especially those that are horizontal) is often triggered by the absence of tolerance in differences, especially those concerning SARA issues.

In this context the need for an attitude of tolerance as a tactical solution is solutive. Because conflicts in differences are inevitable, they can happen at any time. This tolerance also needs to be affirmed in a written text whether in the form of law or constitution. In addition, the expression of tolerance in responding to conflicts that occur in the community can also be realized with the existence of customary law.

One of the legitimacy of the existence of customary law is the existence of religious provisions that position customs or culture in line with sharia texts namely Al-quran and Hadith with provisions must stand on the principle of life namely benefit in order to safeguard five aspects of life, namely: protecting reason, soul, religion, offspring and possessions.

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